



MINUTES

City Commission Meeting

6:00 PM – Thursday, February 01, 2024 – City Hall

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT

CALL TO ORDER: 6:04 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Gary Ashcraft, Commissioner Nan Cobb, Commissioner Willie Hawkins, Vice Mayor Emily Lee and Mayor Michael Holland

1. AGENDA UPDATE: NONE

2. APPROVAL OF MINUTES

January 18, 2024 City Commission Workshop
January 18, 2024 City Commission Meeting

Motion made by Commissioner Ashcraft, Seconded by Commissioner Hawkins, to approve the Minutes. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

3. PRESENTATIONS

3.1 Presentation of Proclamation declaring February Black History Month and recognizing 30th Annual African-American Heritage Celebration

Mayor Holland read the proclamation and Vice Mayor Lee presented the proclamation to members of the African American Heritage Festival Committee including Carla Miller Mitchell.

Ms. Mitchell thanked the Commissioners and City Manager for their contributions to and support for the African-American Heritage Celebration events.

3.2 Eustis Fire and Police Departments Food Drive 2023

Fire Chief Mike Swanson announced Eustis as the winner of the 2023 Food Drive with over 17,000 lbs. of food donated. He noted that the competition is between the cities of Mount Dora, Tavares and Eustis. He cited Sheena Shoemaker for her tremendous support of the food drive and indicated they had planned to present her with a plaque in recognition of her donations.

4. AUDIENCE TO BE HEARD

Gail Isaac-Thomas announced the winner of the Miss Lake County Elite pageant was Miss Alexis Allen. It was noted that Mrs. Lake County was also present and a native Eustonian.

Fire Chief Swanson noted that Alexis is doing a great job for the Eustis Fire Department.

5. **CONSENT AGENDA**

- 5.1 Resolution Number 24-14: Purchase in Excess of \$50,000 for Two (2) Vehicles for Development Services - Building
- 5.2 Resolution Number 24-16: Landscape Construction Maintenance Memorandum Agreement Between Florida Department of Transportation and the City of Eustis For South Bay Street Islands Between East Herrick Avenue and Ashford Avenue
- 5.3 Resolution Number 24-18: Lake County Request for Traffic Signal and School Flashers Cloud Service Upgrade

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to approve the Consent Agenda. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6. **ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**

6.1 SECOND READING

Ordinance Numbers 24-05: Annexing 6.67 acres of real property with alternate key numbers 1213355 and 1213347

Sasha Garcia, City Attorney, read Ordinance Number 24-05 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 6.67 acres of real property at Alternate Key Numbers 1213355 and 1213347, on the west side of South Fishcamp Road, north of County Road 44.

Attorney Garcia opened the public hearing at 6:15 p.m. There being no public comment, the hearing was closed at 6:15 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft, to adopt Ordinance Number 24-05 on final reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.2 SECOND READING

Ordinance Number 24-06: Comprehensive Plan Map Land Use Assignment for Recently Annexed Parcels with Alternate Key Numbers 1213355 and 1213347

Attorney Garcia read Ordinance Number 24-06 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 6.67 acres of real property at Alternate Key Numbers 1213355 and 1213347, on the west side of South Fishcamp Road, north of County Road 44, from Urban Low in Lake County to Mixed Commercial Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 6:16 p.m. There being no public comment, the hearing was closed at 6:16 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to adopt Ordinance Number 24-06 on final reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.3 SECOND READING

Ordinance Number 24-07: First Reading Assignment of Design District for Recently Annexed Parcels with Alternat Key Numbers 1213355 and 1213347

Attorney Garcia read Ordinance Number 24-07 on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Corridor design district designation to approximately 6.67 acres of real property at Alternate Key Numbers 1213355 and 1213347, on the west side of South Fishcamp Road, north of County Road 44.

Attorney Garcia opened the public hearing at 6:17 p.m. There being no public comment, the hearing was closed at 6:17 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft, to adopt Ordinance Number 24-07 on final reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.4 SECOND READING

Ordinance Number 24-11: Amending Chapter 90 – Traffic and Vehicles of the City’s Code of Ordinances by creating new Article VII to be titled “School Zone Speed Enforcement;” authorizing the establishment of a speed detection system on roadways maintained as school zones within City limits.

Attorney Garcia read Ordinance Number 24-11: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, enacting Article VII - "School Zone Speed Enforcement" - Chapter 90 of the City of Eustis Code of Ordinances; providing for purpose, intent and definitions; establishing a school zone speed enforcement program and authorizing the use of speed detection systems within the City; providing for program implementation requirements and designation of school zones; providing for enforcement and administrative procedures; providing for severability; providing for conflict; providing for codification; and providing an effective date.

Attorney Garcia announced that the ordinance had been amended on first reading to include the ninth grade center location.

Attorney Garcia opened the public hearing at 6:18 p.m. There being no public comment, the hearing was closed at 6:19 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft, to adopt Ordinance Number 24-11 on final reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.5 Resolution Number 24-10: Designating the City’s Code Enforcement Board as the Local Hearing Officer pursuant to Ordinance 24-11 and Chapter 2023-174, Laws of Florida

Attorney Garcia read Resolution Number 24-10: A Resolution of the City Commission of the City of Eustis, Florida; designating the City Code Enforcement Board as the Local Hearing

Officer pursuant to Chapter 2023-174, Laws of Florida; providing for conflict; providing for severability; and providing for an effective date.

Attorney Garcia explained the statute requires the City appoint a local hearing officer which could be the code enforcement board or a special magistrate. She opened the public hearing at 6:20 p.m. There being no public comment, the hearing was closed at 6:20 p.m.

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee, to approve Resolution Number 24-10. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.6 Resolution Number 24-11: Appointing the Eustis Police Chief or his/her designee as the clerk to the City's Code Enforcement Board (Local Hearing Officer) for school zone speed detection system use infractions per section 316.1896, Fla. Stat.

Attorney Garcia read Resolution Number 24-11: A Resolution of the City Commission of the City of Eustis, Florida, appointing existing staff to serve as the Clerk to the City's Local Hearing Officer pursuant to Chapter 2023-174, Laws of Florida; providing for conflict; providing for severability; and providing for an effective date.

Attorney Garcia explained this appointment is also required under the state statute. She stated the Police Chief is being designated as the clerk or his/her designee. She added that would allow for changes in staff. She opened the public hearing at 6:21 p.m. There being no public comment, the hearing was closed at 6:21 p.m.

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee, to approve Resolution Number 24-11. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.7 Resolution Number 24-15: Approving a Photo Enforcement Services Agreement with Altumint, Inc.

Attorney Garcia read Resolution Number 24-15: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; authorizing the approval of a photo enforcement services agreement between the City of Eustis and Altumint, Inc.; and providing an effective date.

Tom Carrino, City Manager, explained staff has been working with a company for administration of the previously approved speed zone photo enforcement program. He provided a brief overview of the agreement with Altumint and noted that the agreement is for a five-year term with two three-year extensions. He further explained that the City would not have any out-of-pocket expense; however, Altumint would retain a portion of the fines as their fees.

Attorney Garcia stated that, since there are some provisions in the agreement that are being recommended for revision, the company is reserving the right to not sign the agreement if they do not agree with the changes. She stated that the statute does not allow the renewal to take place without a public hearing; therefore, she wrote a revision that would provide an option for renewal rather than it be automatic in order to be compliant with the statute.

Attorney Garcia cited the other recommended changes as follows: 1) Giving the City the option to cancel the agreement with 60 days written notice; 2) Page 10 - Liability cap (in all caps) - recommended for removal; 3) Paragraph 13 - Indemnification - recommended for removal; 4)

Paragraph 18 - Governing law - Venue would be Lake County and nothing in the agreement would waive sovereign immunity for the City; and 5) Paragraph 19 - Notices - Add title and address as to who should be notified.

Attorney Garcia added she asked for clarification regarding the distribution of funds. She commented on how the statute delineates the distribution of the fines. She explained she wanted to make sure the distribution is made on a weekly basis to be compliant with the state statute. She indicated she was assured by their representative that the distribution would be weekly.

Lorraine Johnson, Altuminte Inc., expressed their agreement with the recommended adjustments.

The Commission asked about the number of cameras and the option to add additional cameras.

Ms. Johnson stated there is the capability of adding more cameras with Attorney Garcia explaining that the data for the high school must be obtained before it can be added.

Police Chief Craig Capri stated the data has been obtained but has not been presented to the Commission as of yet.

Mr. Carrino stated that staff will have to bring back an amendment to the ordinance and the agreement to add in the high school.

Attorney Garcia opened the public hearing at 6:29 p.m.

Vance Jochim, FiscalRangers.com, commented on his experience with internal auditing and as chair of the School Board Audit Committee. He cited recent Congressional hearings regarding cybersecurity. He stated he saw nothing in the contract about cybersecurity controls and recommended that the City have information included regarding security and where information will be stored. He indicated he has over 22 different items he found in the contract regarding fiscal or control issues.

Chief Capri stated that everything is federally compliant and assured the Commission that nothing is from China.

Ms. Johnson stated that the company is based in Maryland and everything is stored in the United States. She added that all technicians reside in Florida and all parts are sourced in the U.S. She indicated they are compliant and added they have to have the highest level of security and they are third party certified as required by statute.

The Commission asked if the City would be liable for any data breach with Ms. Johnson responding that there are specific rules on the data and storage of the data and they are compliant with those rules. She noted that all of that is reported to the state.

Further discussion was held regarding cybersecurity and how the City monitors those issues.

There being no further public comment, the hearing was closed at 6:36 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to approve Resolution Number 24-15 with the amendments as reviewed by the City Attorney. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

7. FUTURE AGENDA ITEMS AND COMMENTS

7.1 City Commission

Commissioner Hawkins cited the need for an Assistant for the City Manager. He commented on the City's growth and need to keep up with growth. He questioned whether or not a workshop may be needed to discuss streamlining some of the departments to improve City processes. He asked Chief Capri about installing cameras in Ferran Park with Chief Capri responding they are working on getting quotes and determining how to tie all of the areas together with the Sheriff's Department as well. He commented on how technology is rapidly evolving.

Commissioner Cobb stated that on the second reading of Item 6.3 the number 7 is missing from the end of the alternate key number.

Attorney Garcia confirmed it was read correctly and indicated staff would insure the hard copy was correct.

Commissioner Cobb commented on the trip to Tallahassee to meet with legislators. She thanked staff for their assistance.

Commissioner Ashcraft thanked the City's communications team for the City's good content on Facebook.

Vice Mayor Lee commented on need for feedback from the City Manager regarding the Commission's assumptions on his need for help. She expressed her enjoyment with the senior fashion show sponsored by the African-American Heritage Committee. She announced that the America in Bloom committee's first project would be at the Clifford house. She commented on the success of the Tallahassee trip.

7.2 City Manager

Mr. Carrino commented on the need for help and vision. He stated his intent to meet with Commissioners individually to see how best to fill gaps. He indicated he had already met with Human Resources.

Mr. Carrino reported that the Coolidge project is in the House budget. He stated that this year not many projects are making it into both the House and Senate budgets. He stated the Coolidge project is currently in the house budget for \$1.9 million which is below the City's request of \$3.2 million. He added that he was notified by the City's lobbyist that the Bates Avenue project has made it into the Senate budget at \$350,000; although the City requested \$3.8 million. He noted that he had provided to the Commissioners a summary of the trip provided by the lobbyist. He expressed thanks to the lobbyist, Commission and staff for all their work on the trip. He commented that you frequently don't know how successful a trip is until months later.

7.3 City Attorney - None

7.4 Mayor

Mayor Holland reported on the Legislative Days trip and how successful it was. He commented on efforts being made by Representative Truenow and Senator Baxley on behalf of the City and Lake County. He stated his expectation that as much as \$4 to \$5 million will be coming back to Lake County. He cited activities planned for the upcoming African American Heritage Festival and Georgefest.

8. ADJOURNMENT: 6:50 P.M.

**These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, go to www.eustis.org and click on the video for the meeting in question. A DVD of the entire meeting or CD of the entire audio recording of the meeting can be obtained from the office of the City Clerk for a fee.*

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner