



APPROVED: 8/19/2021

MINUTES

Regular City Commission Meeting

6:00 PM - Thursday, August 5, 2021 – Community Building
601 Northshore Drive, Eustis

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER COBB

CALL TO ORDER: 6:10 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Nan Cobb, Vice Mayor Emily Lee, Commissioner Karen LeHeup-Smith and Mayor Michael L. Holland

ABSENT: Commissioner Willie Hawkins

1. AGENDA UPDATE: NONE

2. APPROVAL OF MINUTES

- 2.1 June 16, 2021 - City Commission Workshop
July 15, 2021 - Regular City Commission Meeting

Moved by Vice Mayor Lee, seconded by Commissioner Cobb, to approve the Minutes as submitted. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

3. PRESENTATIONS

- 3.1 Update on City Commission-approved developments and other projects in process and breakdown of Community Redevelopment Agency expenditures and projects

Lori Barnes, Development Services Director, provided an update on the Development Services Department activities. She reviewed the various divisions, explained the specific division duties and provided annual statistics for each division. She noted that staff prepares a slide show highlighting new businesses that is presented on the City's Facebook page.

Ms. Barnes then reviewed recent state legislation that will affect how the City does business. She cited House Bill 403 regarding home-based businesses which prohibits local government from taking certain actions relating to the licensure and regulation of home-based businesses and indicated the legislation will require the City make some code changes. She explained that any regulations pertaining to noise, vibration, heat, smoke, dust, glare, fumes or noxious odors cannot be more stringent on home-based businesses than those imposed on residences without a

home-based business. She indicated that the City has no regulations in the nuisance ordinance that applies to those issues. She stated the City has two options: 1) They can strike all of the provisions regarding those nuisances related to home-businesses in the BTR ordinance; or 2) They can adopt regulations in the nuisance ordinance, Chapter 34, that would apply standards to any of those negatives impacts in any residential areas.

Discussion was held regarding whether or not to amend Chapter 34 to incorporate regulations on those negative impacts. It was a consensus of the Commission to have staff bring back some examples for their review.

Ms. Barnes then reviewed the Building Department and Code Enforcement functions and annual statistics noting that Code Enforcement has an overall 96% compliance rate. She explained that Senate Bill 60 now prohibits code inspectors from initiating an investigation unless the complainant provides their name and address. She commented on staff's efforts to get that information out to the community.

Ms. Barnes then reported on the department's annual planning statistics and explained that the planning staff also has to review building permit applications for compliance with the Land Development Regulations. She then reviewed the development incentive program for new construction which waives water and sewer impact fees noting they processed 64 applications, representing \$91.7 million in private investment vs. \$2.3 million in potential waived fees. She explained that those fees are not actually waived until the project gets to the building permit stage.

Ms. Barnes then provided an update on recent projects as follows: Recently completed projects: 1) Lulu Candles; 2) Valencia Grove II; and 3) Circle K at SR 44 and CR 44. Projects currently under construction: 1) Oakmere (Bates Subdivision); 2) Lake Lincoln Subdivision; 3) Lake Eustis Marina expansion; and 4) Magnolia Street Apartments. Projects under review: 1) Orange Ave. Townhomes; 2) Royal Brothers single family residential preliminary subdivision plat; 3) Pine Meadows concept plan; 4) New 7-11 at Fish Camp Road and County Road 44. Projects that may be coming soon: 1) New Ace Hardware - previously approved but delayed by a probate issue; 2) Lake House at Lake Eustis (assisted living facility) whose financing was cancelled due to Covid 19; however, their new financing options are underway and should be completed within 30 days. They are expecting to resubmit their plans within 60 days; 3) Lake Door and Trim at David Walker and Huffstetler has reported they are waiting to see what happens with building supply costs.

