

RESOLUTION NUMBER 25-72

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, ESTABLISHING GUIDELINES FOR COMMUNICATIONS BETWEEN COMMISSIONERS AND DEVELOPERS OR OTHER LAND USE APPLICANTS TO ENSURE COMPLIANCE WITH FLORIDA'S SUNSHINE LAW AND TO PROMOTE TRANSPARENCY, FAIRNESS, AND PUBLIC TRUST; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Eustis recognizes the importance of transparent and ethical governance, particularly in land use matters involving discretionary decision-making; and

WHEREAS, Florida's Sunshine Law (Chapter 286, Florida Statutes) prohibits Commissioners from discussing matters that may foreseeably come before the Commission outside of duly noticed public meetings; and

WHEREAS, the City Commission seeks to provide clear guidance to its members and the public on the manner in which Commissioners may interact with developers or land use applicants without compromising public confidence or legal compliance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA:

SECTION 1. Purpose.

This resolution establishes uniform best practices for communications between Commissioners and developers or other land use applicants to safeguard the City's integrity, ensure compliance with Florida law, and promote informed, transparent decision-making.

SECTION 2. Definitions.

1. *Developer* means any individual, entity, or representative seeking from the City any land use approval, entitlement, or discretionary action relating to the development, redevelopment, or use of real property. This includes, but is not limited to, applicants for annexations, comprehensive plan amendments, land use designations, variances, conditional uses, special exceptions, site plan approvals, subdivision approvals, or development agreements.

2. *Land Use Matter* means any quasi-judicial or legislative proceeding before the City Commission involving the review, approval, denial, modification, or conditioning of a request affecting the development or use of real property, whether initiated by an applicant, the City, or another governmental entity.

SECTION 3. Guidelines for Communications.

(a) Public Meetings Preferred. Developers and other applicants should present requests, proposals, and supporting materials during publicly noticed workshops or regular/special Commission meetings whenever feasible.

(b) One-on-One Meetings Restricted. Individual meetings between a Commissioner and a Developer regarding a Land Use Matter are discouraged. When such meetings are necessary, they shall comply with the following protocols:

1. No Discussion of Other Commissioners' Positions. Commissioners shall not communicate, solicit, or relay the views, positions, or intended votes of other Commissioners.

2. No Commitments. Commissioners shall not state or imply any commitment to vote for or against any application, nor express support or opposition in a manner that could be reasonably perceived as a predetermined position.

3. Written Summary Required. The Commissioner, or accompanying City staff member, shall prepare a written summary of the meeting within five (5) business days. The summary shall identify the date, time, location, persons present, and the general substance of matters discussed. The summary shall be submitted to the City Clerk for inclusion in the next available Commission agenda packet.

4. Equal Access. When a Commissioner meets with a Developer, the Commissioner shall inform the Developer that the same opportunity will be extended to all other Commissioners upon request.

5. Staff Presence. Whenever possible, a member of City staff shall be present at and document the meeting.

6. Ex Parte Disclosure. For any Land Use Matter subject to quasi-judicial review, the Commissioner shall publicly disclose the existence, substance, and nature of any ex parte communication at the applicable hearing prior to voting, in accordance with Section 286.0115, Florida Statutes.

SECTION 4. Training and Acknowledgment.

The City Manager and City Attorney shall ensure that all Commissioners receive annual training on Sunshine Law compliance and ethical conduct in land use

matters. Commissioners shall acknowledge in writing that they have received and reviewed this resolution.

SECTION 5. Conflicts.

All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. Severability.

If any section or portion of this resolution is declared invalid or unenforceable, the remaining sections shall remain in full force and effect.

SECTION 7. Effective Date.

This resolution shall take effect immediately upon adoption.

PASSED, ORDAINED, AND ADOPTED in Regular Session of the City Commission of the City of Eustis, Florida, this 2nd day of October 2025.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Willie L. Hawkins
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 2nd day of October 2025 by Willie L. Hawkins, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for reliance and use by the Eustis City Commission.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 25-72 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk