

Agenda
ORGANIZATIONAL CITY COMMISSION MEETING
CITY OF EUSTIS, FLORIDA
January 8, 2008 at 7:30 p.m.

INVOCATION: Pastor Ron Holder, First Church of God

PLEDGE OF ALLEGIANCE:

ACKNOWLEDGE THAT A QUORUM IS PRESENT AND PROPER NOTICE GIVEN

- I. Retiring Mayor's Message**
- II. Appointment of City Clerk as temporary Chairman to conduct the election of Mayor.**
- III. Election of Mayor**
- IV. Election of Vice-Mayor**
- V. Seating of Mayor and Vice-Mayor**
- VI. Mayor's Message**
- VII. Presentation of Plaque to Outgoing Mayor Rotella**
- VIII. 2008 Commission Policies**

ADJOURNMENT:

This Agenda is provided to the Commission only as a guide, and in no way limits their consideration to the items contained hereon. The Commission has the sole right to determine those items they will discuss, consider, act upon, or fail to act upon. Changes or amendments to this Agenda may occur at any time prior to, or during the scheduled meeting. It is recommended that if you have an interest in the meeting, you make every attempt to attend the meeting. This Agenda is provided only as a courtesy, and such provision in no way infers or conveys that the Agenda appearing here is, or will be the Agenda considered at the meeting.

If a person decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and that, for such purposes, he or she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105).

ELECTION OF MAYOR and VICE-MAYOR

Election will be held for Mayor; once election is held and Mayor is elected, the new Mayor will chair the meeting and handle the election of the Vice-Mayor.

MAYOR ELECTION PROCESS

1. Chairman will call for nominations (nominations do not require a second).
2. After it appears that no further nominations are forthcoming, the Chairman will call for a motion that nominations be closed. (This motion does require a second, followed by a voice vote.)
 - a. Should there be only one (1) nomination for Mayor, there will be a roll call vote in alphabetical order.
 - b. Should there be more than one (1) nomination for Mayor, there will be a roll call vote for each nominee, in the order that the nomination is offered. Roll call shall be in alphabetical order.

Roll call vote order:

Commissioner Ales
Commissioner Hale
Commissioner LeHeup-Smith
Commissioner Rotella
Commissioner Smith

*Newly elected Mayor may change this procedure if desired or follow the same procedure for election of Vice-Mayor.

2008 Commission Policies

POLICY NUMBER	<u>POLICY</u>	ADOPTION <u>DATE</u>
2008-01	Adoption of Rule of Procedure for 2008 (subject to the laws of the State of Florida governing elected officials)	
2008-02	Meeting Times: 1st and 3rd Thursday of each month at 7:00 p.m.	
2008-03	<p>City Commission Agenda/Meetings</p> <p>I. <u>PURPOSE AND SCOPE</u> To ensure proper preparation of the Agenda Item Cover Sheet and distribution of the Agenda for all City Commission meetings.</p> <p>II. <u>DEFINITIONS AND REFERENCES</u></p> <p>A. Form CC-01 Agenda Item Cover Sheet (Rev. 3/07 - See Exhibit A) This is the vehicle for placing all items on an agenda for any City Commission meeting.</p> <p>B. Agenda Package – Agenda Item Cover Sheets with backup assembled in approved format for one or more specific City Commission meetings.</p> <p>C. Approved Agenda Format – Order of presentation of agenda items as approved by the City Commission (Exhibit B).</p> <p>D. Method Of Voting On Agenda Items – All resolutions and ordinances require a roll-call vote. Unless a clear distinction is required under local or state law, all other votes will be taken by voice vote using the ayes or nays. It will be the responsibility of the Mayor or presiding member to summarize the results of the voice vote at its conclusion.</p> <p>E. Acknowledge That A Quorum Is Present And Proper Notice Given: At the beginning of the business session of the City Commission meeting, the Mayor or presiding member will ask the City Clerk to verify that there is a quorum present and indicating which City Commissioners are absent. The City Clerk will also acknowledge that the proper notice of the meeting has been given.</p> <p>F. Agenda Update Section – At the beginning of the meeting, the City Manager will brief the City Commission on any proposed changes, additions or deletions to the original agenda circulated. This would also be the time that City Commissioners would move items to or from the Consent Agenda Section.</p> <p>G. Minute Approval Section – Approval by the City Commissioners of minutes of previous meetings.</p> <p>H. Presentations Section – Presentations to the City Commission that may require discussion or to receive recognition or proclamations. This section may include special presentations by staff with prior approval of the City Manager for the purpose of informing them of important pending issues.</p> <p>I. Audience To Be Heard Period – This section will be scheduled on regular Commission meeting agendas and is used to hear questions, comments and concerns from the citizens of Eustis. Matters to be discussed should not include topics included on the agenda for public input, but instead those persons should be instructed as to the appropriate location on the agenda. Action will not normally be taken by the City Commission. If a Commissioner feels that further action is necessary at that meeting, the item may be placed on the Departmental Business Section of the agenda and placed there by a majority of the City Commissioners present for further review and consideration. Questions may be answered by staff or issues may be referred for appropriate staff action. Quasi-Judicial matters which may be coming before the City Commission at a later date should not be discussed until such time as they come before the City Commission in that forum.</p> <p>J. Reports Section – This section of the agenda will be used for updates and items not included on the agenda. This section is intended for use by City Committees and other groups such as the Chamber of Commerce and Eustis Main Street.</p>	

- K. Consent Section – This section will consist of routine City business which requires City Commission approval and typically receives an affirmative vote. The Consent Section of the agenda will be acted upon with one motion of the City Commission after any questions by the City Commission have been responded to. In addition to the provisions described in the Agenda Update Section, any City Commissioner shall have the right to pull a particular item and place it in the Departmental Business Section for a separate vote at the beginning of this section. No controversial item or items requiring discussion on the part of the City Commission will be included in this section.
- L. Quasi-Judicial Hearings Section – All quasi-judicial hearings shall be presented on an Agenda Item Cover Sheet. These are hearings of a quasi-judicial nature that deal with land use assignments, site plan approvals, etc. Items of this nature may come before the City Commission accompanied by a resolution or ordinance as the required action may dictate. The City Commission will establish rules of procedure for quasi-judicial hearings and will consider the accompanying legislation after finding for the facts in each case presented. All votes taken for any quasi-judicial hearing and accompanying resolution or ordinance will be by roll call vote.
- M. Public Hearing Section – All public hearings shall be presented on an Agenda Item Cover Sheet. Public hearings on proposed ordinances and resolutions must have the Proof of Publication attached when required. Each public hearing held will be closed promptly once it has been determined that all testimony is received. The Mayor may set time limits and other parameters under which the public may be allowed to speak.
- N. Resolutions and Ordinances Section – This section includes the reading and consideration of resolutions and the first and second reading of ordinances. All votes taken for resolutions and ordinances will be by roll call vote.
- O. Departmental Business Section – This section is used for any item that will require discussion by the City Commission, staff or others prior to approval, denial or other action.
- P. Reports Section – This section of the agenda will be used for updates and items not included elsewhere on the agenda by the City Commission, City Manager, City Attorney and Finance Director. By a majority vote of the City Commission, an item that is brought forward under this section may be placed on the agenda for further City Commission discussion and action.

III. RESPONSIBILITY

- A. It shall be the responsibility of the City Manager or designee to approve all Agenda Item Cover Sheets and Agenda Reports and forward the information to the appropriate staff person in the City Clerk’s office.
- B. It shall be the responsibility of the City Manager or designee to schedule the yearly City Commission meetings in advance and obtain City Commission approval for such schedule.
- C. It shall be the responsibility of the Division/Department Directors to ensure that the Agenda Item Cover Sheets and backup information from all divisions are reviewed and forwarded to the City Manager’s Office in a timely fashion to comply with deadlines established for the agenda process.
- D. It shall be the responsibility of the City Clerk or designee to produce, assemble and transfer the agenda packages to the City Commission, City Manager, City Attorney, Finance Director as well as a copy available for the press. The City Clerk or designee is also responsible for the distribution of the agenda to the Division/Department Directors and those on the agenda mailing list.
- E. It shall be the responsibility of the City Clerk or designee to complete and distribute the Agenda Item Cover Sheets after the Board meeting.

IV. PROCEDURE

A. Meeting Schedule

The Eustis City Commission meets in regular session the first and third Thursday of each month. The regular meeting time of these meetings is at 7:00 PM. Additional special meetings and workshops may be scheduled as may be needed in accordance with local and state law.

B. Agenda Preparation Process

1. The Agenda Item Cover sheet is to be completed as follows: Each item is to be

prepared in 8 ½” x 11” size and contain the Agenda Item Cover Sheet and one copy of any backup materials. If there are original signed documents in the packet, one copy should be made of those documents for reprographic purposes. Original signature items should be forwarded with the Agenda Item Cover Sheet (See Execution of Documents).

2. Meeting Date: Insert the date or dates of the Board meeting at which the item is to be considered.
3. Type of action: Check whether the item is a Quasi-Judicial, Public Hearing, Resolution, Ordinance, Consent, Departmental, Presentation or Other. If “Other” is marked, indicate the type of action requesting.
4. Consent/Departmental: Mark the section which is appropriate for the Agenda Item. (See definitions if clarification is needed.)
5. Subject: Enter the topic of the item only, i.e.: “Solid Waste Fees”.
6. Recommendation/Required Action: This is to be a very brief statement as to what action is being requested of the City Commission, i.e.: Approval of an Interlocal Agreement between the City of Eustis and John Doe to conduct a survey at a cost of \$0000 and to encumber and expend funds. This statement should be concise but should include all actions needed with regard to the item.
7. Background Summary: Complete background information on the items should be included in order that the City Commission may make a decision. If a new project is being proposed for instance, staff time necessary, cost, completion date, etc. If additional pages are necessary to complete the explanation, they should be used.
8. Fiscal Impact: This item should be included on all items for which there is some kind of fiscal impact. If the item is not budgeted, then proposed budget source should be shown. If the item has been budgeted, then the amount budgeted should be indicated.
9. Advertising and Attachments: This item should be completed as indicated. If attachments are large and only one copy is being furnished to the City Manager’s Office, it should be indicated that “the original is available for review in the City Manager’s Office”.
10. Staff Approvals: The City Manager will sign off on all agenda items. Items which require review by the City Attorney and the Finance Department shall be reviewed and signed by those offices before being forwarded to the City Manager’s Office by the deadline. If these sign-offs have not been accomplished, the item may be pulled from consideration on the requested City Commission meeting date.
11. Action Taken by Board: This section will be completed by the City Clerk or designee after the City Commission meeting. A copy of the Agenda Item Cover Sheet and backup information will be forwarded back to the originating departments. If signatures are necessary, the item will go through the signature process before being forwarded back to the departments.

C. Deadlines/Timeframes

1. The Agenda Item Cover Sheet, all backup materials and original signature documents are to be submitted to the City Manager’s Office by the Wednesday noon of the week prior to the City Commission meeting date indicated for consideration. All items received after the deadline will be delayed until the next meeting unless specifically approved for inclusion by the City Manager.
2. Items that are received after the deadline will be required to have an attached memo stating the necessity for placement on the specified agenda and the reason it was not submitted under the time set under section C-1. i.e.: time sensitivity, etc. The City Manager will sign off on the memo if accepted.
3. The City Clerk or designee prepares the agenda and agenda package, makes the necessary copies and distributes the agenda packet to the City Commission, City Manager, City Attorney and to others as may be required in the afternoon or evening of the Thursday, one week before the scheduled meeting.

D. Execution of Documents

1. At the time of review, the City Attorney’s signature will be affixed indicating

	<p>that the document is legally sufficient. Original documents requiring signatures by the Mayor and the City Clerk should be forwarded with the Agenda Item Cover Sheet at the time of submittal to the City Manager.</p> <ol style="list-style-type: none"> 2. After the City Commission meeting, items which have been approved will be presented to the Mayor and the City Clerk for signature. 3. If the document is an ordinance or resolution which is required to be numbered, a number will be issued by the City Clerk or designee as may be required. 4. All documents requiring signatures should have the Agenda Item Cover Sheet (Form CC – 01) attached which will indicate the date the item was approved by the City Commission. <p>E. <u>Changes to Agenda Once it Has Been Prepared</u></p> <ol style="list-style-type: none"> 1. All changes to the agenda must be approved by the City Manager or designee. Any change is discouraged unless the change is absolutely necessary. 2. All changes must be reported to the City Manager no later than noon on Monday prior to the Thursday City Commission meeting. 3. Add-on items will be restricted to items of extreme importance and must be approved by the City Manager. <ol style="list-style-type: none"> a. Any item which is not listed on the agenda will have to first receive a four-fifths vote of approval by the City Commission as an item of emergency. b. Once an add-on item has received approval as an emergency, the City Commission will consider the item and cast a vote. (This procedure does not mean that an idea cannot be brought up for discussion. However, action will not be taken on an item unless it has received the vote of approval as an emergency.) 4. Deletions are only to be made by the City Manager or the Mayor. The deletion should be communicated to all Commissioners, staff and the City Clerk by the City Manager. 5. An item may be moved from the Consent Section to Departmental Business for purposes of discussion. This action should be done by the City Manager or the City Commission. 6. An agenda item may be revised for a variety of reasons. However, every effort should be made to keep revisions to a minimum. If a revision occurs, a new copy of the agenda item should be forwarded to the City Manager’s Office for review and then to the City Clerk or designee for distribution. The revision should be labeled “revision” and the changes should be highlighted. 7. Any revision to the agenda must be distributed to the City Commission no later than 48 hours before the scheduled meeting. This may be via email or physical delivery. 	
2008-04	Appointments to City Boards or Committees, except the Eustis Housing Authority, shall be by majority vote of the City Commission and must comply with all laws and/or statutes.	
2008-05	<p><u>Tree Removal Procedure</u></p> <p>Public Works Department shall post a notice of tree removal on subject tree for a 20-day period. If a complaint is received concerning removal of subject tree, complaint shall be referred to the Public Works Department for a recommendation. If no complaints are received, tree shall be scheduled for removal as soon as possible following the 20-day posting.</p>	
2008-06	City Commission approves free use of the Senior Service Center one (1) day annually by Eustis Lions Club for the purpose of providing free glaucoma testing.	

2008-07	<p>Granting City Manager authority to approve or deny requests for street closing with the following conditions:</p> <ol style="list-style-type: none"> 1. Closing request up to 24 hours only; 2. Limited to an area of two (2) city blocks or less in length. Any request for larger area must go before the City Commission. 	
2008-08	<p>Procedure for committee or board vacancy applicants: All new applicants to be notified and requested to attend the Regular Commission Meeting to enable candidates to answer any questions the Commission may have regarding past experience, qualifications, etc.</p>	
2008-09	<p>The Commission adopted a policy to provide that all mail received at City Hall for Commissioners be opened by the City Manager's Executive Assistant and copied if necessary prior to distribution. Any correspondence related to pending quasi-judicial matters will be appropriately noted and placed in the case file to avoid ex parte communications between Commissioners and interested parties.</p>	
2008-10	<p>The Commission adopted a policy to review minor encroachments onto City property on a case-by-case basis for resolution.</p>	
2008-11	<p>The Commission adopted a policy to not allow traffic stops (on street solicitation) in the City of Eustis.</p>	
2008-12	<p>The provision for waiving user fees at City-owned facilities shall be:</p> <ol style="list-style-type: none"> 1. For use by City Departments for activities or functions for the City; and 2. For governmental agencies, social organizations, and not-for-profit corporations. The applicant shall make application at least thirty (30) days in advance for use of the facility for a date and time not reserved previously by someone else, providing with the application proof that the event or activity is one that exclusively benefits the City or that it is a fund raising event of which all of the proceeds go to the City or for the improvement of City-owned property. All other rules of the City concerning the use of the facility and limitations on the type of activities allowed at the facility shall apply. Upon approval of their application by the City Manager for an eligible use, the organizations listed under Item 2 above shall be limited to one (1) free use of City-owned facilities per year. The Washington's Birthday Festival is exempted from this policy. The sponsoring organization for the Washington's Birthday Festival shall make application to the City Commission for approval of those dates, times, and facilities needed during the festival in accordance with procedures and practice followed in the past. 	
2008-13	<p>The Eustis City Commission will consider requests for the closing of the streets in The Village only upon official approval and the recommendations of <u>both</u> the Board of Directors of Eustis Main Street, Inc., and the general membership of the Downtown Business & Professional Association. Official approval and recommendation of the membership of the Downtown Business & Professional Association shall be limited to such actions taken at a <u>regularly</u> scheduled meeting of such organization. The Commission will not consider closing the streets in The Village during the one-week period preceding the following holidays: Valentine's Day; Easter; Mother's Day; and Christmas.</p>	
2008-14	<p>The Eustis City Commission has adopted a policy that applicants requesting outside-City utility service, which requires an Agreement to Annex to be executed by the applicant, that the applicant pay the fees associated with the future annexation prior to the connection to the City of Eustis Utility System. This would include the annexation fee, estimated advertising costs and recording fees. The fees collected will be based on the fees in effect, actual fees charged or estimated at the time the Agreement to Annex is executed by the applicant.</p>	