Ms. Barnes then listed recent individuals and businesses that have expressed interest in developing within the City: 1) Cobb Commerce Park for a soap manufacturer and a diesel repair facility; 2) CR 44 east of Walgreen's (53 acre parcel) – staff has received a number of inquiries however there are issues due to it being in a flood zone; 3) CR 44 immediately adjacent to Walgreen's (13 acres); 4) Lakeview Ave. 9 acre and 14 acre parcels - have been on the market for a number of years - have received a number of inquiries regarding that property; 5) CR 44 on north side east of Dollar General (17 acre parcel); 6) SR 44 at Waycross (25 acre parcel) just north of Lowe's - however there are challenges and no way clear for annexation due to creation of an enclave; 7) 66 acre parcel on CR 44

would create an enclave; 8) Flagship development on City property on 44 is proceeding with their due diligence and plans for the drive-in movie theater, self-storage, hotels and retail; and 9) Atrium project for the three downtown city blocks. City Manager and Economic Development Director have been negotiating with the developer and will bring it to the CRA Board at their next meeting.

Ms. Barnes then reported on the upcoming surplus property sale/mow to own program. She noted there are currently ten properties available. She commented on how the program is very staff intensive and stated they will be initiating this year's program in the late fall.

Commissioner Cobb asked about the property near the Gate station with Ms. Barnes stating that Trout Landing did receive its concept plan approval which does not provide any entitlements. She explained they are looking at marketing for the project; however they are looking at other options as well.

Tom Carrino, Economic Development Director, provided a report on the expenditures between the east and west portions of the CRA District stating approximately \$1,185,000 has been spent over the past five years east of Center Street and \$700,000 west of Center Street. He noted there are additional funds that have been spent throughout the CRA. He then compared the property values and revenues generated between the two sections.

The Commission asked for specifics regarding what projects have been completed with Mr. Carrino indicating he can provide a list of the major projects but could not provide a breakdown of the specific sidewalks and streets.

CONSENSUS: It was a consensus of the Commission for Mr. Carrino to provide a list of projects to all of the Commissioners.

The Commission asked about the project on Orange Avenue that has requested CRA funding twice with Mr. Carrino indicating they have lost some of their contractors and subcontractors due to a hold up when they had to make some changes to their plans. He confirmed they do not get their reimbursements unless and until the project is completed and they have paid their taxes.

The Commission then asked about Eleven Oaks with Rick Gierok, Public Works Director, reporting there are some issues with their stormwater. He indicated he would be having his camera crew video their stormwater to check to see if the appropriate repairs have been completed.

The Commission asked how they are repairing it without digging it up with Mr. Gierok explaining they inject grout. He indicated the stormwater system is the responsibility of the HOA; however, the roads are the City's and if the stormwater fails and damages the roads it will cause the City problems.

The Commission asked about requiring a performance bond for two or three years with Mr. Gierok indicating the City will get a two-year maintenance bond. He indicated that the contractor they hired is a quality contractor.

The Commission asked how this occurred with Mr. Neibert indicating they had a bad contractor and then they had a contractor walk away and it was complicated by Covid. He confirmed they obtained their Certificate of Occupancy from the County for the electric poles and fixtures.

The Commission asked about Farmstead 44 with Ms. Barnes indicating it is under construction. They are working on tree removal and they are maintaining a significant buffer of existing trees along 44. They are working on installation of the road and they have submitted their building permits for their vertical construction and those are under review.

4. AUDIENCE TO BE HEARD

Horace Jones, Executive Director for the Eustis Housing Authority (EHA), commented on the recent budget workshops stating they were very well planned out and very detailed. He thanked City staff for their assistance with the Housing Authority. He noted that EHA will be applying for a HUD grant that will provide assistance for their resource center that they will be implementing. He noted they will be requesting some matching funding from the City.

The Commission complimented Mr. Jones on the excellent condition of their facilities.

5. CONSENT AGENDA

- 5.1** Resolution Number 21-49: Approving Edward Byrne Memorial Justice Assistance Grant
- 5.2** Resolution Number 21-53: Approving a Memorandum of Understanding with LifeStream Behavioral Services LLC
- 5.3** Resolution Number 21-54: Approving change order and budget amendment for Umatilla Wastewater Interconnection Project
- 5.4** Resolution Number 21-58: Approving a revised assignment of the Developer's Agreement and first amendment to the Developer's Agreement with Redtail Club Services, LLC

Moved by Vice Mayor Lee, seconded by Commissioner Cobb, to approve the Consent Agenda as submitted. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

- 6.1** Resolution Number 21-50: Preliminary Subdivision Plat - Orange Ave Townhomes

Derek Schroth, City Attorney, announced Resolution Number 21-50: A Resolution of the City Commission of the City of Eustis, Florida; approving a preliminary subdivision plat for the Orange Ave. Townhomes Subdivision, a 32-lot single family townhome subdivision, on approximately 3.9 +/- acres located on the south side of East Orange Avenue (between Abrams Rd. and Fruitwood Ave.).

Lori Barnes, Development Services Director, reviewed the proposed preliminary subdivision plat as follows: 1) Property owner/applicant is Lake RC, Inc.; 2) Project consists of a 32-unit townhome development; 3) FLU designation of Mixed Commercial/Residential within a Suburban Corridor design district; and 4) 32 single family lots on 3.9 acres equaling 8.7 du/ac which is less than the maximum allowed of 12 du/ac.

Ms. Barnes presented a view of the subdivision and landscape plans citing the proposed buffering. She presented an artist rendering of the townhomes. She stated the applicant did hold the voluntary community meeting with approximately five residents in attendance. She noted there were concerns regarding additional traffic. She indicated staff recommended they contact Lake County as they had concerns regarding existing issues and Orange Avenue is maintained by the County. She indicated staff has not received any input at this time regarding the project. She noted that the project was advertised with a waiver request for fencing around the stormwater pond; however, the waiver is no longer necessary. She stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 6:55 p.m. There being no public comment, the hearing was closed at 6:55 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Vice Mayor Lee, to approve Resolution Number 21-50. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.2 Resolution Number 21-51: Conditional Sign - Lulu Candles 1361 Cobb Drive

Mr. Schroth announced Resolution Number 21-51: A Resolution of the City Commission of the City of Eustis, Florida; approving a conditional sign for Lulu Candles at 1361 Cobb Drive to permit a 100-square foot sign in the Rural District.

Ms. Barnes reviewed the requested conditional sign and explained that the request is to allow a sign area greater than that allowed by the Land Development Regulations (LDR's). She stated their reasoning is that their facility is more than 500 feet from SR 44 and they want the sign to be readable from the roadway. She reviewed the background information on the property and the applicable LDR's noting that signs are not included as part of the site plan review. She noted that the regulations provide for different standards for corridor design districts versus any other district. She stated the subject property is located in the Rural design district which has a maximum allowable signage of 72 square feet with 24 inch maximum letter and logo size. She stated what is requested is 100 square feet with larger lettering than the maximum allowed. She explained the conditional sign process and the issues to be considered by the Commission in determining whether or not to approve the request. She reviewed staff's analysis of the request. She added that, if the Commission desires, staff could look at whether or not to re-designate areas along 44 as corridors.

Mr. Schroth opened the public hearing at 7:04 p.m.

Mayor Holland thanked Ms. Lawrence for relocating her business to Eustis. She expressed thanks to the City for their assistance.

Karen Lawrence noted the distance that her business is set back from the main road and commented on the need to have visibility from the roadway. She noted that when the front lots are developed that will also make the view of their business more difficult. She commented on the work they have done to make their facility beautiful.

There being no further public comment, the hearing was closed at 7:06 p.m.

The Commission confirmed that no additional signage would be placed near the roadway.

Commissioner Cobb explained that while her company owns the Commerce Park, they are selling the lots in the Park; however, they still own the front four lots and there is an HOA so they retain a small percentage of ownership; therefore, she would recuse herself from voting.

Commissioner LeHeup-Smith expressed support for redefining the City's corridors.

Moved by Vice Mayor Lee, seconded by Commissioner LeHeup-Smith, to approve Resolution Number 21-51. Motion carried by the following votes:

Ayes: Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.3 Resolution Number 21-52: Approving City participation in Florida Memorandum of Understanding pertaining to opioid epidemic

Mr. Schroth announced Resolution Number 21-52: A Resolution of the City Commission of the City of Eustis, Florida; authorizing the City to join with the State of Florida and other local governmental units as a participant in the Florida Memorandum of Understanding and formal agreements implementing a unified plan regarding opioid litigation; authorizing the City Manager to execute all necessary agreements; directing the City Clerk to submit the resolution to the Florida Attorney General; providing for an effective date.

Mr. Schroth explained the requested Memorandum of Understanding is due to the settlement of the opioid litigation with the City's share equaling \$21,083.

Mr. Schroth opened the public hearing at 7:10 p.m. There being no public comment, the hearing was closed at 7:10 p.m.

The Commission questioned what would occur with the City's \$21,000 with Mr. Neibert indicating that the agreement has specifics regarding use of the funds. The thinking is that the individual communities will not be able to do much with their shares so the funds will go to the counties to develop appropriate programs in coordination with the cities.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve Resolution Number 21-52. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.4 Resolution Number 21-55: Textile Recycling Collection Bin at 2601 E. Orange Avenue

Mr. Schroth announced Resolution Number 21-55: A Resolution of the City Commission of the City of Eustis, Florida; approving placement of a textile recycling collection bin at 2601 E. Orange Avenue pursuant to Ordinance Number 21-07; providing for conditions of approval.

Ms. Barnes reviewed the request to allow placement of a textile recycling bin at 2601 E. Orange Avenue noting that it is the first of three requests by the applicant. She noted the site is the AAA Mini Storage site and provided an aerial view of the location. She also presented a photograph of the donation bin which was taken on Monday (August 2nd). She reviewed staff's analysis of the request based on Ordinance 21-07. She indicated that the property owner has provided approval; however, that authorization allows American Textile Recycling Services to place a bin on the property and the business tax receipt application is in the name of Orla Recycled Clothing. She stated their representative has stated that ATRS is the parent company of Orla but they have provided no documentation regarding that relationship. She presented a picture of the signage on the bin. She reviewed the requirements of Ordinance 21-07 and provided staff's analysis of each.

Ms. Barnes noted that the proposed signage on the bin does provide the ATRS office address and provides a phone number to call for special recycling which appears to be registered to ATRS. The signage also represents Libby's Breast Cancer Foundation. She further noted additional requirements and the compliance of the applicant. She added that Ordinance 21-07 limits the total number of bins within the City to four and this applicant has submitted applications for three. At that time, no other applications have been received. She stated that the Commission has discretion to approve.

Mr. Schroth opened the public hearing at 7:19 p.m.

Gary Toley, representing ATRS and Libby's Legacy, read a letter of support from Libby's signed by Tracy Harris, Executive Director of Libby's Legacy.

There being no further public comment, the hearing was closed at 7:22 p.m.

Commissioner Cobb noted when she started this she had contacted Libby's and asked how much goes to Lake County and they either couldn't or wouldn't answer her. She cited the letter sent out notifying everyone regarding the new ordinance and the lack of compliance. She expressed concern regarding the bins being placed prior to approval and that the BTR application does not match the bin application. She noted that for one location the store manager signed the agreement, not the land owner. She emphasized that the required process was not followed.

The Commission commented on the mismatching names and expressed concern regarding how much of the proceeds are actually going to Libby's.

Mr. Toley responded that he is the community relations advocate and he does not have that information. He indicated that ATRS would not be able to stay in business if they didn't make a profit. He noted that when they first started in Florida they were still supporting the various charities even though they weren't yet making a profit. He commented on the number of employees they support. He apologized for not having the specifics on the percentage provided to Libby's.

The Commission asked if there is an application fee and what will happen if the bins are not maintained.

Ms. Barnes stated there is a \$10 application fee and then an \$80 annual fee for the BTR plus a per site fee. She explained the applications do meet the requirements of Ordinance 21-07. She indicated the City now has the contact information to contact the organization in the event the sites are not maintained appropriately. She noted that, in the past, they did not have contact information and could not reach the bin owners and could only code enforce the property owners.

The Commission further asked how they will ensure the bins stay maintained with Mr. Toley indicating they service the bins twice per week. He added that each store owner has his name and phone number and if someone wants to donate a large item in between pickups they can call him and he will see that it is picked up. He commented on the signature by the property owner and their feeling that the authorized manager of a site should be able to approve and cited the difficulty in trying to get the actual land owner to sign an agreement.

The Commission further expressed concern regarding the varying names and commented on how other not-for-profits have to get corporate approval before setting up a fund-raiser and then they work with the local manager.

Mr. Toley indicated he would get additional paperwork to clarify the relationship between ATRS and Orla Recycling. He commented on his work with Dollar General.

The Commission noted that various businesses had indicated they had not given permission for the bins to be placed on their property. They also commented on the amount of feedback they get from the community on such issues. They encouraged Mr. Toley to look into the administrative costs.

Mr. Toley asked the Commission to consider giving them a trial basis and if they don't perform, throw them out. He indicated that, had he asked corporate for the requested information, he would have received it. He emphasized they are registered with the State of Florida.

Mr. Schroth noted that for the Resolution 21-55, it was the property owner that signed off for that site.

Mayor Holland performed a straw poll due to the absence of Commissioner Hawkins.

The straw poll showed a result of 4 to 0 against approval with comments regarding the need for all of the paperwork to match.

Mr. Neibert asked if the Commission would like to table to a date certain and allow Mr. Toley time to re-submit.

Moved by Vice Mayor Lee, seconded by Commissioner LeHeup-Smith, to table Resolution Number 21-55 to the September, 9, 2021, meeting. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.5 Resolution Number 21-56: Textile Recycling Collection Bin at 256 W County Road 44

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to table Resolution Number 21-56 to September 9, 2021. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.6 Resolution Number 21-57: Textile Recycling Collection Bin at 905 North Hwy 19

Moved by Vice Mayor Lee, seconded by Commissioner Cobb, to table Resolution Number 21-57 to September 9, 2021. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.7 Ordinance Number 21-11: Voluntary Annexation of property located at the northeast corner of Fish Camp Road and Grand Island Shores Road

Mr. Schroth read Ordinance Number 21-11 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 10.72 acres of real property at the northeast corner of South Fish Camp Road and Grand Island Shoes Road.

Mr. Schroth opened the public hearing at 7:46 p.m. There being no public comment, the hearing was closed at 7:46 p.m.

Moved by Vice Mayor Lee, seconded by Commissioner Cobb, to adopt Ordinance Number 21-11 on second and final reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.8 Ordinance Number 21-12: Comprehensive Plan Amendment for property located at the northeast corner of Fish Camp Road and Grand Island Shores Road

Mr. Schroth read Ordinance Number 21-12 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 163.3184 F.S.; changing the future land use designation of approximately 10.72 acres of recently annexed real property located at the northeast corner of South Fish Camp Road and Grand Island Shores Road, as more particularly described herein, from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

Mr. Schroth opened the public hearing at 7:47 p.m. There being no public comment, the hearing was closed at 7:47 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Vice Mayor Lee, to adopt Ordinance Number 21-12 on second and final reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.9 Ordinance Number 21-13: Design District Assignment for property located at the northeast corner of Fish Camp Road and Grand Island Shores Road

Mr. Schroth read Ordinance Number 21-13 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 10.72 acres of recently annexed real property located at the northeast corner of South Fish Camp Road and Grand Island Shores Road.

Mr. Schroth opened the public hearing at 7:48 p.m. There being no public comment, the hearing was closed at 7:48 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Vice Mayor Lee, to adopt Ordinance Number 21-13 on second and final reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.10 Ordinance Number 21-21: Annual update of the Five-Year Capital Improvement Element of the Comprehensive Plan Fiscal Year 2022-26

Mr. Schroth read Ordinance Number 21-21 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving the annual update of the Five-Year Capital Improvement Schedule of the Comprehensive Plan pursuant to Florida Statutes 163.3177(3)5(b); providing for conflicting ordinances, severability and effective date.

Mr. Schroth opened the public hearing at 7:49 p.m. There being no public comment, the hearing was closed at 7:49 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Cobb, to adopt Ordinance Number 21-21 on second and final reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.11 Ordinance Number 21-10: Comprehensive Plan Text Amendment

Mr. Schroth read Ordinance Number 21-10 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, amending the City of Eustis Comprehensive Plan 2010-2035 pursuant to Section 163.3184 of the Florida Statutes; providing for text revisions to the Future Land Use Element, Future Land Use Element Appendix, Conservation Element, Economic Development Element, Housing Element, Intergovernmental Coordination Element, Parks and Open Space Element, and Transportation Element; amending maps; providing for addition of a Property Rights Element; providing for the repeal of ordinances inconsistent with this ordinance; providing for conflicting provisions; and providing for severability and effective date.

Mr. Schroth noted that the ordinance has been amended to only apply to the Property Rights Element and continue the other items.

Mr. Schroth opened the public hearing at 7:50 p.m. There being no further public comment, the hearing was closed at 7:50 p.m.

Moved by Vice Mayor Lee, seconded by Commissioner Cobb, to approve Ordinance Number 21-10 on first reading as amended by the Local Planning Agency to include the Property Rights Element only. Motion carried by the following votes:

Ayes: Commissioner Cobb, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

7. FUTURE AGENDA ITEMS

- 7.1 Commissioner Cobb asked if the LPA meetings could begin at 5:30 p.m. instead of 5:50 p.m. with Mr. Neibert noting that sometimes there are other meetings prior to the LPA and Commission. He noted that staff can look at moving back the meetings where possible.

8. COMMENTS

8.1 City Commission

Commissioner Cobb noted Lori Johnson, Consumer Sciences Field Advocate for the Ag Center, is applying for a grant to bring to the community classes in cooking healthy. She commented on a related meeting with Craig Dolan and thanked him for his assistance.

Commissioner LeHeup-Smith commented on the Alee Academy fund-raiser.

Vice Mayor Lee stated there would be a career planning workshop at the Eustis Woman's Club on Wednesday, August 25th. Cost is \$15 per person. She thanked everyone for their support during the recent passing of her granddaughter.

Commissioner Cobb thanked everyone for their support of the Alee Academy fund-raiser and noted that she and Mayor Holland both sit on the Alee Academy Board.

8.2 City Manager - None

8.3 City Attorney - None

8.4 Mayor

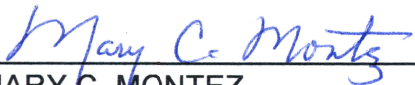
Mayor Holland announced that the Commission and staff would be attending the Florida League of Cities conference in Orlando the next week. He thanked Chief Capri for his work on resolving the homeless issue within the City and assisting them in getting the assistance they need. He announced that the next day would be First Friday and would feature a Spirit Rally for Eustis High School. He invited everyone to attend.

Chief Swanson noted the number of phone calls they are getting regarding Covid testing and vaccination. He stated the Health Department would be providing vaccinations at First Friday and then again in September. He cited locations where people can get tested as well.

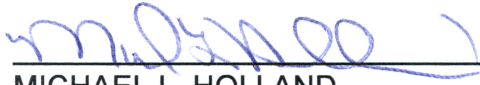
Mayor Holland encouraged everyone to get vaccinated and noted the number of people who thought it was a hoax but are now suffering from Covid 19.

9. ADJOURNMENT: 8:01 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 or verbatim transcript of the meeting can be obtained from the office of the City Clerk for a fee.*



MARY C. MONTEZ
City Clerk



MICHAEL L. HOLLAND
Mayor/Commissioner

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Cobb, Nanette, Lyn	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Eustis City Commission
MAILING ADDRESS 3151 Brighton Rd	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY COUNTY Eustis Lake	NAME OF POLITICAL SUBDIVISION: City of Eustis
DATE ON WHICH VOTE OCCURRED August 5th, 2021	MY POSITION IS: ☒ ELECTIVE ☐ APPOINTEE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Nanette Lyn Cobb, hereby disclose that on August 5th, 20 21 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____ , by
whom I am retained; or
- ☐ inured to the special gain or loss of _____ , which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Couldn't vote on a sign ordinance for Lulu's Candles because I have interest in Cobb Commerce Park. We have 4 lots remaining and we're part of the land association

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

8/9/2021

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.