

CITY OF EAGLE LAKE
REGULAR CITY COMMISSION MEETING
MONDAY, MAY 6, 2024
7:00 P.M.
TO BE HELD IN THE COMMISSION CHAMBERS
LOCATED AT 675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

AGENDA

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. ROLL CALL

V. AUDIENCE

VI. SPECIAL PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS, REQUESTS

- A. Staff Reports
- B. City Manager Report
- C. Proclamation – National Police Officer Memorial Week, May 12, 2024 through May 18, 2024.
- D. Proclamation - National Public Works Week, May 18, 2024 through May 24, 2024

VII. PUBLIC HEARINGS

- A. Consideration of the second reading of Ordinance No. O-24-06, An Ordinance Amending the City of Eagle Lake, Florida 2030 Comprehensive Plan by Revising the Future Land Use Map Series to Change the Map Designation from Low Density Residential to Neighborhood Activity Center for One Parcel; Amending Ordinance Number O-20-19 by Changing the Zoning Designation for the Same Parcel from Planned Development – Housing (PD-H) to Planned Development – Commercial (PD-C); Repealing all Ordinances in Conflict Herewith; and Providing an Effective Date. (General Location: One Parcel of land totaling approximately 2.88 Acres in size, located southwest of the intersection of Bomber Road and Craftsman Road within the Ranches at Lake McLeod Planned Development, and a street address of 2926 Bomber Road, Winter Haven, Florida 33880) effective upon second reading
- B. Consideration of the second reading of Ordinance No. O-24-07, An Ordinance of the City Commission of the City of Eagle Lake, Florida, Amending the City of Eagle Lake Code of Ordinances, Chapter 16, Utilities, Article V. Billing Procedures, Fees and Deposits, Section 16-142 Customer Billing, Administration, Inspection and Service Fees; to Change the Time for Imposition of Service Fee for Service Turn Ons or Turn Offs from 4:00 p.m. to 3:00 p.m. and to Correct Scrivener’s Errors; Providing for Codification; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. effective upon second reading
- C. Consideration of the second reading of Ordinance No. O-24-08, An Ordinance of the City Commission of the City of Eagle Lake, Florida; Amending Chapter 16, Utilities, by Replacing Section 16-145 in Its Entirety; to Authorize Water and Sewer Utility Liens; Providing for Exemptions; Providing for Collection of Liens; Providing for Codification; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date. effective upon second reading

VIII. OLD BUSINESS

- A. Consideration of **Resolution No. R-24-06**, A Resolution of the City Commission of the City of Eagle Lake, Florida, Declaring the Public Purpose and Necessity for Exercising the Right and Power of Eminent Domain to Acquire Certain Real Property for Water System Improvements and Authorize the City Attorney to Institute Condemnation Proceedings.

IX. NEW BUSINESS

- A. Consideration of Development Agreement between the City of Eagle Lake and Sutton Preserve

X. CONSENT AGENDA

- A. Approval of the Regular City Commission Minutes -----04/15/2024
- B. Approval of Financials
- C. Approval of payment of 160-hours of compensatory time - Public Works Director Brian Fletcher
- D. Approval of Interlocal Agreement between the City of Eagle Lake and the Town of Lake Hamilton Regarding the Utilization of a Special Magistrate to Enforce Municipal Codes

XI. CITY ATTORNEY

XII. CITY COMMISSION

XIII. ADJOURNMENT

Please be advised that if you desire to appeal any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases a verbatim record is required. You must make your own arrangements to produce this record. (Florida Statute 286.0105).

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Clerk's Office at 75 North Seventh Street, P.O. Box 129, Eagle Lake, Florida 33839 or phone (863) 293-4141 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771.

POSTED AT CITY HALL AND THE EAGLE LAKE POST OFFICE ON TUESDAY, APRIL 30, 2024
BY CITY CLERK DAWN WRIGHT, MMC, FCRM, PHRP

FROM THE DESK OF THE CITY MANAGER

Memo To: Mayor and Commissioners

Date: May 6, 2024

Ref: Monthly Report

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2024/25 Budget – I will be starting next year’s budget and hopefully will have a draft for your review at our June Meeting.

Emails – We are enacting a policy to delete city emails after 10 years for the City Manager and City Clerk and 6 years for all other staff. This follows the Florida State code for record retention.

Green Acres Water Plant – We have made our offer to the property on Cutrone and have not heard back yet. The offer was sent certified and regular mail to the new and former addresses and we have not received the green cards back yet.

Water Cooperative – We have prepared our latest water demand projection chart to reflect actual 2023 demand and projected demands through 2030. Due to exceptional growth, our demands are exceeding our previous projections and greatly exceeding SWFWMD's projections. If growth continues through 2024 like it did in 2023, we will be exceeding our permitted quantities by January 2025.

PROCLAMATION
City of Eagle Lake, Florida

National Police Officers Memorial Week
May 12, 2024 - May18, 2024

WHEREAS, in 1962, President John F. Kennedy signed the first proclamation recognizing May 15th as Peace Officers Memorial Day and the week in which it falls as National Police Week; and

WHEREAS, our law enforcement officers are the guardians of life and property; defenders of the individual right to be free; warriors in the battle against crime; and are dedicated to the preservation of life and property;

WHEREAS, police officers' risk their lives each and every day in order to ensure public safety; and

WHEREAS, the City of Eagle Lake honors the valor, service, and dedication of all Police Officers, and publicly salutes the service of each and every one of our Polk County Sheriffs' Deputies;

WHEREAS, National Police Officer Week and National Peace Officers Memorial Day are opportunities to honor officers who have fallen in the line of duty, and recognize the sacrifices made by the families of those officers and the families of those who continue to protect and serve our communities;

NOW, THEREFORE, I, Suzy Wilson, do hereby recognize May 12-18, 2024, as **NATIONAL POLICE OFFICERS WEEK**, and May 15, 2024, as **NATIONAL PEACE OFFICERS MEMORIAL DAY** in Eagle Lake, and call upon our citizens to make every effort to express appreciation to these men and women who are willing to sacrifice their lives, if necessary, to guard us and our loved ones against all who would violate the law.

Dated this 6th day of May 2024 in City of Eagle Lake, Florida.

ATTEST:

Mayor Suzy Wilson

City Clerk Dawn Wright

PROCLAMATION

City of Eagle Lake, Florida

National Public Works Week Proclamation

May 18 – 24, 2024

“Advancing Quality of Life for All”

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Eagle Lake; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the City of Eagle Lake to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

NOW, THEREFORE, I, Suzy Wilson, Mayor of the City of Eagle Lake, do hereby designate the week May 18 – 24, 2024 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Dated this 6th day of May 2024 in City of Eagle Lake, Florida.

ATTEST:

Mayor Suzy Wilson

City Clerk Dawn Wright

ORDINANCE NO.: O-24-06

AN ORDINANCE AMENDING THE CITY OF EAGLE LAKE, FLORIDA 2030 COMPREHENSIVE PLAN BY REVISING THE FUTURE LAND USE MAP SERIES TO CHANGE THE MAP DESIGNATION FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD ACTIVITY CENTER FOR ONE PARCEL; AMENDING ORDINANCE NUMBER O-20-19 BY CHANGING THE ZONING DESIGNATION FOR THE SAME PARCEL FROM PLANNED DEVELOPMENT – HOUSING (PD-H) TO PLANNED DEVELOPMENT – COMMERCIAL (PD-C); REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND, PROVIDING AN EFFECTIVE DATE.(General Location: One parcel of land totaling approximately 2.88 acres in size, located southwest of the intersection of Bomber Road and Craftsman Road within the Ranches at Lake McLeod Planned Development, and a street address of 2926 Bomber Road, Winter Haven, Florida 33880)

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, delegated the responsibility to local governmental units the power to adopt regulations designed to promote the public health, safety and general welfare of its citizens;

WHEREAS, the City of Eagle Lake, Florida, pursuant to Section 163.3161, et. seq., Florida Statutes, the Community Planning Act, formerly the Florida Local Government Comprehensive Planning and Land Development Regulation Act, was required to prepare and adopt a comprehensive plan; and

WHEREAS, the City of Eagle Lake City Commission adopted the Eagle Lake 2030 Comprehensive Plan on April 18, 2011; and

WHEREAS, Chapter 163, Part II, Florida Statutes, the Community Planning Act, provides authority for local governments to amend their respective comprehensive plans and outlines certain procedures to amend adopted comprehensive plans; and

WHEREAS, the City of Eagle Lake received an application for a Comprehensive Plan Amendment (CPA/Zoning), dated February 13, 2024, to amend the City's 2030 Comprehensive Plan Future Land Use Map by changing the future land use designation from Low Density Residential to Neighborhood Activity Center for the parcel described in Exhibit A; and

WHEREAS, the City of Eagle Lake adopted Ordinance Number O-20-19 on August 3, 2020 to assign a Planned Development – Housing (PD-H) zoning for

approximately 280 acres, known as the Ranches at Lake McLeod and includes the 2.88 acre parcel identified in Exhibit A; and

WHEREAS, the application dated February 13, 2024 included a request to amend Ordinance Number O-20-19 to change the zoning for the parcel described in Exhibit A from Planned Development – Housing (PD-H) to Planned Development – Commercial (PD-C); and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, and Division VI of the Eagle Lake Land Development Code, after due public notice the City of Eagle Lake Planning Commission, as the “Local Planning Agency,” held a public hearing on April 15, 2024, to consider making a recommendation to the City Commission regarding the application for an amendment to the Future Land Use Map and amending Ordinance Number O-20-19 to change the zoning from PD-H to PH-C; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Eagle Lake City Commission held a public hearing on April 15, 2024 and May 6, 2024 to consider the adoption of the proposed amendment to its Comprehensive Plan and Ordinance Number O-20-19; and

WHEREAS, the Eagle Lake City Commission considered all oral and written comments received during such public hearing, including the data and analysis provided for this amendment, and the recommendation of the Planning Commission;

NOW, THEREFORE, BE IT ORDANDED by the City Commission of the City of Eagle Lake, Florida, as follows:

SECTION I. PURPOSE AND INTENT,

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in the Community Planning Act, Chapter 163, Part II, Florida Statutes, as amended.

SECTION II. FUTURE LAND USE MAP AMENDMENT.

The City of Eagle Lake City Commission hereby adopts the following amendment to the Eagle Lake 2030 Comprehensive Plan Future Land Use Map Series, which will be updated consistent with the action of the Eagle Lake City Commission set forth in this Ordinance.

1. The Comprehensive Plan Amendment application request an amendment to the Future Land Use Map Series designated as the amendment area described herein and consisting of 2.88 +/- acres.
2. The amendment area is specifically described by a legal description and location map attached hereto as Exhibit “A” and includes the following Parcel Identification Number 26-29-18-000000-042010.

3. Upon the legal effective date of this Ordinance, the Eagle Lake Future Land Use Map category for the amendment area will be designated as Neighborhood Activity Center as shown in Exhibit B, attached hereto Any future development of the amendment area will be required to meet the standards of the Eagle Lake Comprehensive Plan.

SECTION III. ZONING ASSIGNMENT.

Upon the legal effective date of this Ordinance, City Ordinance Number O-20-19 is amended to change the Zoning Classification for the amendment for the parcel from Planned Development – Housing (PD-H) to Planned Development - Commercial (PD-C) as shown in Exhibit C, attached hereto, pursuant to the provisions of the Eagle Lake Land Development Code

1. The Comprehensive Plan Amendment application requests an amendment to the Zoning Map designation on an amendment area that is 2.88 +/- acres in size.
2. The amendment area is identified as parcel number 26-29-18-0000000-042010 in the parcel records of the Polk County Property Appraiser's Office.
3. The amendment area is currently designated as Planned Development-Housing (PD-H) on the Zoning Maps pursuant to Ordinance Number O-20-19 adopted by the City Commission of the City of Eagle Lake, Florida.
4. Any development under this amendment will be required to meet the regulations and standards of the Eagle Lake Comprehensive Plan and Land Development Regulations.
5. The Planned Development-Commercial shall be subject to the following conditions:
 - A. Development of the PD-C shall generally conform to the Conceptual Plan submitted as part of the Comprehensive Plan Amendment/Zoning application dated February 6, 2024.
 - B. Land uses allowed include retail commercial and office uses according to the Neighborhood Commercial (CN) Zoning District as identified in Section 2.3.1.50 (Neighborhood Commercial), Article 2 (Table of Permitted Uses) and Chapter 5 (Dimensional Requirements) of the Eagle Lake Land Development Regulations.

SECTION IV. CONFLICT WITH OTHER ORDINANCES OR CODES.

All Ordinances or parts of Ordinances of the Code of Ordinances of Eagle Lake, Florida, in conflict with the provision of this Ordinance are hereby repealed to the extent of such conflict.

SECTION V. SEVERABILITY

Should any word, phrase, sentence or section of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this Ordinance, and the remainder of the Ordinance shall remain in full force and effect.

SECTION VI. EFFETIVE DATE.

This Ordinance shall become effective on the 31st day after its adoption by the Eagle Lake City Commission.

ADOPTED ON THIS _____, 2024

EAGLE LAKE CITY COMMISSION:

ATTEST:

DAWN WRIGHT
CITY CLERK

BY: _____
SUZY WILSON, MAYOR

Approved as to Form:

HEATHER R. MAXWELL, ESQ.
CITY ATTORNEY

EXHIBIT A – LEGAL DESCRIPTION AND LOCATION MAP

LEGAL DESCRIPTION:

The South ½ of the Southwest ¼ (also known as the South ½ of U.S. Government Lot 4 and all of U.S. Government Lot 5) in Section 18, Township 29 South, Range 26 East.

(Source: Topographic survey “Ranches at Lake McLeod Commercial Site” dated 1/28/ 2024 by Accurate Survey of Florida, Inc., 4206 National Guard Dr., Plant City, FL 33563)

LOCATION MAP:

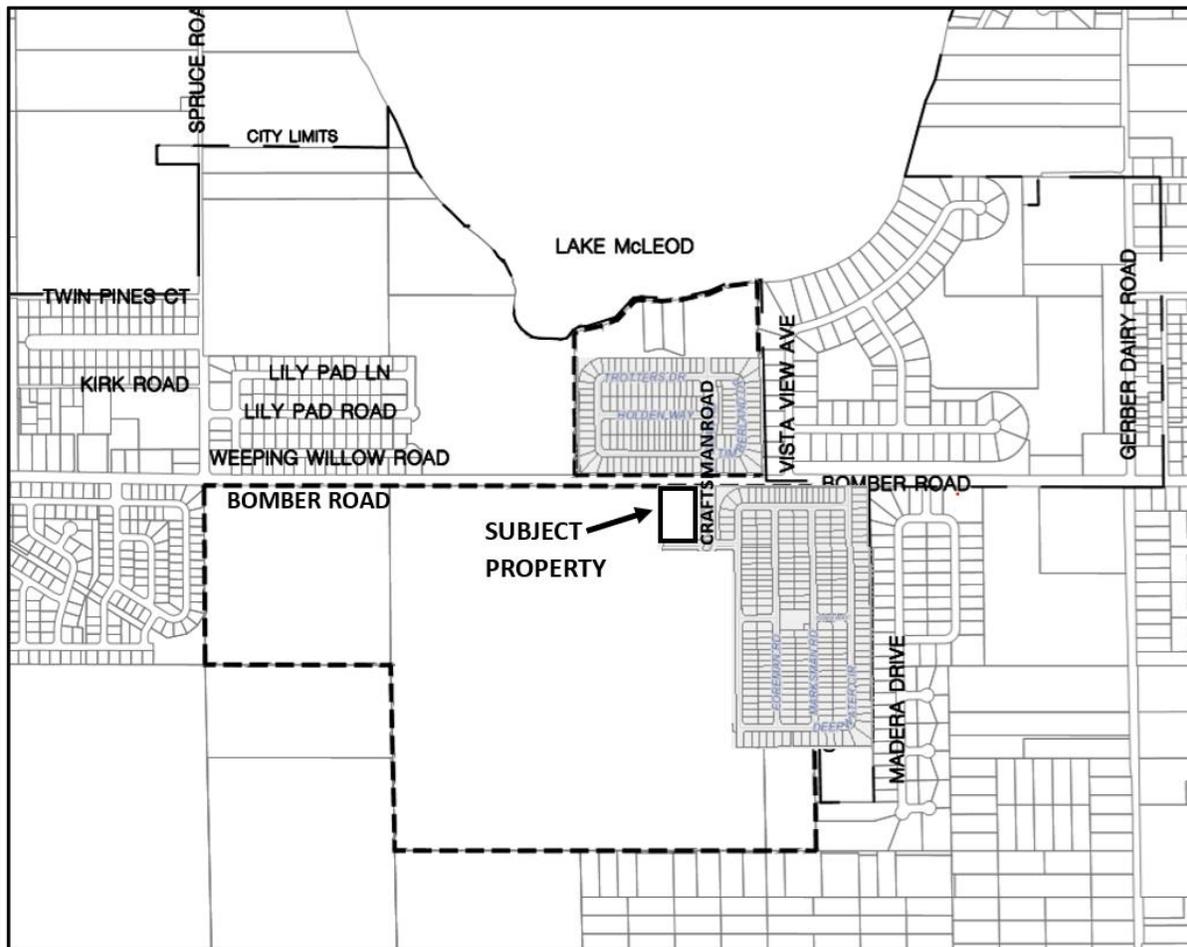


EXHIBIT B – FUTURE LAND USE MAP

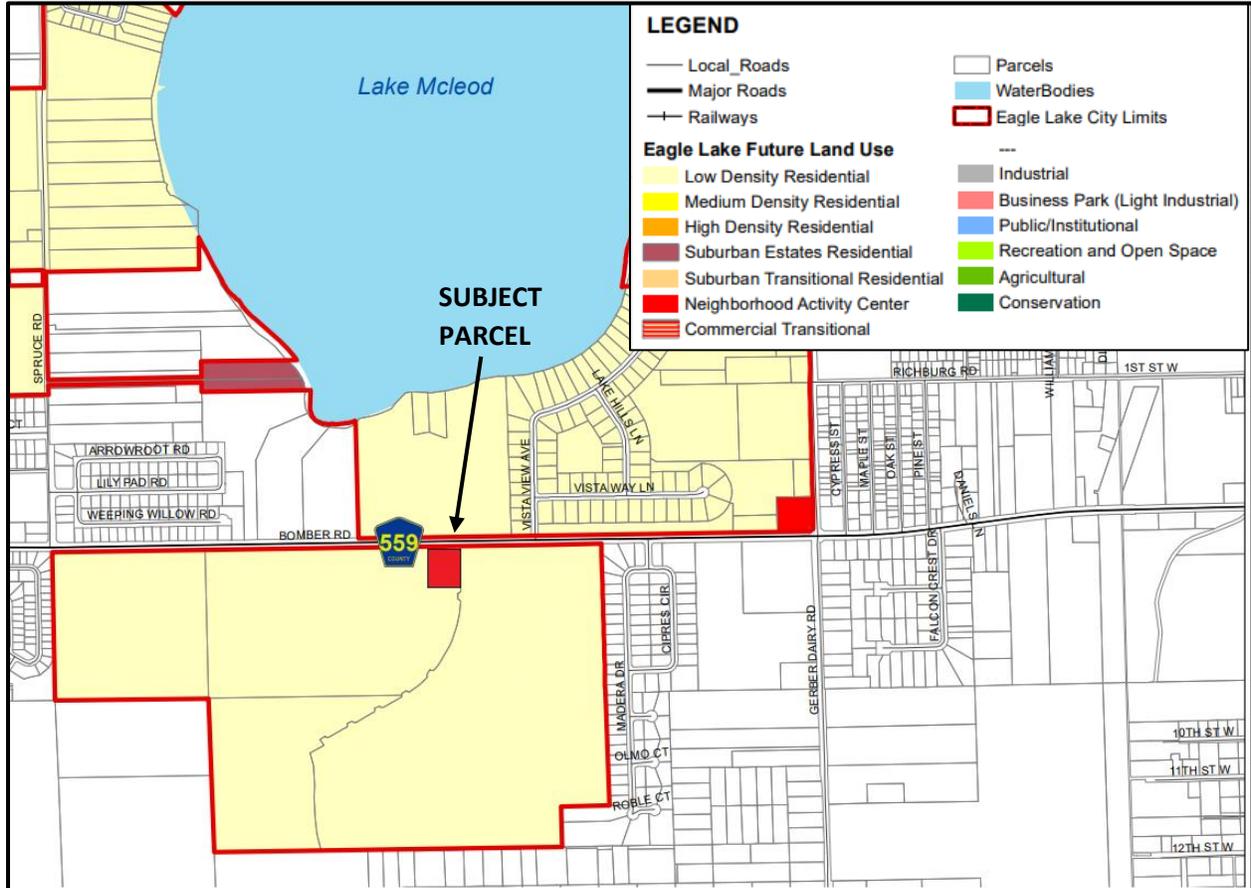
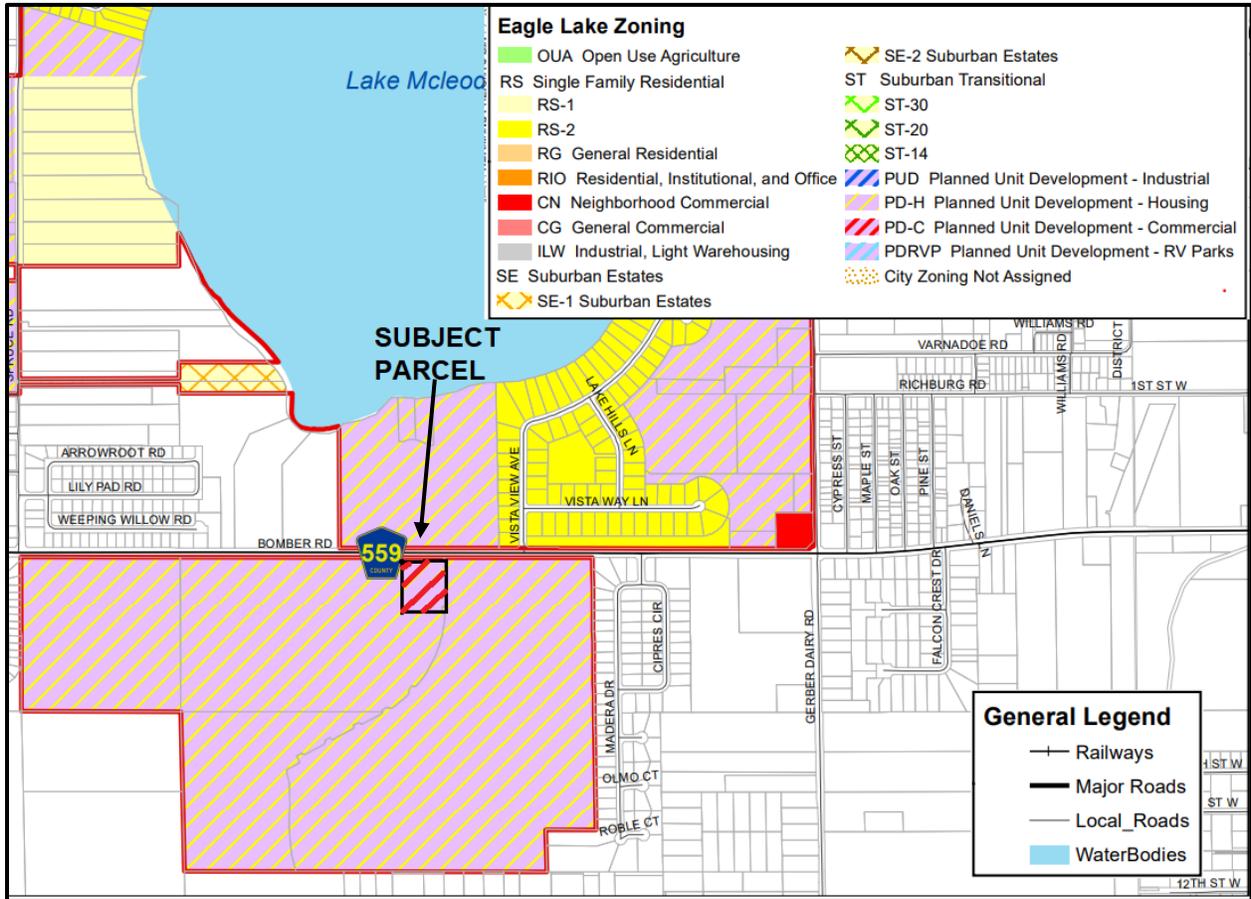


EXHIBIT C – ZONING MAP



MEMORANDUM

TO: Tom Ernarth, City Manager, City of Eagle Lake
FROM: Merle Bishop, FAICP, Senior Planner 
DATE: February 29, 2024
SUBJECT: Ranches at Lake McLeod Commercial Site
PROJECT: ELAKX23006 – Ranches at Lake McLeod Commercial

In response to the City's request, I have completed a review of the Comprehensive Plan Amendment (small scale map amendment) and zoning application submitted by Mr. Cody Bogart, PE, Newkirk Engineering, Inc. dated 2/06/24 and submitted 2/13/24 to the City of Eagle Lake for one parcel totaling approximately 2.882 acres and generally located immediately southwest of the intersection of County Road 559 (Bomber Road) and Craftsman Road within the Ranches at Lake McLeod Planned Development.

BACKGROUND:

Property Owner(s): Ranches at Lake McLeod, LLC

Applicant: Newkirk Engineering, Inc.
1420 Celebration Blvd., Suite 200
Celebration, FL 34747

Site Location: SW of the intersection of CR 559 (Bomber Road) and Craftsman Road

Parcel ID #: 29-26-18-000000-042010

Total Site Size: 2.882 acres +/-

Current Land Use: Vacant

Future Land Use Designation: Low Density Residential Low

Zoning Designations: Planned Development – Housing (Ord. No. O-20-19)

Proposed Future Land Use Designation: Neighborhood Activity Center

Proposed Zoning Districts: Planned Development – Commercial (PD-C)

BACKGROUND:

The applicant requests the City amend its Comprehensive Plan by changing the Future Land Use designation from Low Density Residential to Neighborhood Activity Center for a 2.882 +/- acres parcel, which qualifies as a small scale Comprehensive Plan amendment pursuant to §163.3187, F.S. (Process for Adoption of Small Scale Comprehensive Plan Amendment). Additionally, the applicant requests that the zoning designation of the parcel be changed from Planned Development – Housing (PD-H) to Planned Development – Commercial (PD-C). The change in zoning requires an amendment to Eagle Lake Ordinance No. O-20-19, which approved PD-H zoning for approximately 280 acres, known as the Ranches at Lake McLeod, and includes the subject parcel (see Exhibit D – Zoning Map). The requested PD-C zoning classification is consistent with the NAC future land use designation and will permit general retail commercial and office uses.

The parcel is located at the intersection of County Road 559 (Bomber Road), an urban collector road, and the main entrance road into the Ranches at Lake McLeod (Craftsman Road), a "local collector" road (see Exhibit A

– Location Map) . The parcel has approximately 300 feet of frontage on County Road 559 (Bomber Road) and approximately 400 feet of frontage on Craftsman Road. The conceptual site plan shows one access from Craftsman Road located on the east side of the parcel and one access from Wilder Road, a local road on the south boundary of the parcel. The proposed site development is a single two-story building totaling a maximum of 36,000 square feet located in the center of the parcel surrounded by the required parking and traffic drive isles. Proposed uses are a mixture of retail commercial and offices.

SURROUNDING LAND USES:

| | | |
|--|---|---|
| <p>NW – Bomber Road Single family homes (Ranches at Lake McLeod PD – North Ranch) (City of Eagle Lake)</p> | <p>N – Bomber Road Single family homes (Ranches at Lake McLeod PD – North Ranch) (City of Eagle Lake)</p> | <p>NE – Bomber Road Single family homes (Ranches at Lake McLeod – North Ranch and Lake Meadows Sub.) (City of Eagle Lake)</p> |
| <p>W – vacant Wilder Road (Ranches at Lake McLeod – Central Ranch) (City of Eagle Lake)</p> | <p>Subject Property (vacant)</p> | <p>E – Craftsman Road Single family homes (Ranches at Lake McLeod - East Ranch) (City of Eagle Lake)</p> |
| <p>SW – vacant Wilder Road (Ranches at Lake McLeod – Central Ranch) (City of Eagle Lake)</p> | <p>S – vacant Wilder Road (Ranches at Lake McLeod – Central Ranch) (City of Eagle Lake)</p> | <p>SE – Craftsman Road/ stormwater retention pond single family homes (Ranches at Lake McLeod – East Ranch) (City of Eagle Lake)</p> |

PUBLIC INFRASTRUCTURE:

The conceptual site plan for the existing PD-H zoning (Ordinance No. O-20-19) designates the parcel as “Tract C” and is designated for “future development.” Assuming that the parcel is developed with the existing Future Land Use designation of low density residential (5 dwelling units/acre maximum density) and the residential density approved for the Ranches at Lake McLeod PD-H zoning (4.16 dwelling units per acre) the potential development of the parcel would be 12 dwelling units (4.16 du/acre X 2.882 acres).

The requested change to PD-C zoning and accompanying conceptual site plan is for a maximum of 36,000 square feet of mixed retail commercial and office uses. The recommendation for allowable uses is for the uses permitted within the Neighborhood Commercial (CN) Zoning District as identified in Section 2.3.1.50 (Neighborhood Commercial), Article 2 (Table of Permitted Uses) and Chapter 5 (Dimensional Requirements) of the Eagle Lake Land Development Regulations.

The applicant submitted a Utility Demand Calculation for the proposed project based on the FDEP demand calculations of 0.334 Equivalent Residential Units (ERU) per 1,000 square feet of commercial office building (add food service & retail space). Based on this report, which is signed and sealed by Cody A. Bogart, P.E. and dated 2/13/24, the total ERU for 36,000 square feet of commercial office/retail space is 12.024. Therefore, there is sufficient water and sewer capacity to serve the proposed development.

The applicant submitted traffic trip generation calculations, signed and sealed by Cody A. Bogart, P.E. and dated 1/26/24, which states that there the estimated PM Peak Hour traffic for the proposed development, assuming a 50/50 split for a strip retail plaza and general office uses, is 143 trips. for the proposed development

The City’s Level of Service (LOS) for City facilities and services is established in the 2030 Comprehensive Plan. Impacts on LOS should be evaluated based on the impact resulting from a maximum development of 36,000 square feet of commercial uses. The incremental demand calculation is based on the difference between the potential development of the parcel for 12 single family homes using the existing Future Land Use and zoning designations and the proposed maximum of 36,000 square feet of commercial retail and office uses.

| POTENTIAL INFRASTRUCTURE IMPACTS | | | | |
|--|-----------------------|--------------------------------------|---------------------------------|--------------------|
| Current Available Capacity | Current Vested Demand | Total Demand | Incremental Demand ⁶ | Remaining Capacity |
| Potable Water (LOS: 300 gpd¹/ERC²) | | | | |
| 1.584 mgpd | 906,623 gpd | 7,214 gpd | 3,607 gpd | 670,163 gpd |
| Sanitary Sewer (LOS: 275 gpd¹/ERC²) | | | | |
| 750,000 gpd | 622,297 gpd | 5,411 gpd | 2,705 | 122,292 gpd |
| Recreation (LOS: 4.5 acres/1,000 population³) | | | | |
| 17.45 acres | 11.34 acres | 0.00 acres | 0.00 | 6.11 acres |
| Transportation – C.R. 559 (Bomber Road) – LOS: C | | | | |
| 720 trips ⁴ (PM Peak Hr.) | N/A | 143 trips ⁵ (PM Peak Hr.) | 132 trips (PM Peak Hr.) | 588 trips |

¹ City of Eagle Lake 2030 Comprehensive Plan, Administrative Section, Capacity Needs Assessment (pages 9 & 22)

² Equivalent Residential Connection (dwelling unit) for retail commercial is calculated based on 0.334 ERU/1,000 sq. ft.

³ City of Eagle Lake, 2030 Comprehensive Plan, Recreation and Open Space Element, Policy 6.1 (page 2)

⁴ Polk TPO Roadway Database 2022 (Effective date: April 2022)

⁵ ITE TripGen – Retail Shopping Plaza <40K Sq. ft. and General Office use (Trip Generation Manual, 11th Edition)

⁶ The difference between the potential for 12 single family dwelling units and the proposed 36K sq. ft. mixed commercial/office use

Sufficient capacity exists for all of the infrastructure areas evaluated for a development of 36,000 square feet of retail commercial and office development without diminishing the adopted³ level of service.

CONSISTENCY WITH COMPREHENSIVE PLAN:

The consistency of the proposed amendment with the Comprehensive Plan has been reviewed. Specifically, we find that the proposed amendment is consistent with or complies with the following applicable policies.

A. FUTURE LAND USE ELEMENT

Policy 2.8, Neighborhood Activity Centers: *Neighborhood Activity Centers are intended to accommodate the shopping, business, and service needs of residents of the City and the adjacent surrounding population. Permitted uses include supermarkets, office, convenience store, service station, Post Office, and related commercial services. Neighborhood Activity Centers must be located at the intersections of major collectors and arterial roadways or along an arterial road.*

The requested Neighborhood Activity Center Future Land Use and CG zoning designation is located at the intersection of an Urban Collector road and a “local collector” road, which provides access to Bomber Road for the Ranches at Lake McLeod development. This location will provide a central location for commercial and office uses to meet the needs of the surrounding residential development. Additionally, the parcel has access to existing infrastructure with sufficient capacity for development of the property for commercial/office uses. There is no other commercial uses or land use located in the immediate

vicinity of the requested amendment. The closest commercial future land use designation and zoning is located approximately ½ mile to the west at the intersection of CR 559 (Bomber Road) and Gerber Dairy Road. The location of the requested NAC is a logical location for establishing a new NAC with connectivity to the regional roadway network and surrounding neighborhood residential development.

Policy 3.1, *The City shall identify development constraints created by soil conditions, topography, natural features, and resources and regulate densities and intensities where such constraints exist.*

The property is located above the flood zone for Eagle Lake and has well-drained soils which are suitable for a low-rise multi-family development on the property. The Federal Emergency Management Agency (FEMA) flood maps indicated that there are no flood zones on the property.

The soil classification identified on the property by the USDA, Natural Resources Conservation Service, Soil Survey is Sparr sand which is well drained with the depth to water table greater than 80 inches and no flooding or ponding.

Policy 4.1, *The City shall direct development to areas where public facilities and services are available or shall be available at the time of development. High density/intensity land uses shall be directed to areas where the greatest level of service of public facilities and services exist.*

Policy 4.2, *The City shall issue development orders and plan public facility improvements and expansions in a manner which supports implementation of the Future Land Use Element and Map and is consistent with the Capital Improvements Element.*

The location of the property will enable development to be served by public facilities and services that are currently available or will be available prior to the issuance of any development orders.

Policy 9.1, *The City shall locate Future Land Uses at densities and intensities that will discourage urban sprawl and leap-frog development patterns.*

The proposed Neighborhood Activity Center Future Land Use and PD-C zoning will allow for commercial and office development to meet the needs of the surrounding residential development in the southern portion of Eagle Lake and along Bomber Road. This area currently has very limited options for commercial/office development resulting in residents having to travel outside of the area for commercial and office needs,

Policy 12.2, *The City shall enforce land development regulation criteria to achieve compatibility between adjacent land uses.*

The proposed Neighborhood Activity Center Future Land Use and PD-C zoning will allow commercial/office development on an urban collector highway. The parcel is separated from nearby single family residential home by roadways. The proposed development complies with the required setback and is centrally located on the parcel, which provides additional separation from residential uses. Additionally, the required landscape buffering will help to achieve compatibility.

Policy 4.1, *When reviewing development proposals for properties abutting or impacting traffic on State or County-maintained roadways, coordinate with the FDOT and Polk TPO to ensure consistency with state, regional and county standards, and determine impacts on adopted levels of service.*

The property has access to County Road 559 (Bomber Road), a County maintained urban collector road, via Craftsman Road, a new local collector road, which provides access to the Ranches at Lake McLeod development. Prior to final construction plan approval, the applicant will be required to coordinate a traffic analysis with Polk County.

B. INFRASTRUCTURE ELEMENT

The requested Neighborhood Activity Center Future Land Use and PD-C zoning will permit development consistent with several policies of the Infrastructure Element with respect to maximizing the use of existing facilities to ensure capacity is available for existing and proposed development throughout the City.

CONCLUSION:

The Eagle Lake Land Development Code requires that the Planning Commission shall consider the rezoning petition and base its recommendation to the City Commission upon a determination that the following conditions are satisfactorily met (Division VI, Article 2, Section 6.1.2.10(4) – Rezoning, General)

The planning commission shall consider the rezoning petition and base its recommendation to the city commission upon a determination that the following conditions are satisfactorily met:

- A. The rezoning petition is consistent with the City of Eagle Lake Comprehensive Plan, specifically the Land Use Element and requirements for establishing a new Neighborhood Activity Center Future Land Use district;
- B. The rezoning petition will not lower the adopted level of service below the minimum level of services as set forth in the comprehensive plan for any public facilities or services;
- C. The proposed rezoning and all permitted uses within the category sought will be compatible with the development of surrounding property;
- D. The need and justification for the change has been sufficiently described in the application and meets the requirements;
- E. The effect of the change, if any, on the particular property and on surrounding properties;
- F. The amount of undeveloped land in the general area and in the city having the same classification as that requested; and
- G. The proposed rezoning and all permitted uses are compatible with development on surrounding property; or compatibility can be achieved with a zoning district of lesser density or lesser intensity which is specified in the planning commission's recommendation.

The intended use of the property for 36,000 square feet of commercial/office uses must comply with the requirements of the land development code.

Based on this analysis, we find that the requested Neighborhood Activity Center Future Land Use designation and PD-C zoning are consistent with the applicable goals, objectives and policies of the Eagle Lake 2030 Comprehensive Plan, as amended. Additionally, the requested PD-C zoning is compatible with the surrounding single-family subdivisions.

RECOMMENDATION:

1. The requested Comprehensive Plan Amendment to amend the Future Land Use Map from Low Density Residential to Neighborhood Activity Center and amendment to Ordinance No. O-20-19 to amend the zoning designation of the parcel from PD-H to PD-C is hereby recommended for approval subject to the following conditions:
 - A. Development of the PD-C shall generally conform to the Conceptual Plan submitted as part of the Comprehensive Plan Amendment/Zoning application dated February 6, 2024.
 - B. Land uses allowed include retail commercial and office uses according to the Neighborhood Commercial (CN) Zoning District as identified in Section 2.3.1.50 (Neighborhood Commercial), Article 2 (Table of Permitted Uses) and Chapter 5 (Dimensional Requirements) of the Eagle Lake Land Development Regulations.

ATTACHMENTS:

- EXHIBIT A – Location Map
- EXHIBIT B – Aerial Photograph
- EXHIBIT C – Future Land Use
- EXHIBIT D – Zoning Map
- EXHIBIT E – Legal Description

EXHIBIT A – LOCATION MAP

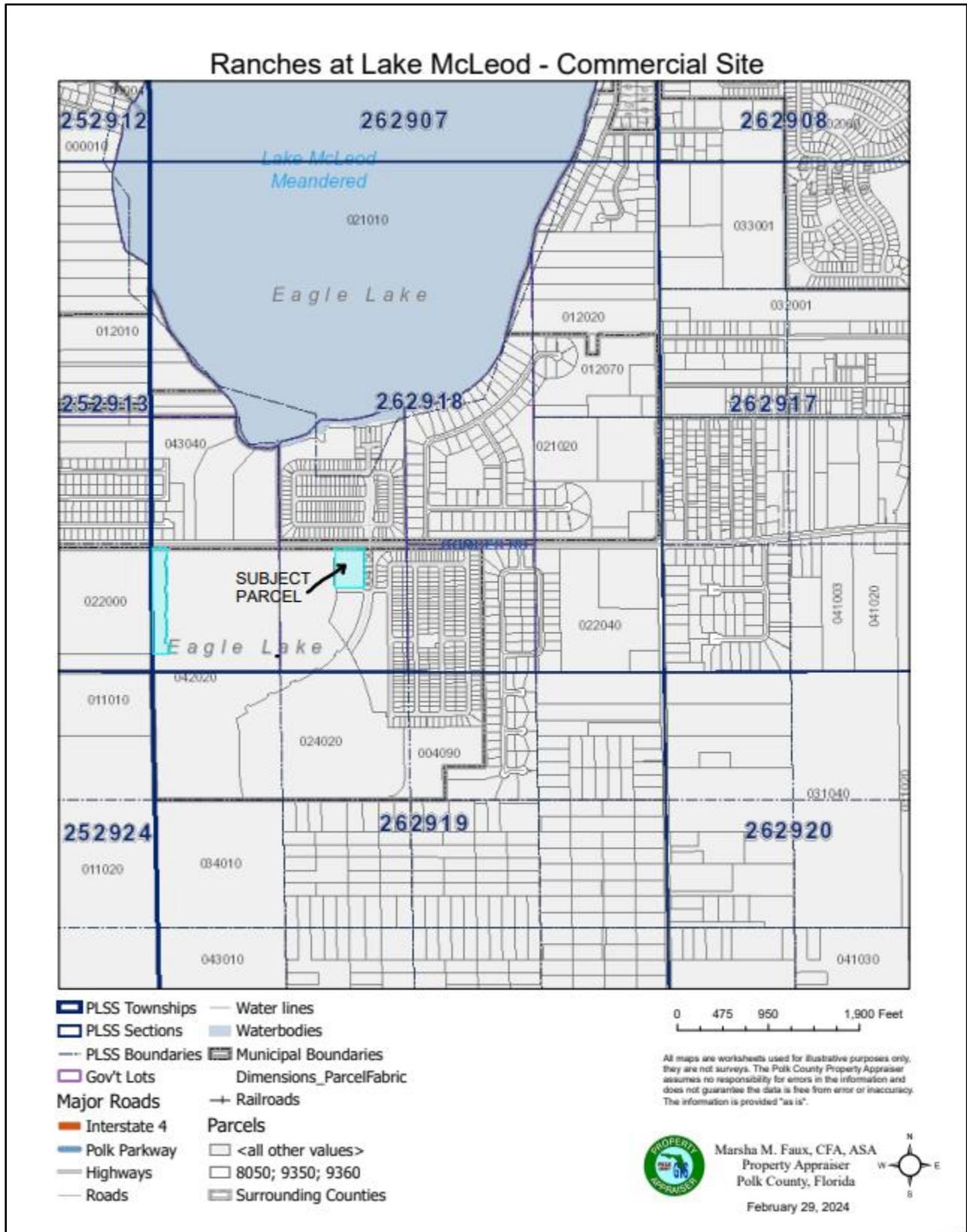


EXHIBIT B – AERIAL PHOTOGRAPH



EXHIBIT C – FUTURE LAND USE

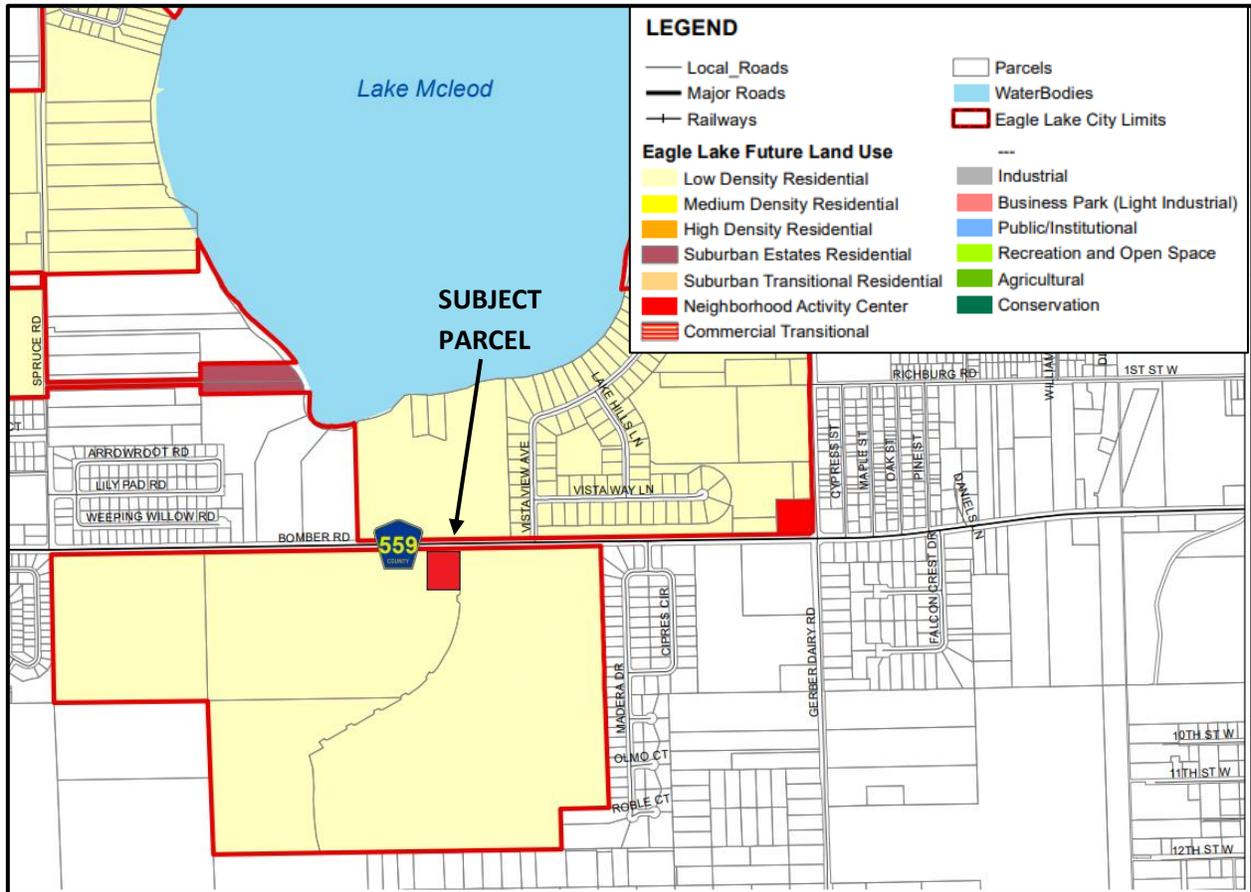


EXHIBIT D – ZONING MAP

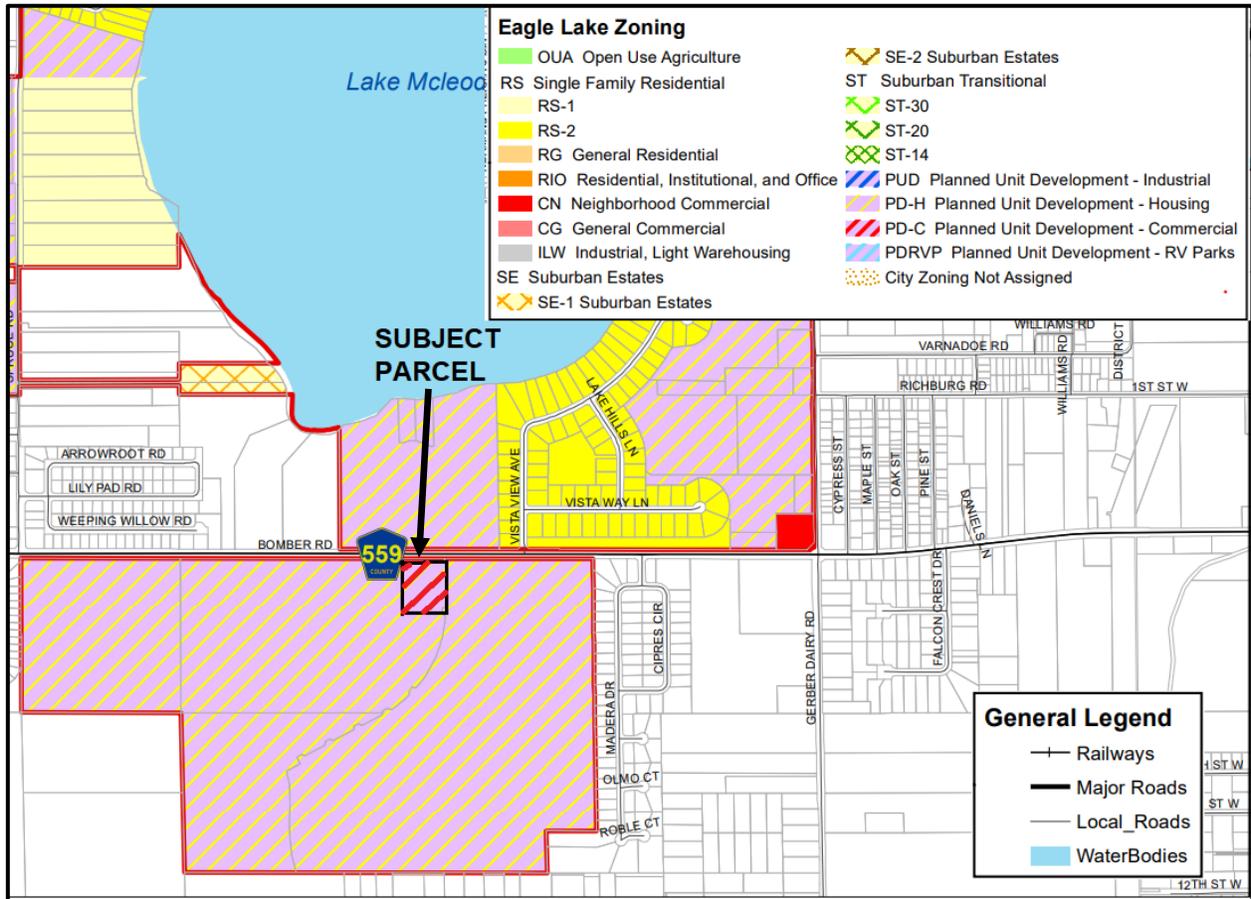


EXHIBIT E – LEGAL DESCRIPTION

LEGAL DESCRIPTION:

The South ½ of the Southwest ¼ (also known as the South ½ of U.S. Government Lot 4 and all of U.S. Government Lot 5) in Section 18, Township 29 South, Range 26 East. (Source: Topographic survey “Ranches at Lake McLeod Commercial Site” dated 1/28/2024 by Accurate Survey of Florida, Inc., 4206 National Guard Dr., Plant City, FL 33563)

PARCEL ID NUMBER: 26-29-18-0000000-042010

ORDINANCE NO.: O-24-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EAGLE LAKE, FLORIDA, AMENDING THE CITY OF EAGLE LAKE CODE OF ORDINANCES, CHAPTER 16, UTILITIES, ARTICLE V. BILLING PROCEDURES, FEES AND DEPOSITS, SECTION 16-142 CUSTOMER BILLING, ADMINISTRATION, INSPECTION AND SERVICE FEES; TO CHANGE THE TIME FOR IMPOSITION OF SERVICE FEE FOR SERVICE TURN ONS OR TURN OFFS FROM 4:00 P.M. TO 3:00 P.M. AND TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Eagle Lake provides water and sewer services to customers within the territorial boundaries of the City and within its Chapter 180 service area imposes service charges and fees for such services.

NOW THEREFORE BE IT ORDAINED by the City Commission of the City of Eagle Lake, Florida, as follows:

1. Section 16-142 of the Code of Ordinances shall be amended and shall read as follows (~~strikethrough~~ language deleted, underline language added):

Sec. 16-142. – Customer billing, administration, inspection and service fees.

The following fees are hereby imposed:

- (1) A fee of \$3.00 per month on each user of utility services, including water, sewer and garbage collection, provided by the city. This fee will be charged regardless of whether a customer uses all of the utility services provided and shall be included as part of each customer's monthly bill. This fee will be charged monthly regardless of usage or non-usage of any service to defray the costs for the preparation of the monthly billing statement including the reading of the water meter, and applies to all customers of the utility system including those that area on a temporary hold for any reason.
- (2) A fee of \$3.00 per month for customers with separate irrigation meters on each monthly irrigation meter billing statement during months where there is usage. The fee shall be to defray the costs for the preparation of the monthly irrigation meter billing statement and reading of the irrigation meter.
- (3) A one-time administration fee of \$20.00 for new account set-up which shall be included on the customer's first billing statement. If a customer establishes a separate irrigation meter account and/or hydrant meter account then the one-time administration fee shall also be charged on each of these accounts and included on the customer's first monthly billing statement for such accounts.
- (4) A one-time commercial administration fee of \$45.00 for new commercial account set-up which shall be included on the customer's first monthly billing statement. If a customer establishes a separate irrigation meter and/or hydrant meter account then the one-time

administration fee shall also be charged on each of those accounts and included on the customer's first monthly billing statement for such accounts.

- (5) A fee of \$25.00, along with an application for service, to have water turned on for a 24 hour period for inspection purposes.
- (6) A fee of \$75.00 to have services turned on or off after ~~4:00~~ 3:00 p.m. on any city business day. In the absence of payment of said fee, service connections and/or reconnections shall be made the following business day if the payment required therefor is received after ~~4:00~~ 3:00 p.m.

2. It is the intent of the City Commission that the provisions of this Ordinance shall become codified and made a part of the City of Eagle Lake Code of Ordinances. The sections of this ordinance may be renumbered, reformatted or re-lettered to accomplish such intention.

3. All ordinances in conflict herewith are hereby repealed.

4. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any part hereof, not so declared to be invalid.

5. This Ordinance shall take effect May 6, 2024.

INTRODUCED on first reading this 15th day of April, 2024.

PASSED on second reading this ___ day of _____, 2024.

CITY OF EAGLE LAKE, FLORIDA

SUZY WILSON, MAYOR

ATTEST

CITY CLERK, DAWN WRIGHT

Approved as to form:

CITY ATTORNEY, HEATHER R. MAXWELL

ORDINANCE O-24-08

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EAGLE LAKE, FLORIDA; AMENDING CHAPTER 16, UTILITIES, BY REPLACING SECTION 16-145 IN ITS ENTIRETY; TO AUTHORIZE WATER AND SEWER UTILITY LIENS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR COLLECTION OF LIENS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 180 provides municipalities with the authority to establish and operate water utility systems; and

WHEREAS, as authorized by state law, there is hereby imposed a lien on each property that is served by the City's water and/or wastewater system to secure the payment of delinquent City utility services.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Eagle Lake, Florida, as follows:

1. Section 16-145 of the Eagle Lake Code of Ordinances is deleted in its entirety and replaced in its entirety as follows (~~strike through~~ language deleted, underline language added):

~~Sec. 16-145.— Payment of attorney's fees in action for collection.~~

~~Any person who is supplied utility services by the city who becomes delinquent in the payment of a bill and against whom an action for collection is instituted in any court and concluded in favor of the city shall be required to pay, in addition to the unpaid bill, a reasonable attorney's fee to be made a part of the final judgment.~~

Sec. 16-145. – Liens and remedies for nonpayment of service.

Subject to the provisions of Section 180.135, Florida Statutes, if the fees, rates or charges for the services and facilities of the City of Eagle Lake water and/or wastewater systems shall not be paid as and when due, and shall be in default for thirty (30) days or more, then the unpaid balance thereof, together with attorneys' fees and costs, may be recovered by the city in a civil action, by recording a notice of lien, by referring the delinquent account to a collection agency, or a combination thereof. In the event the delinquent account holder is the owner of the property to which utility service was provided, a notice of lien, in such form as the city manager deems appropriate, may be filed in the office of the clerk of the circuit court of Polk County, Florida, and shall be recorded as liens are recorded. Any such lien, upon recording, shall be constructive notice of such lien and may be foreclosed or otherwise enforced by the city by action or suit in equity. Any lien provided in this section shall accrue interest at the statutory rate, as provided in Sections 687.01 and 55.03, Florida Statutes, as amended from time to time, from the date of recording. Such interest as

provided for in this section shall also constitute a lien against the property assessed of equal dignity to that of the underlying lien.

2. It is the intent of the City Commission that the provisions of this Ordinance shall become codified and made a part of the City of Eagle Lake Code of Ordinances. The sections of this ordinance may be renumbered, reformatted or re-lettered to accomplish such intention.

3. All ordinances in conflict herewith are hereby repealed.

4. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any part hereof, not so declared to be invalid.

5. This Ordinance shall take effect _____, 2024.

INTRODUCED on first reading this ____ day of _____, 2024.

PASSED on second reading this ____ day of _____, 2024.

CITY OF EAGLE LAKE, FLORIDA

SUZY WILSON, MAYOR

ATTEST

CITY CLERK, DAWN WRIGHT

Approved as to form:

CITY ATTORNEY, HEATHER R. MAXWELL

provided for in this section shall also constitute a lien against the property assessed of equal dignity to that of the underlying lien.

2. It is the intent of the City Commission that the provisions of this Ordinance shall become codified and made a part of the City of Eagle Lake Code of Ordinances. The sections of this ordinance may be renumbered, reformatted or re-lettered to accomplish such intention.

3. All ordinances in conflict herewith are hereby repealed.

4. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any part hereof, not so declared to be invalid.

5. This Ordinance shall take effect May 6th, 2024.

INTRODUCED on first reading this 15th day of April, 2024.

PASSED on second reading this ___ day of _____, 2024.

CITY OF EAGLE LAKE, FLORIDA

SUZY WILSON, MAYOR

ATTEST

CITY CLERK, DAWN WRIGHT

Approved as to form:

CITY ATTORNEY, HEATHER R. MAXWELL

RESOLUTION R-24-06

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EAGLE LAKE, FLORIDA, DECLARING THE PUBLIC PURPOSE AND NECESSITY FOR EXERCISING THE RIGHT AND POWER OF EMINENT DOMAIN TO ACQUIRE CERTAIN REAL PROPERTY FOR WATER SYSTEM IMPROVEMENTS AND AUTHORIZING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS.

WHEREAS, the City of Eagle Lake is in the process of planning for water system improvements, and needs to acquire certain real property in order to make such improvements; and

WHEREAS, certain property owners have not responded to the City's offer to purchase the property; and

WHEREAS, per chapter 73, Florida Statutes, the City of Eagle Lake is authorized to exercise the power of eminent domain for certain public uses and purposes; and

WHEREAS, the City's exercise of the power to condemn real property is for the purpose of the construction of water system improvements; and

NOW THEREFORE, BE IT RESOLVED, by the City Commission of the City of Eagle Lake, Florida, as follows:

Section 1. Findings. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. Declaration of Necessity. The City declares the public purpose and the necessity for that purpose of acquiring, through condemnation, by right of eminent domain, fee simple title and a temporary construction easement in the real property identified in the attached Exhibit "A" for the construction of water system improvements.

Section 3. Acquisition of Fee Simple Title. The City is authorized to acquire, through condemnation by right of eminent domain, fee simple title and a temporary construction easement in the real property identified in the attached Exhibit "A" for the construction of water system improvements from the owner and any other persons required by law to be joined in such proceedings.

Section 4. Institution of Legal Proceedings. The City Attorney is authorized to institute legal proceedings to acquire, through condemnation, by right of eminent domain, fee simple title and a temporary construction easement in the real property identified in the attached Exhibit "A" and is authorized to join the owners and any other persons required by law to be joined in such proceedings. The City Attorney is authorized to employ outside counsel to assist in the acquisition as necessary.

Section 5. To the extent there are typographical and/or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Eagle Lake, Polk County, Florida, this _____ day of _____, 2024.

CITY OF EAGLE LAKE, FLORIDA

SUZY WILSON, MAYOR

ATTEST:

DAWN WRIGHT, CITY CLERK

APPROVED AS TO FORM:

HEATHER R. MAXWELL

DESCRIPTION: (New Parcel)

A parcel of land being a portion of the Southeast 1/4 of the Northwest 1/4 of Section 17, Township 29 South, Range 26 East, Polk County, Florida, being described as follows:

Commencing at the southeast corner of Lot 18, CUTRONE PARK SUBDIVISION, Plat Book 39, Page 22, Public Records of Polk County, Florida; thence North $89^{\circ}49'39''$ East, 623.65 feet to the POINT OF BEGINNING; thence continue North $89^{\circ}49'39''$ East, 699.42 feet to the westerly maintained right-of-way line of District Line Road, as recorded in Map Book 11, Page 74, Public Records of Polk County, Florida; thence along said westerly maintained right-of-way line for the following two (2) courses; (1) thence North $00^{\circ}41'43''$ West, 81.27 feet to the point of curvature of a curve to the left having a radius of 60.00 feet, a central angle of $89^{\circ}28'33''$, a chord bearing of North $45^{\circ}26'00''$ West, and a chord distance of 84.46 feet; (2) thence Northwesterly along the arc of said curve 93.70 feet to the south right-of-way line of Cutrone Road, as shown on the plat of CUTRONE-PARK UNIT No. 2, Plat Book 41, Page 4, Public Records of Polk County, Florida; thence South $89^{\circ}49'44''$ West, along said south right-of-way line, 639.97 feet; thence South $00^{\circ}41'43''$ East, 140.75 feet to the POINT OF BEGINNING.

Said parcel containing 2.24 acres, more or less.

DEVELOPMENT AGREEMENT

THIS DEVELOPMENTAL AGREEMENT (this "Agreement") is made and entered into this ____ day of _____, 2024 by and between Richmond American Homes of Florida, LP, a Colorado limited partnership (the "Developer") and the City of Eagle Lake, Florida, a municipal corporation created pursuant to the laws of the State of Florida (the "City"). This Agreement is intended to address issues related to City's reimbursement for infrastructure on Developer's property which is legally described at Exhibit "A" attached to here and made a part hereof (the "Property")

RECITALS

1. The Property is located in the City of Eagle Lake, Florida.
2. The Developer proposes to develop a residential project on the Property (the "Project").
3. The Developer will require certain public improvements and infrastructure to facilitate the development of the Property.
4. In order correct an existing deficiency with the onsite wastewater lift station, it has been determined that significant upgrades are required and that it is in the City's best interest for these upgrades to be completed.
5. In return for the Developer's agreement to construct the lift station upgrade, the City has agreed to reimburse the Developer dollar for dollar for the cost of the construction of the lift station upgrades in the form of impact fee credits, direct payment towards its required payment of sewer connection fees or a direct reimbursement by the City to Developer of any remaining reimbursement funds owed to Developer following Developer's commencement of construction for Developer's final home in the Project (the "Lift Station Cost Reimbursement"). A description of the proposed improvements is provided in Exhibit "B" (the "Description of Work"). A detailed estimate of the proposed construction costs is provided in Exhibit "C" (the "Construction Costs").
6. The agreement of the City and the Developer to be bound by this Agreement, is a material assurance to the City and Developer, as applicable, to enter into this Agreement, and the City and Developer would not enter into this Agreement but for such mutual agreements and assurances by the City and Developer contained herein.

ACCORDINGLY, in consideration of mutual benefits and the public interest and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

SECTION 1. RECITALS. The above recitations are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement. All exhibits to this Agreement are hereby deemed a part hereof.

SECTION 2. AUTHORITY. This Agreement is entered into under the authority of the Florida Constitution (including Article VIII, Section 2(b) thereof), the general powers conferred upon municipalities by statute and otherwise (including Chapter 163 and 166, Florida Statutes), and the City's Code of Ordinances. The parties specifically agree that this Agreement does not constitute a

"development agreement" under the Florida Local Government Development Agreement Act, Section 163.3220-163.3243, Fla. Stat., nor do the provisions of said supplemental act apply to this Agreement.

SECTION 3. AGREEMENT BY THE CITY AND DEVELOPER. Pursuant to the terms and conditions set forth in this Development Agreement, the Developer and the City hereby consent and agree as follows:

3.1 The Developer agrees to design, permit and construct the lift station upgrades. These upgrades shall be constructed by Developer in accordance with those certain plans prepared by JSK Consulting bearing Job# 1040.01B and approved by the City on 02/06/2024.

3.2 In consideration of the Developer designing, permitting, and constructing the lift station upgrades, the City shall reserve wastewater capacity for the Project. In addition, the City shall reimburse to Developer the Lift Station Cost Reimbursement for the costs incurred by the Developer in connection with the construction of the lift station upgrades in the form of impact fee credits towards its required payment of wastewater impact fees for houses to be constructed within the Project or in a form of reimbursement as provided for in Recital 5 above.

SECTION 4. TERM. Effective Date. This Agreement shall become effective on the date which the last party to this Agreement signs the Agreement.

Section 5. Termination Date. Unless otherwise terminated as discussed above, this Agreement shall terminate five (5) years from its Effective Date, unless the Development Code for the City is amended to allow development agreements for a longer term, and in such event, this Agreement shall terminate upon such later date.

SECTION 6. DEFAULT; ENFORCEMENT. A default by either party under this Agreement shall entitle the other party to all remedies available at law or in equity, which shall include, but not be limited to, the right to actual damages, injunctive relief and specific performance. ~~In the event it becomes necessary for either party to enforce this Agreement by court proceedings or otherwise, then the prevailing party shall be entitled to recover all costs incurred, including reasonable attorney's fees incurred prior to litigation, during litigation, or appeals, and for unsuccessful dispute resulting from the non-prevailing party.~~

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SECTION 7. GOVERNING LAW AND VENUE. This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any legal proceedings related to this Agreement shall be in Polk County, Florida.

SECTION 8. BINDING EFFECT. This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their assigns. The parties hereby covenant they will enforce this Agreement and that it is a legal, valid binding agreement.

SECTION 9. RECORDATION. A copy of his Agreement shall be recorded by the Developer at the

Developer's expense, in the Public Records of Polk County, Florida, upon taking effect.

SECTION 10. DISCLAIMER OF THIRD-PARTY BENEFICIARIES. This Agreement is for the sole benefit of the parties hereto, and no right of action shall accrue upon or by any reason hereof, to or for the benefit of any third party. Nothing in this Agreement either expressed or implied is intended or shall be construed to confer upon or give any person, corporation or governmental entity other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof, and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

SECTION 11. ARMS LENGTH NEGOTIATION. This Agreement is the result of mutual arm's length negotiations between the parties. Accordingly, this Agreement shall be construed equally between the parties.

SECTION 12. WAIVER; REMEDIES. No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereto, nor will any waiver on the part of either party of any right, power, or privilege hereunder operate as a waiver of any other right, power, or privilege hereunder, not will any single or partial exercise of any right, power, or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, power, or privilege hereunder.

SECTION 13. EXHIBITS. The exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

SECTION 14. NOTICE; PROPER FORM. Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses:

AS TO CITY:

Thomas Ernharth, City Manager City of Eagle Lake
P.O. Box 129
Eagle Lake, FL 33839

COPY TO:

AS TO DEVELOPER:

Richmond American Homes of Florida, LP
2822 Commerce Park Drive, Suite 100
Orlando, Florida 32819
Attn: Erin Delany

Email: Erin.Delany@mdch.com

with a copy to:

M.D.C. Holdings, Inc.
4350 South Monaco Street, Suite 500
Denver, Colorado 80237
Attn: Bryan S. Blum
Email: Bryan.Blum@mdch.com

SECTION 15. ENTIRE AGREEMENT. This Agreement sets forth all of the promises, covenants, agreements, conditions and understandings between the parties hereto, and superseded all prior and contemporaneous agreements, understandings, inducements and conditions, express or implied, oral or written, except as herein contained.

SECTION 16. AMENDMENT. Amendments to, and waivers to, the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

SECTION 17. TIME OF THE ESSENCE. Time is hereby declared of the essence in the performance of each and every provision of this Agreement.

SECTION 18. SOVEREIGN IMMUNITY. Nothing herein shall be deemed a waiver, express or implied, of the City's sovereign immunity under Section 768.28, Florida Statutes or considered a waiver of immunity or the limits of liability which may have been adopted by the Florida Legislature in Section 768.28, Florida Statutes or other state statute. To the extent anything contained in this Agreement constitutes a waiver of sovereign immunity, such terms and conditions shall be interpreted to the fullest extent possible to effectuate the intent of the parties, but deleting any terms or conditions which would constitute a waiver of sovereign immunity.

IN WITNESS WHEREOF, the Agreement has been executed by the parties as of the date and year indicated below.

CITY OF EAGLE LAKE

By: _____
_____ Mayor

Developer"

RICHMOND AMERICAN HOMES OF FLORIDA, L.P.
a Colorado limited partnership

By: RAH OF FLORIDA, Inc., a Colorado corporation
Its: General Partner

By: _____
Name: Kelli Tolocka
Title: Vice President of Land Acquisition

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this ___ day of _____, 2024 by Kelli Tolocka, as Vice President of Land Acquisition of Richmond American Homes of Florida, LP, a Colorado limited partnership, on behalf of the company, who is personally known to me or who produced _____ as identification.

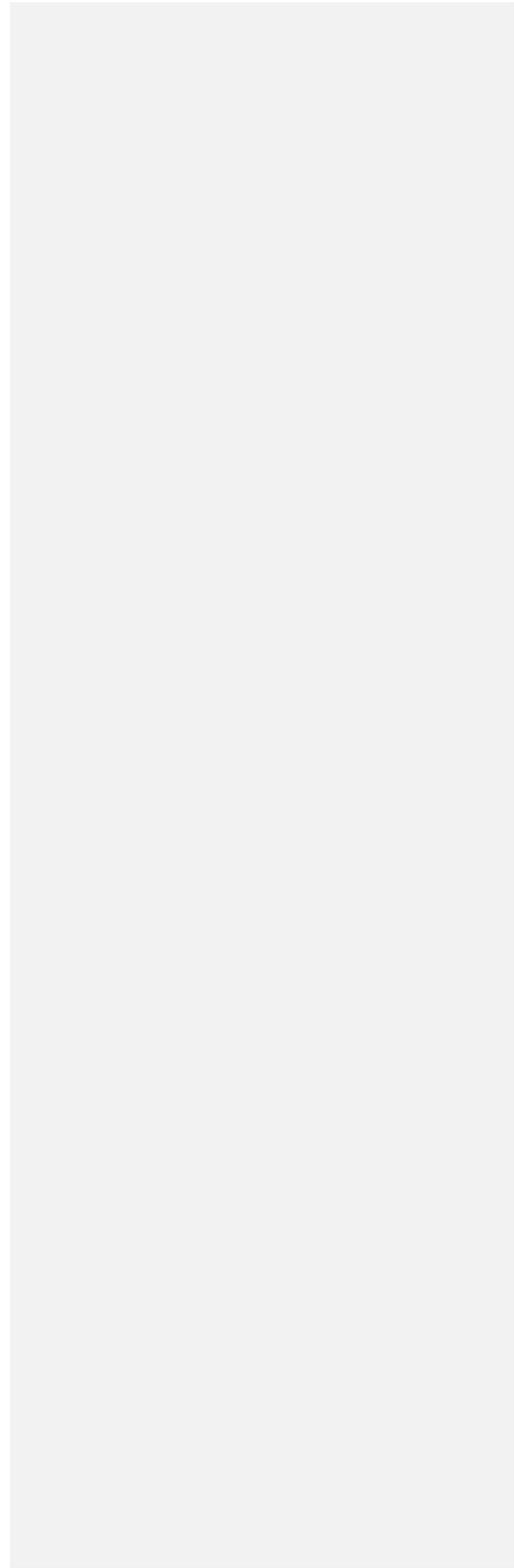
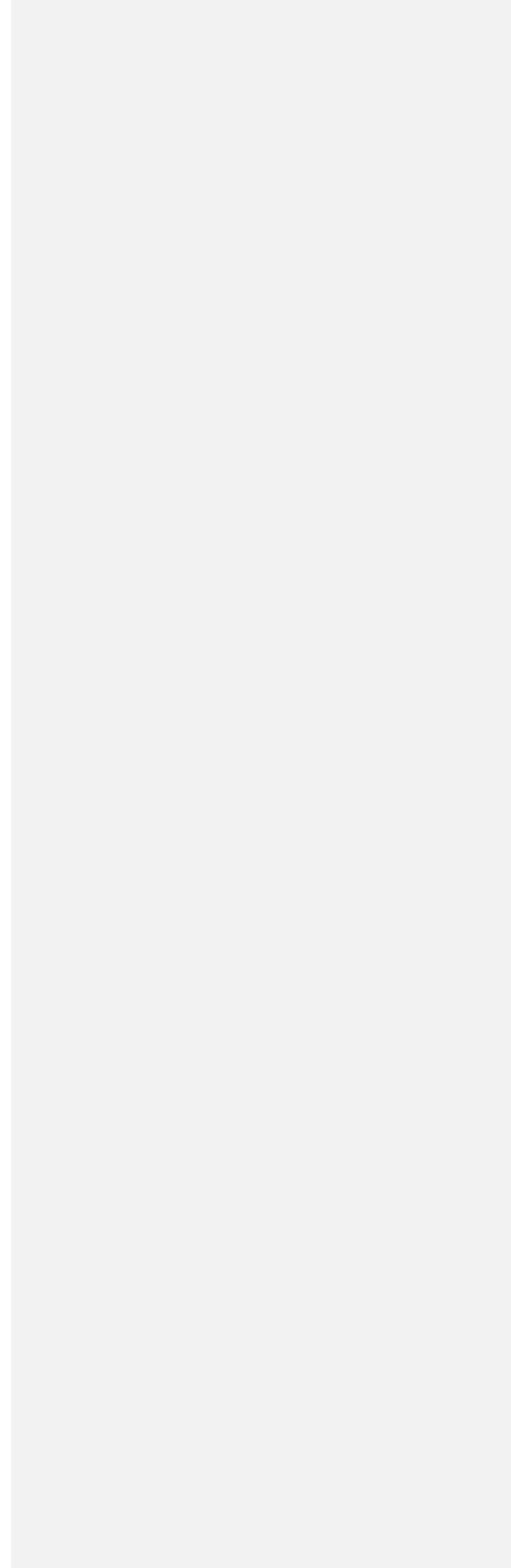


EXHIBIT "A"

(Property)

Sutton Preserve Community as shown on Recorded Plat: Polk County PB: 193; Pages: 30-31
(Copy of recorded plat attached)





INSTR # 2022201852
 BK 193 Pgs 30-31 PG(s)2
 RECORDED 07/25/2022 01:59:50 PM
 STACY M. BUTTERFIELD, CLERK OF COURT
 POLK COUNTY
 RECORDING FEES \$45.00
 RECORDED BY elizhovi

Plat Name: SUTTON PRESERVE

Section 8
Township 29 South
Range 26 East

STATE OF FLORIDA
 COUNTY OF POLK

FILED FOR RECORD **this 25th day of July 2022**

Recorded in Plat Book: **193**
 Page(s) ----- **30-31**

Record verified 7/25/2022

Stacy M. Butterfield
 Clerk of Circuit Court

By: *Erin Valle*
 Erin Valle
 Deputy Clerk



LEGAL DESCRIPTION

LOTS 5, 6, 7, 10, 11 AND 12, LESS THE NORTH 145 FEET OF THE EAST 13.9 FEET OF LOT 11, AND LESS THE WEST 86.1 FEET OF THE NORTH 145 FEET OF LOT 12, AND LESS THE SOUTH 235 FEET OF THE EAST 244.2 FEET OF LOT 12 OF J.A. JOHNSON'S SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 103, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS AND EXCEPT THAT PROPERTY DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED IN O.R. BOOK 11645, PAGE 1398, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

AND BEGINNING AT THE SOUTHEAST CORNER OF LOT 12 OF J.A. JOHNSON'S SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 103, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AND PROCEEDING NORTH 150.0 FEET ALONG THE EAST BOUNDARY OF SAID LOT 12 TO A POINT OF BEGINNING OF SAID LOT 12 A DISTANCE OF 235 FEET TO THE SOUTH BOUNDARY OF SAID LOT 12, THENCE EAST ALONG SAID SOUTH BOUNDARY OF LOT 12 A DISTANCE OF 244.20 FEET TO THE POINT OF BEGINNING.

AK/A LOT 5, 6, 7, 10, 11 AND 12, LESS THE NORTH 145 FEET OF THE EAST 13.9 FEET OF LOT 11, AND LESS THE WEST 86.1 FEET OF THE NORTH 145 FEET OF LOT 12, OF J.A. JOHNSON'S SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 103, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS AND EXCEPT THAT PROPERTY DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED IN O.R. BOOK 11645, PAGE 1398, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

DEDICATION

STATE OF FLORIDA COUNTY OF POLK KNOW ALL MEN BY THESE PRESENTS THAT TBHG, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LANDS SHOWN HEREON HAS CAUSED THIS PLAT OF "SUTTON PRESERVE" TO BE MADE AND DOES HEREBY DEDICATE TO THE PUBLIC FOREVER ALL ROADWAYS, TRACT "A", LIGHT STATION AND PUBLIC UTILITY EASEMENT, IS HEREBY GRANTED TO THE CITY OF EAGLE LAKE, FLORIDA, ITS SUCCESSORS AND ASSIGNS. THE OWNER HEREBY STATED HEREON: THE PLAT DRAINAGE EASEMENTS, SPREAD SERVICE, EROSION CONTROL, AND PUBLIC UTILITIES SUCCESSORS AND ASSIGNS FOR DRAINAGE PIPES, STORM WATER INLETS OR FLOW WAYS, SAID FACILITIES SHALL HOWEVER MAINTENANCE RESPONSIBILITIES SHALL NOT BE IMPOSED ON THE CITY OF EAGLE LAKE, ITS SUCCESSORS AND ASSIGNS FOR THE SUTTON PRESERVE HOMEOWNERS ASSOCIATION, INC.; THERE IS HEREBY GRANTED TO THE CITY OF EAGLE LAKE, FLORIDA, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE PERPETUAL INGRESS-EGRESS EASEMENT OVER TRACTS "B", "C" & "D", FOR ANY PUBLIC PURPOSES. THIS EASEMENT GRANT DOES NOT IMPOSE ANY MAINTENANCE RESPONSIBILITIES ON THE CITY FOR SAID TRACTS OR FOR THE MAINTENANCE OF STORMWATER DRAINAGE. THERE IS HEREBY GRANTED TO THE CITY OF EAGLE LAKE, FLORIDA, ITS SUCCESSORS AND ASSIGNS AND ALL PROVIDERS OF PUBLIC UTILITIES, A NON-EXCLUSIVE PUBLIC UTILITY EASEMENT OVER UNDER AND ACROSS ALL AREAS ON THIS PLAN SO DESIGNATED.

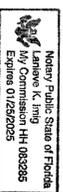
IN WITNESS WHERE OF I HAVE CAUSED MY HAND AND SEAL THIS 19 DAY OF July 2022.

WITNESS SIGNED NAME: Michelle Brown PRINTED NAME: Michelle Brown

WITNESS SIGNED NAME: Daniel Rivera PRINTED NAME: Daniel Rivera

ACKNOWLEDGEMENT

STATE OF FLORIDA COUNTY OF POLK THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF A PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS 19 DAY OF July 2022 BY Jason Prince AS Manager OF TBHG, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION.

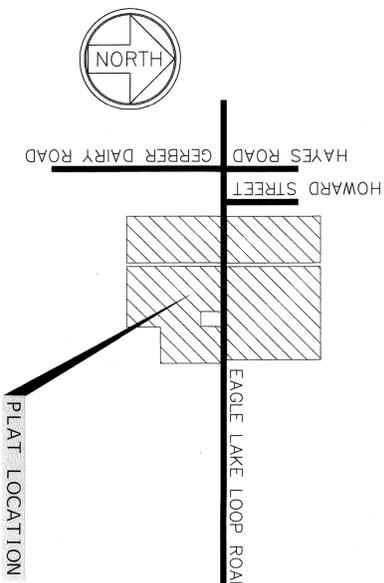


NOTARY PUBLIC PRINT NAME: Laniere King MY COMMISSION EXPIRES: 1/25/25

- SURVEYOR'S NOTES 1) THE BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 25 BEING S 89°53'58" E, GRID BEARING AS MEASURED BY THE SURVEYOR, REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT (NAD 83/2011) AND MEASURED IN THE U.S. SURVEY STATE PLANE WEST ZONE. 2) ELEVATIONS SHOWN ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). 3) PRINTED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS AS THE SCALE OF THIS SURVEY CAN CHANGE WITH REPRODUCTION. 4) THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN HEREON. 5) ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES. PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. 7) UNLESS OTHERWISE NOTED, EACH LOT CORNER SHALL BE SET WITH A 1/2" REBAR AND "SOIS INC LB 8174" CAP. 8) UNDERLYING RIGHTS OF WAY, EASEMENTS OR PLATS AFFECTING SAID PROPERTY ARE AS FOLLOWS: 1. ALL MATTERS CONTAINED ON THE PLAT OF J.A. JOHNSON'S SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 103, PUBLIC RECORDS OF POLK COUNTY, AS SHOWN. 2. WATER CAPACITY RESERVATION, ORB 7347, PG 995, ORB 7973, PG 685 & ORB 10091, PG 967, NOT A SURVEY MATTER. 3. WATER CAPACITY RESERVATION, ORB 7347, PG 995, ORB 7973, PG 685 & ORB 10091, PG 967, NOT A SURVEY MATTER. 4. EASEMENT AND RESTRICTION AGREEMENT RECORDED IN ORB 11645, PG 1400, AS SHOWN. 9) SUBJECT PROPERTY LIES IN FLOOD ZONE "X" AND IN FLOOD ZONE "AE" PER FEMA MAP NUMBER 12105C0530G. EFFECTIVE DATE: 12/22/2016.

SUTTON PRESERVE

SECTION 8, TOWNSHIP 29 SOUTH, RANGE 26 EAST A REPLAT OF A PORTION OF J.A. JOHNSON'S SUBDIVISION PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 103 CITY OF EAGLE LAKE, POLK COUNTY, FLORIDA



VICINITY MAP (NOT TO SCALE)

SHEET INDEX SHEET 1 - COVER SHEET SHEET 2 - LOT DETAILS

JOINER AND CONSENT

STATE OF FLORIDA COUNTY OF POLK KNOW ALL MEN BY THESE PRESENTS CITIZENS BANK AND TRUST, A FLORIDA CORPORATION, MORTGAGEES OF THE LANDS SHOWN HEREON DOES HEREBY CONSENT TO AND JOIN WITH THE OWNER'S DEDICATION AS STATED HEREON.

WITNESS SIGNED NAME: Michelle Brown PRINTED NAME: Michelle Brown

WITNESS SIGNED NAME: Daniel Rivera PRINTED NAME: Daniel Rivera

ACKNOWLEDGEMENT

STATE OF FLORIDA COUNTY OF POLK THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF A PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS 19 DAY OF July 2022, BY Jason Daniel AS IDENTIFICATION.



NOTARY PUBLIC PRINT NAME: Laniere King MY COMMISSION EXPIRES: 1/25/25

NOTICE:

THIS PLAT AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEDICATION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPERSEDED BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

FLOOD HAZARD WARNING

THIS PROPERTY MAY BE SUBJECT TO FLOODING, EVEN MEETING FEDERAL, STATE, OR LOCAL STANDARDS DOES NOT ENSURE THAT ANY IMPROVEMENTS SUCH AS STRUCTURES, DRIVEWAYS, YARDS, SANITARY SEWAGE SYSTEMS, AND WATER SYSTEMS WILL NOT BE FLOODED IN CERTAIN RAIN EVENTS.

PLAT BOOK 193 PAGE 30 SHEET 1 OF 2

CLERK OF THE CIRCUIT COURT:

STATE OF FLORIDA COUNTY OF POLK I, STACY M. BUTTERFIELD, CLERK OF THE CIRCUIT COURT OF POLK COUNTY, FLORIDA, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN ACCEPTED FOR RECORDING THIS 20th DAY OF July A.D. 2022.

CITY COMMISSIONERS' APPROVAL:

STATE OF FLORIDA COUNTY OF POLK THIS PLAT HAS RECEIVED APPROVAL THIS 17th DAY OF July 2022 BY THE CITY COMMISSIONER OF THE CITY OF EAGLE LAKE, POLK COUNTY, FLORIDA.

BY: [Signature] ATTEST: Dawn Wright CITY CLERK

CITY SURVEYOR-CONSULTANT APPROVAL

STATE OF FLORIDA COUNTY OF POLK THIS PLAT HAS BEEN REVIEWED AND FOUND TO BE SUBSTANTIALLY IN COMPLIANCE WITH THE PROVISIONS OF CHAPTER 177, FLORIDA STATUTES, STATUTES RELATING TO THE MAKING OF MAPS AND PLATS

BY: [Signature] DATE: 7/25/2022 ROBERT F. DUBOIS PROFESSIONAL SURVEYOR AND MAPPER REGISTRATION NUMBER LS 5293

SURVEYOR'S STATEMENT

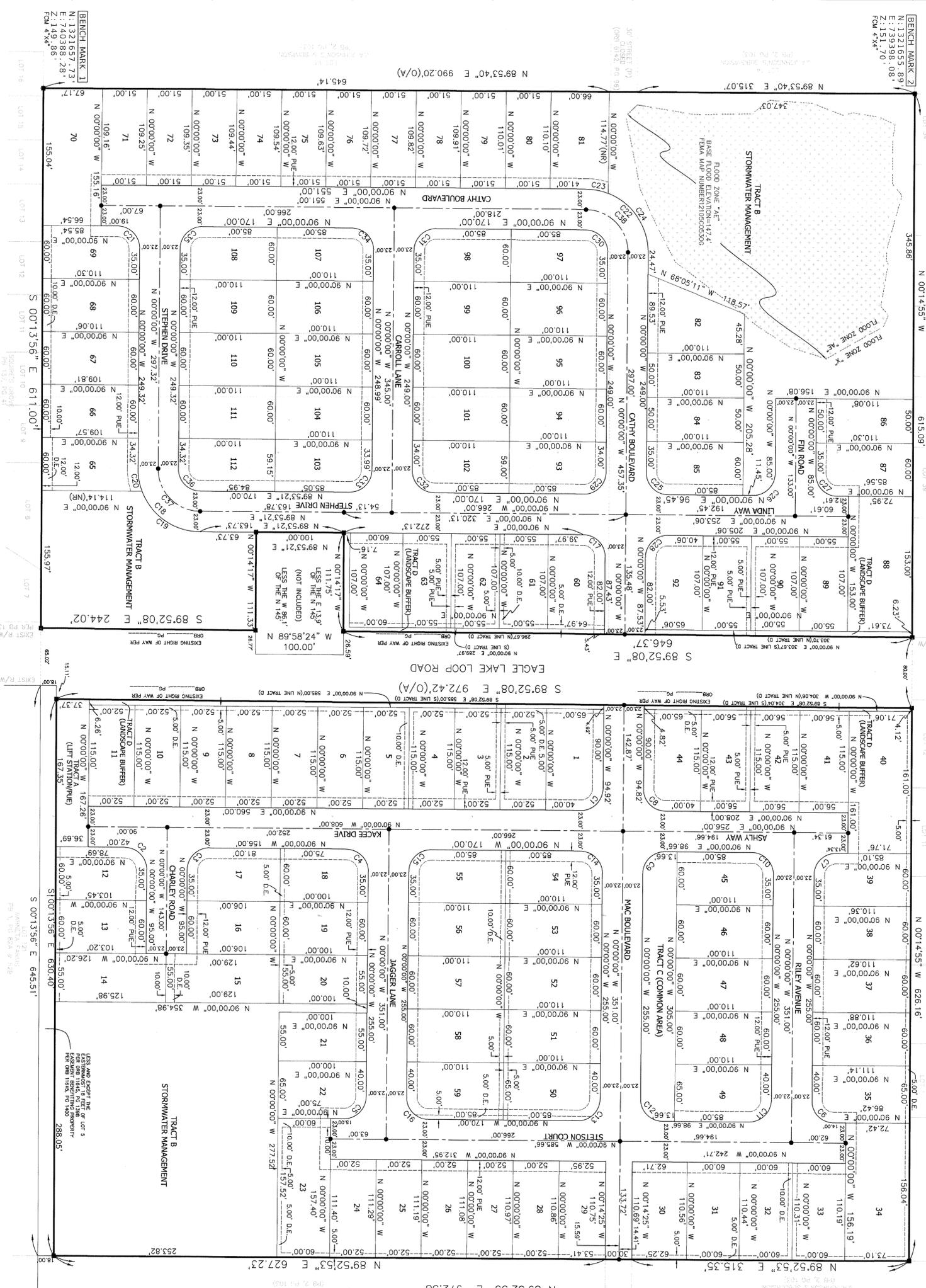
STATE OF FLORIDA COUNTY OF POLK I HEREBY STATE THAT THIS PLAT OF "SUTTON PRESERVE" WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND THAT THE PLAT COMPLETES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND THAT THE PLAT REMAINS IN COMPLIANCE WITH ALL THE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES.

WILLIAM M. PYLE, JR. PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE NUMBER: 69933 LICENSED BUSINESS NUMBER: 8174 SEBRING, FL 33870

SUTTON PRESERVE



SECTION 8, TOWNSHIP 29 SOUTH, RANGE 26 EAST
A REPLAT OF A PORTION OF J.A. JOHNSON'S SUBDIVISION
PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 103
CITY OF EAGLE LAKE, POLK COUNTY, FLORIDA



| LOT | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-----|------------|--------|-------------|---------------|--------------|
| C1 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C2 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C3 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C4 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C5 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C6 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C7 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C8 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C9 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C10 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C11 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C12 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C13 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C14 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C15 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C16 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C17 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C18 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C19 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C20 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C21 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C22 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C23 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C24 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C25 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C26 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C27 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C28 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C29 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C30 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C31 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C32 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C33 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C34 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C35 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C36 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C37 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |
| C38 | 39.27 | 25.00 | 90.0000° | N 45.0000° E | 35.36 |

NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE
THIS PROPERTY MAY BE SUBJECT TO FLOODING, EVEN
HEREIN, AND WILL IN NO CIRCUMSTANCES BE
IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM
OF THE PLAT.
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT
RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE
PUBLIC RECORDS OF THIS COUNTY.

FLOOD HAZARD WARNING
THIS PROPERTY MAY BE SUBJECT TO FLOODING, EVEN
HEREIN, AND WILL IN NO CIRCUMSTANCES BE
IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM
OF THE PLAT.
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT
RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE
PUBLIC RECORDS OF THIS COUNTY.

PLATTING SUPERVISOR:
WILLIAM H. SPINER,
PROFESSIONAL SURVEYOR AND
MAPPER
FLORIDA LICENSE NUMBER: 6993
SGS, INC.
LICENSED BUSINESS NUMBER:
8174 U.S. 27 S
SEBRING, FL 33870

EXHIBIT "B"

(Description of Work)

The Lift Station upgrade will consist of taking the existing lift station off-line, removing the existing pumps, replacing with new larger capacity pumps, and upgrading the electrical service to the Lift Station. None of the Lift Station service panels need to be upgraded. This work will require close coordination with the Site Contractor – Garner Site Development, Barney’s Pumps – Pump Supplier, TECO Energy – Electrical Provider, and the City of Eagle Lake Utility Department. The work will be set up to occur over a 48-hour period coordinated by the City of Eagle Lake and Developer.

EXHIBIT "C"

(Construction Costs)

| Date | Vendor | Invoice No. | Description | Total |
|-------------|----------------------|--------------------|--------------------|---------------|
| 11/20/23 | Prince & Sons/Garner | N/A | Check | \$ 131,985.96 |
| 02/23/24 | JSK Consulting | 0224-10 | Invoice | \$ 2,460.00 |
| 3/21/2024 | TECO/P&S | | CC | \$ 5,921.94 |
| | | | | \$ - |
| | | | | \$ 140,367.90 |

CITY OF EAGLE LAKE
REGULAR CITY COMMISSION MEETING
MONDAY, APRIL 15, 2024
7:00 P.M.
COMMISSION CHAMBERS
675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

I. CALL TO ORDER

Mayor Wilson called the meeting to order at 7:00 p.m.

II. INVOCATION

Commissioner Metosh gave the invocation.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

The Commission and audience said the Pledge of Allegiance to the Flag.

IV. ROLL CALL

PRESENT: Billings, Metosh, Freeze, Wilson

ABSENT: None

V. AUDIENCE

There were no comments from the audience.

VI. SPECIAL PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS, REQUESTS

A. Staff Reports

Code Enforcement Officer Nadeau updated the Commission regarding the Code Enforcement cases in the city and permits issued in the city. Mr. Nadeau advised the commission of the Code Enforcement class that is being put on for elected officials by Polk Association of Code Enforcement in May.

Sgt. Turner updated the Commission regarding the events that have occurred in the city.

Commission and Sgt. Turner discussed having a J.R. Sullivan Deputy of the Year Award. The Commission directed Sgt. Turner to work with the City Manager on establishing the award.

B. City Manager Report

City Manager Ernharth stated a local Girl Scout Troop has asked to use the Red Brick Building Monday, Tuesday, and Thursday from 4 pm to 7 pm to hold their meetings. They would be responsible for cleaning, locking up the building and turning off the air conditioning.

The Commission had no objections to the Girl Scouts using the facility.

City Manager Ernharth advised the property that the City needs to expand the Green Acres Water Plant was appraised for \$93,100; he advised this is a 2-acre parcel.

MOTION was made by Metosh and seconded by Billings to make an official offer to the property owner in the amount of \$93,100 for the 2-acre parcel of land needed for the Green Acres Water Plant expansion and authorize the City Manager to sign paperwork.

Mayor Wilson asked for audience and commission discussion; there was none.

The vote was as follows:

AYES: Billings, Metosh, Freeze, Wilson

NAYS: None

C. Proclamation - Municipal Clerks Week, May 5, 2024 through May 11, 2024.

Mayor Wilson proclaimed May 5, 2024 through May 11, 2024 Municipal Clerks Week.

D. Consideration of the appointment of Alternate Planning Commission member Joshua Macon to the open seat on the Planning Commission.

MOTION was made by Commissioner Metosh and seconded by Commission Billings to approve the appointment of Joshua Macon to the open seat on the Planning Commission.

The vote was as follows:

AYES: 4

NAYS: 0

E. Consideration of the appointment of Tiffany Crawford as an Alternate Member to the Planning Commission

MOTION was made by Commissioner Metosh and seconded by Commission Billings to approve the appointment of Tiffany Crawford as an Alternate Member to the Planning Commission.

Ms. Crawford introduced herself to the City Commission.

The vote was as follows:

AYES: 4

NAYS: 0

VII. PUBLIC HEARINGS

- A.** Consideration of the second reading of Ordinance No. O-24-03, An Ordinance of the City of Eagle Lake, Florida Extending the Corporate Limits of the City of Eagle Lake, to include Therein Additional Territory Lyng Contiguous and Adjacent to the Present boundaries of the City of Eagle Lake; Describing said Additional Territory; Repealing all Ordinances Conflicting Herewith and Providing an Effective Date. (General Location: Two parcels of land totaling approximately 5.0 acres in size, lying east of Gerber Dairy Road and north of Thomas Rd, with a street address of 0 Thomas Rd and 1409 Thomas Rd Winter Haven, Florida 33880) Thomas Property, effective upon second reading

Attorney Maxwell read Ordinance No.: O-24-03 by title only.

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Ordinance No.: O-24-03.

Mayor Wilson asked for audience and Commission discussion; there was none.

The roll call vote was as follows:

AYES: Billings, Metosh, Freeze, Wilson

NAYS: None

- B.** Consideration of the second reading of Ordinance No. O-24-04, An Ordinance of the City of Eagle Lake, Florida, amending the Eagle Lake Code of Ordinances; Chapter 6, Elections; Article 5, Canvassing; Protests and Contests; Section 6-111, Canvassing; Providing the Canvassing Board to Consist of the City Clerk, City Manager, and City Code Enforcement Officer, and Alternates as Appointed by the City Clerk; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing for an Effective Date. effective upon second reading

Attorney Maxwell read Ordinance No.: O-24-04 by title only.

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Ordinance No.: O-24-04.

Mayor Wilson asked for audience and Commission discussion; there was none.

The roll call vote was as follows:

AYES: Billings, Metosh, Freeze, Wilson

NAYS: None

- C.** Consideration of the second reading of Ordinance No. O-24-05, An Ordinance Amending the City of Eagle Lake Code of Ordinances, More Specifically, Chapter 6 Elections, Article II Candidates, Section 6-51, Method of Qualifying; Fees, Petition; Providing that Write In Candidates Must File Required Qualifying Documentation and Statement with the City Clerk Before the End of the Normal Qualifying Period; Providing a Conflict Clause and Severability Clause and an Effective Date. effective upon second reading

Attorney Maxwell read Ordinance No.: O-24-05 by title only.

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Ordinance No.: O-24-05.

Mayor Wilson asked for audience and Commission discussion; there was none.

The roll call vote was as follows:

AYES: Billings, Metosh, Freeze, Wilson

NAYS: None

- D.** Consideration of the first reading of Ordinance No. O-24-06, An Ordinance Amending the City of Eagle Lake, Florida 2030 Comprehensive Plan by Revising the Future Land Use Map Series to Change the Map Designation from Low Density Residential to Neighborhood Activity Center for One Parcel; Amending Ordinance Number O-20-19 by Changing the Zoning Designation for the Same Parcel from Planned Development – Housing (PD-H) to Planned Development –

Commercial (PD-C); Repealing all Ordinances in Conflict Herewith; and Providing an Effective Date. (General Location: One Parcel of land totaling approximately 2.88 Acres in size, located southwest of the intersection of Bomber Road and Craftsman Road within the Ranches at Lake McLeod Planned Development, and a street address of 2926 Bomber Road, Winter Haven, Florida 33880) The Ranches

Attorney Maxwell read Ordinance No.: O-24-06 by title only.

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Ordinance No.: O-24-06.

Mayor Wilson asked for audience and Commission discussion; there was none.

The roll call vote was as follows:

AYES: Billings, Metosh, Freeze, Wilson

NAYS: None

- E.** Consideration of the first reading of Ordinance No. O-24-07, An Ordinance of the City Commission of the City of Eagle Lake, Florida, Amending the City of Eagle Lake Code of Ordinances, Chapter 16, Utilities, Article V. Billing Procedures, Fees and Deposits, Section 16-142 Customer Billing, Administration, Inspection and Service Fees; to Change the Time for Imposition of Service Fee for Service Turn Ons or Turn Offs from 4:00 p.m. to 3:00 p.m. and to Correct Scrivener's Errors; Providing for Codification; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attorney Maxwell read Ordinance No.: O-24-07 by title only.

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Ordinance No.: O-24-07.

Mayor Wilson asked for audience and Commission discussion; there was none.

The roll call vote was as follows:

AYES: Billings, Metosh, Freeze, Wilson

NAYS: None

- F.** Consideration of the first reading of Ordinance No. O-24-08, An Ordinance of the City Commission of the City of Eagle Lake, Florida; Amending Chapter 16, Utilities, by Replacing Section 16-145 in Its Entirety; to Authorize Water and Sewer Utility Liens; Providing for Exemptions; Providing for Collection of Liens; Providing for Codification; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date.

Attorney Maxwell read Ordinance No.: O-24-08 by title only.

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Ordinance No.: O-24-08.

Mayor Wilson asked for audience and Commission discussion; there was none.

The roll call vote was as follows:

AYES: Billings, Metosh, Freeze, Wilson

NAYS: None

VIII. OLD BUSINESS

There was no old business.

IX. NEW BUSINESS

A. Administrating Oath of Office to Randy Billings, Seat #1, Steven Metosh Seat #3 and Kristen Pita Seat #5

City Clerk Wright administered the Oath of Office to Commissioner Randy Billings, Steven Metosh and Kristen Pita.

B. Election of Mayor

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to appoint Commissioner Wilson as Mayor.

The vote was as follows:

AYES: 5

NAYS: 0

C. Election of Vice Mayor

MOTION was made by Mayor Wilson and seconded by Commissioner Billings to appoint Commissioner Metosh as Vice Mayor.

The vote was as follows:

AYES: 5

NAYS: 0

D. Select Member and Alternate Member for the Polk Regional Water Cooperative

MOTION was made by Commissioner Metosh and seconded by Commissioner Freeze to appoint Commissioner Billings as the Polk Regional Water Cooperative Board Member and Commissioner Wilson as the Alternate Board Member for the Polk Regional Water Cooperative.

The vote was as follows:

AYES: 5

NAYS: 0

E. Consideration of the appointment of Commissioners as representatives to TPO Board, Ridge League of Cities Board Member, and Sports Association Liaison.

MOTION was made by Mayor Wilson and seconded by Commissioner Billings to appoint Commissioner Freeze as the Ridge League of Cities Board Member, Commissioner Metosh as the representative to the TPO Board and Commissioner Pita as the Sports Association Liaison.

The vote was as follows:

AYES: 5

NAYS: 0

F. Consideration of Joint Project Agreement Between Polk County and City of Eagle Lake for Thompson Nursery Road Extension Project (Utility Work)

MOTION was made by Metosh and seconded by Commissioner Billings to approve Joint Project Agreement between Polk County and City of Eagle Lake for Thompson Nursery Road Extension Project (Utility Work).

City Manager Ernharth stated due to state law the city must compensate the county for moving the lines and for that portion of the project design.

Mayor Wilson asked for discussion; there was none.

The vote was as follows:

AYES: 5

NAYS: 0

G. Consideration of Polk County Library Cooperative Interlocal Agreement 2024

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Polk County Library Cooperative Interlocal Agreement 2024.

Mayor Wilson asked for discussion; there was none.

The vote was as follows:

AYES: 5

NAYS: 0

H. Consideration of 2024 Resurfacing Project Bid Award Recommendation

City Manager Ernharth stated staff is recommending the city increase the paving budget by approximately \$100,000, so that all the roads in the bid specifications can be repaired. He advised this is necessary due to the increased traffic on the roads.

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve 2024 Resurfacing Project Bid from AAA Paving in the amount of \$405,164.57.

Mayor Wilson asked for discussion; there was none.

The roll call vote was as follows:

AYES: 5

NAYS: 0

X. CONSENT AGENDA

- A. Approval of the Regular City Commission Meeting Minutes-----03/04/2024
- B. Approval of Financials – Jan.
- C. Approval of Financials – Feb.
- D. Approval of the Surplus List
- E. Approval of Bad Debt List -----\$750.59

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Consent Agenda item A. Regular City Commission Minutes of 03/04/2024, B. the Financials – Jan, C. the Financials – Feb, D. the Surplus list, E. the Bad Debt List in the amount of \$750.59.

The vote was as follows:

AYES: 5

NAYS: 0

XI. CITY ATTORNEY

Attorney Maxwell had no report.

XII. CITY COMMISSION

Commissioner Billings had no report.

Commissioner Freeze congratulated City Clerk Dawn Wright on being awarded the Home Rule Hero Award from the Florida League of Cities; she stated this is the 3rd time she received this recognition from the Florida League of Cities.

Commissioner Metosh stated that Lake McLeod boat ramp has turned into a party area on the weekends and asked Sgt. Turner to investigate this.

Commissioner Pita had no report.

Mayor Wilson welcomed Commissioner Pita to the Commission and congratulated Commissioner Billings and Metosh on being re-elected.

XIII. ADJOURNMENT

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to adjourn at 7:35 p.m.

The vote was as follows:

AYES: 5

NAYS: 0

MAYOR SUZY WILSON

ATTEST:

CITY CLERK DAWN WRIGHT

CITY OF EAGLE LAKE - GENERAL FUND

ACCOUNT BALANCE

MAR 2024

| | |
|--|----------------------------|
| ACCOUNT BALANCE AS OF FEBRUARY 29, 2024 | 6,316,385.79 |
| DEPOSITS | 1,095,716.44 |
| CLEARED CHECKS | (1,273,024.38) |
| WITHDRAWALS/ACH | 0.00 |
| RETURNED CHECKS | 0.00 |
| ACCOUNT BALANCE AS OF MARCH 31, 2024 | <u><u>6,139,077.85</u></u> |

OUTSTANDING CHECKS:

| | | |
|-------|--|-------------|
| 44428 | CITY OF TAYLORS FALLS PCCA - REF | (100.00) |
| 46364 | DAVID FLOYD - REF | (125.00) |
| JE #3 | | (4,180.95) |
| 46416 | WEISS SEROTA HELFMAN COLE & BIERMAN PL | (10,000.00) |
| 46403 | POLK COUNTY BOCC PARKS & REC | (560.00) |
| 46400 | LOWE'S | (496.95) |
| 46433 | WANNEMACHER JENSEN ARCHITECTS INC | (17,516.20) |
| 46423 | HILL MANUFACTURING COMPANY INC | (397.76) |
| 46435 | FLORIDA BLUE | (21,079.33) |
| 46443 | ALBERT C GALLOWAY JR P.A. | (3,295.99) |
| 46437 | GUARDIAN | (599.46) |
| 46439 | LINCOLN FINANCIAL GROUP | (296.57) |
| 46438 | Liberty National Insurance Company QB | (230.53) |
| 46440 | MINNESOTA LIFE | (228.80) |
| 46442 | WASHINGTON NATIONAL INS CO | (220.94) |
| 46446 | SPECTRUM ENTERPRISE - 230804401 | (219.98) |
| 46447 | WALMART - CAPITAL ONE | (120.15) |
| 46436 | Florida Municipal Insurance Trust QB | (117.35) |
| 46444 | AWARDS NETWORK | (50.00) |
| 46441 | New York Life Ins QB | (21.68) |
| JE #3 | | (5,855.97) |

TOTAL OUTSTANDING CHECKS: (65,713.61)

03/28/2024 Deposit 31,838.08

TOTAL OUTSTANDING DEPOSITS: 31,838.08

REMAINING ACCOUNT BALANCE: 6,105,202.32

CITY OF EAGLE LAKE
Profit & Loss Budget vs. Actual
October 2023 through March 2024

| | Oct '23 - Mar 24 | Budget | \$ Over Budget | % of Budget |
|---|------------------|--------------|----------------|-------------|
| Ordinary Income/Expense | | | | |
| Income | | | | |
| 310.000 · Taxes | | | | |
| 311.000 · Ad Valorem Taxes | 1,711,344.62 | 1,788,490.00 | -77,145.38 | 95.7% |
| 312.000 · Sales, Use & Gas Taxes | | | | |
| 312.300 · 9th Cent Gas Tax | 9,123.06 | 17,500.00 | -8,376.94 | 52.1% |
| 312.410 · Local Option Gas Tax | 49,557.54 | 100,327.00 | -50,769.46 | 49.4% |
| 312.412 · Local Gov. 1/2 cent sales tax | 134,783.58 | 262,851.00 | -128,067.42 | 51.3% |
| 312.420 · 5-cent Local Option Gas Tax | 31,607.72 | 63,766.00 | -32,158.28 | 49.6% |
| Total 312.000 · Sales, Use & Gas Taxes | 225,071.90 | 444,444.00 | -219,372.10 | 50.6% |
| 314.000 · Utility Service Taxes | | | | |
| 314.100 · Electric Utility Service Tax | 147,600.34 | 225,000.00 | -77,399.66 | 65.6% |
| 314.150 · Water Utility Service Tax | 44,787.35 | 45,000.00 | -212.65 | 99.5% |
| 314.400 · Natural Gas Service Tax | 10.92 | 100.00 | -89.08 | 10.9% |
| 314.800 · Propane Service Tax | 670.80 | 1,500.00 | -829.20 | 44.7% |
| 315.000 · Local Communications Serv. Tax | 41,806.07 | 92,000.00 | -50,193.93 | 45.4% |
| Total 314.000 · Utility Service Taxes | 234,875.48 | 363,600.00 | -128,724.52 | 64.6% |
| 323.000 · Franchise Fees | | | | |
| 323.100 · Electric Franchise Fees | 143,795.85 | 220,000.00 | -76,204.15 | 65.4% |
| 323.400 · Natural Gas Franchise Fees | 2,262.61 | 2,000.00 | 262.61 | 113.1% |
| 323.700 · Solid Waste Franchise Fee | 10,000.00 | 25,000.00 | -15,000.00 | 40.0% |
| Total 323.000 · Franchise Fees | 156,058.46 | 247,000.00 | -90,941.54 | 63.2% |
| Total 310.000 · Taxes | 2,327,350.46 | 2,843,534.00 | -516,183.54 | 81.8% |
| 330.000 · Intergovernmental Revenue | | | | |
| 335.000 · State Shared Revenues | | | | |
| 335.120 · SRS Sales Tax | 59,078.10 | 120,000.00 | -60,921.90 | 49.2% |
| 335.122 · SRS - Motor Fuel Tax | 22,974.78 | 50,000.00 | -27,025.22 | 45.9% |
| 335.150 · Alcoholic Beverage Licenses | 97.89 | 250.00 | -152.11 | 39.2% |
| Total 335.000 · State Shared Revenues | 82,150.77 | 170,250.00 | -88,099.23 | 48.3% |
| 338.800 · County Shared Revenue | | | | |
| 337.700 · Library Cooperative | 12,500.00 | 25,000.00 | -12,500.00 | 50.0% |
| 337.710 · Delivery Driver System Funding | 63,302.96 | 135,815.00 | -72,512.04 | 46.6% |
| 338.200 · Polk County Occupational Licens | 1,226.30 | 1,500.00 | -273.70 | 81.8% |
| Total 338.800 · County Shared Revenue | 77,029.26 | 162,315.00 | -85,285.74 | 47.5% |
| Total 330.000 · Intergovernmental Revenue | 159,180.03 | 332,565.00 | -173,384.97 | 47.9% |
| 340.000 · Charges for Services | | | | |
| 341.200 · Zoning Fees | 3,250.00 | 500.00 | 2,750.00 | 650.0% |
| 341.300 · Copies/Certifications | 18.35 | 75.00 | -56.65 | 24.5% |
| 342.900 · FDOT Roadway Maintenance | 3,015.69 | 11,965.00 | -8,949.31 | 25.2% |
| 352.000 · Library Fines and Collections | 808.51 | 1,500.00 | -691.49 | 53.9% |
| Total 340.000 · Charges for Services | 7,092.55 | 14,040.00 | -6,947.45 | 50.5% |
| 350.000 · Fines & Forfeitures | | | | |
| 341.541 · Police Fines | 4,040.03 | 8,000.00 | -3,959.97 | 50.5% |
| 350.100 · Other Fines and Forfeitures | 0.00 | 100.00 | -100.00 | 0.0% |
| Total 350.000 · Fines & Forfeitures | 4,040.03 | 8,100.00 | -4,059.97 | 49.9% |
| 360.000 · Other Revenue | | | | |
| 361.100 · Interest Income | 3,839.91 | 6,500.00 | -2,660.09 | 59.1% |
| 362.100 · Facilities Rental | 900.00 | | | |
| 362.201 · T-Mobile Tower Lease | 11,250.00 | 38,000.00 | -26,750.00 | 29.6% |
| 366.000 · Private Donations | | | | |
| 366.101 · Donations for City Events | 4,300.00 | | | |
| 366.000 · Private Donations - Other | 0.00 | 4,000.00 | -4,000.00 | 0.0% |

CITY OF EAGLE LAKE Profit & Loss Budget vs. Actual October 2023 through March 2024

| | Oct '23 - Mar 24 | Budget | \$ Over Budget | % of Budget |
|--|------------------|--------------|----------------|-------------|
| Total 366.000 · Private Donations | 4,300.00 | 4,000.00 | 300.00 | 107.5% |
| 369.900 · Miscellaneous Income | | | | |
| 340.901 · Reimbursements | | | | |
| 340.910 · Reimbursement-Sports Assoc. | 7,357.95 | | | |
| Total 340.901 · Reimbursements | 7,357.95 | | | |
| 369.310 · Misc Revenue - Engineering Fees | 168,321.60 | | | |
| 369.996 · E-Rate Reimbursement | 755.78 | | | |
| 369.900 · Miscellaneous Income - Other | 17,999.59 | 100,000.00 | -82,000.41 | 18.0% |
| Total 369.900 · Miscellaneous Income | 194,434.92 | 100,000.00 | 94,434.92 | 194.4% |
| Total 360.000 · Other Revenue | 214,724.83 | 148,500.00 | 66,224.83 | 144.6% |
| 367.000 · Licenses and Permits | | | | |
| 322.000 · Building Permits Other | | | | |
| 322.050 · Subdivision Permit App.Fee | 0.00 | 2,900.00 | -2,900.00 | 0.0% |
| 322.060 · Plan Review Fee | 200,572.90 | 5,000.00 | 195,572.90 | 4,011.5% |
| 322.070 · DCA BLDG Cert Charge 1% | 682.56 | 50.00 | 632.56 | 1,365.1% |
| 322.100 · DBPR Radon Surcharge-1% | 929.74 | 50.00 | 879.74 | 1,859.5% |
| 322.150 · Contractor's Registration | 0.00 | 300.00 | -300.00 | 0.0% |
| 322.200 · Polk County Imp.Fees 3% | 17,900.37 | 100.00 | 17,800.37 | 17,900.4% |
| 322.300 · Building Inspection Fees | 165,620.00 | 23,000.00 | 142,620.00 | 720.1% |
| 322.400 · Building Permits | 408,525.50 | 80,000.00 | 328,525.50 | 510.7% |
| 324.610 · Parks and Rec Impact Fee | 177,623.00 | | | |
| 324.611 · Public BLDG & Fac - Res | 607,974.00 | | | |
| Total 322.000 · Building Permits Other | 1,579,828.07 | 111,400.00 | 1,468,428.07 | 1,418.2% |
| Total 367.000 · Licenses and Permits | 1,579,828.07 | 111,400.00 | 1,468,428.07 | 1,418.2% |
| 369.200 · CASH OVER/SHORT | -10.00 | | | |
| 382.000 · Transfers - IN | 167,143.56 | 256,204.00 | -89,060.44 | 65.2% |
| 382.100 · CRA Transfer - IN | 10,002.00 | 20,004.00 | -10,002.00 | 50.0% |
| Total Income | 4,469,351.53 | 3,734,347.00 | 735,004.53 | 119.7% |
| Gross Profit | 4,469,351.53 | 3,734,347.00 | 735,004.53 | 119.7% |
| Expense | | | | |
| 510.000 · General Government | | | | |
| 511.000 · Commissioner Costs | | | | |
| 511.100 · Employee Benefits | 276.48 | 650.00 | -373.52 | 42.5% |
| 511.110 · City Commission Fees/Salaries | 3,764.75 | | | |
| 511.120 · Salaries and Wages - CC | 0.00 | 9,036.00 | -9,036.00 | 0.0% |
| 511.300 · Operating Expenditures | | | | |
| 511.240 · Workers Compensation Insurance | 1,388.25 | 75.00 | 1,313.25 | 1,851.0% |
| 511.310 · Engineering Services | 220,957.34 | 300,000.00 | -79,042.66 | 73.7% |
| 511.311 · Legal Services | 18,190.00 | 12,000.00 | 6,190.00 | 151.6% |
| 511.313 · Planning Services | 2,970.00 | 5,000.00 | -2,030.00 | 59.4% |
| 511.320 · Accounting & Auditing | 11,265.00 | 12,500.00 | -1,235.00 | 90.1% |
| 511.321 · Financial Reporting Svcs | 18,093.02 | 15,000.00 | 3,093.02 | 120.6% |
| 511.340 · Contractual Services | 14,173.25 | 2,500.00 | 11,673.25 | 566.9% |
| 511.341 · Election Fees | 0.00 | 3,000.00 | -3,000.00 | 0.0% |
| 511.410 · Communication Services | 3,093.03 | 6,000.00 | -2,906.97 | 51.6% |
| 511.420 · Postage | 414.92 | 1,100.00 | -685.08 | 37.7% |
| 511.450 · Insurance Property | 96,568.64 | 90,000.00 | 6,568.64 | 107.3% |
| 511.460 · Repair & Maint Svcs Comm Bldg | 0.00 | 10,500.00 | -10,500.00 | 0.0% |
| 511.470 · Printing and Binding/ Municipal | 0.00 | 4,500.00 | -4,500.00 | 0.0% |
| 511.480 · Advertising / Promotions | 1,738.75 | 5,000.00 | -3,261.25 | 34.8% |
| 511.490 · Other Current Charges | 7,842.65 | 12,000.00 | -4,157.35 | 65.4% |
| 511.512 · Event Expenses | 500.00 | 4,000.00 | -3,500.00 | 12.5% |
| 511.515 · Event Expenses - Donated Funds | 3,609.20 | 0.00 | 3,609.20 | 100.0% |
| 511.541 · Travel, Meetings, and Dues | 684.13 | 5,000.00 | -4,315.87 | 13.7% |
| 511.991 · Contingency Fund | 0.00 | 11,000.00 | -11,000.00 | 0.0% |

CITY OF EAGLE LAKE
Profit & Loss Budget vs. Actual
October 2023 through March 2024

| | Oct '23 - Mar 24 | Budget | \$ Over Budget | % of Budget |
|--|-------------------|---------------------|----------------------|--------------|
| 511.993 · CRA/Community Redevelopment Age | 20,000.00 | 20,000.00 | 0.00 | 100.0% |
| 511.998 · Reserve / Contingency | 0.00 | 770,526.00 | -770,526.00 | 0.0% |
| Total 511.300 · Operating Expenditures | 421,488.18 | 1,289,701.00 | -868,212.82 | 32.7% |
| 511.600 · CAPITAL OUTLAY | 117,514.03 | 50,000.00 | 67,514.03 | 235.0% |
| Total 511.000 · Commissioner Costs | 543,043.44 | 1,349,387.00 | -806,343.56 | 40.2% |
| 512.000 · CITY MANAGER | | | | |
| 512.100 · Employee Benefits | 16,482.77 | 36,000.00 | -19,517.23 | 45.8% |
| 512.120 · Salaries and Wages | 58,565.60 | 116,771.00 | -58,205.40 | 50.2% |
| 512.300 · Operating Expenditures | | | | |
| 512.240 · Workers Compensation Insurance | 42.15 | 750.00 | -707.85 | 5.6% |
| 512.340 · Contractual Services | 70.00 | 500.00 | -430.00 | 14.0% |
| 512.410 · Communication Services | 1,188.90 | 2,600.00 | -1,411.10 | 45.7% |
| 512.420 · Postage | 105.78 | 650.00 | -544.22 | 16.3% |
| 512.490 · Other Expenditures | 340.30 | 1,500.00 | -1,159.70 | 22.7% |
| 512.540 · Education & Training | 1,430.50 | 3,500.00 | -2,069.50 | 40.9% |
| 512.541 · Travel, Meetings, and Dues | 944.02 | 2,600.00 | -1,655.98 | 36.3% |
| 512.991 · Contingency Fund | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| Total 512.300 · Operating Expenditures | 4,121.65 | 14,100.00 | -9,978.35 | 29.2% |
| Total 512.000 · CITY MANAGER | 79,170.02 | 166,871.00 | -87,700.98 | 47.4% |
| 513.000 · Administration | | | | |
| 513.100 · Employee Benefits | 48,864.20 | 98,100.00 | -49,235.80 | 49.8% |
| 513.121 · Salaries and Wages | 116,981.77 | 239,301.00 | -122,319.23 | 48.9% |
| 513.140 · Overtime | 2,363.83 | 2,200.00 | 163.83 | 107.4% |
| 513.300 · Operating Expenditures | | | | |
| 513.240 · Workers Compensation Insurance | 85.95 | 4,600.00 | -4,514.05 | 1.9% |
| 513.340 · Contractual Svcs (Copier/Lease) | 7,998.93 | 12,000.00 | -4,001.07 | 66.7% |
| 513.410 · Communication Services | 1,766.52 | 15,000.00 | -13,233.48 | 11.8% |
| 513.420 · Postage | 529.39 | 7,000.00 | -6,470.61 | 7.6% |
| 513.430 · Utility Services | 904.13 | 3,500.00 | -2,595.87 | 25.8% |
| 513.460 · Repair & Maintenance | 9.90 | 5,000.00 | -4,990.10 | 0.2% |
| 513.490 · Other Expenditures | 1,637.08 | 9,500.00 | -7,862.92 | 17.2% |
| 513.510 · Office Supplies | 2,303.83 | 5,000.00 | -2,696.17 | 46.1% |
| 513.540 · Education and Training | 1,962.56 | 8,000.00 | -6,037.44 | 24.5% |
| 513.541 · Travel, Meetings, & Dues | 1,217.91 | 6,500.00 | -5,282.09 | 18.7% |
| 513.991 · Contingency Fund | 0.00 | 3,000.00 | -3,000.00 | 0.0% |
| Total 513.300 · Operating Expenditures | 18,416.20 | 79,100.00 | -60,683.80 | 23.3% |
| Total 513.000 · Administration | 186,626.00 | 418,701.00 | -232,075.00 | 44.6% |
| Total 510.000 · General Government | 808,839.46 | 1,934,959.00 | -1,126,119.54 | 41.8% |
| 521.000 · Police Department | | | | |
| 521.300 · Operating Expenditures - PD | | | | |
| 521.340 · Contractual Services - Sheriff | 341,285.67 | 700,000.00 | -358,714.33 | 48.8% |
| 521.410 · Communication Services | 696.12 | 2,000.00 | -1,303.88 | 34.8% |
| 521.430 · Utility Services | 1,251.65 | 3,100.00 | -1,848.35 | 40.4% |
| 521.490 · Other Expenditures | 476.00 | | | |
| Total 521.300 · Operating Expenditures - PD | 343,709.44 | 705,100.00 | -361,390.56 | 48.7% |
| 521.600 · Capital Outlay - PD | 0.00 | 10,000.00 | -10,000.00 | 0.0% |
| Total 521.000 · Police Department | 343,709.44 | 715,100.00 | -371,390.56 | 48.1% |
| 541.000 · Streets | | | | |
| 541.100 · Employee Benefits | 9,107.13 | 18,000.00 | -8,892.87 | 50.6% |
| 541.120 · Salaries and Wages | 15,945.00 | 31,200.00 | -15,255.00 | 51.1% |

CITY OF EAGLE LAKE Profit & Loss Budget vs. Actual October 2023 through March 2024

| | Oct '23 - Mar 24 | Budget | \$ Over Budget | % of Budget |
|--|-------------------|-------------------|--------------------|---------------|
| 541.140 · Overtime | 1,226.25 | 2,000.00 | -773.75 | 61.3% |
| 541.300 · Operating Expenditures - ST | | | | |
| 541.240 · Workers Compensation Insurance | 826.00 | 750.00 | 76.00 | 110.1% |
| 541.310 · Engineering | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| 541.311 · NPDES Charges | 124.00 | 0.00 | 124.00 | 100.0% |
| 541.340 · Contractual Services | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| 541.400 · Petroleum Products | 592.33 | 1,000.00 | -407.67 | 59.2% |
| 541.410 · Communication Services | 1,705.24 | 1,000.00 | 705.24 | 170.5% |
| 541.430 · Utility Services | 23,327.13 | 40,000.00 | -16,672.87 | 58.3% |
| 541.460 · Repair and Maintenance | 3,251.73 | 12,000.00 | -8,748.27 | 27.1% |
| 541.490 · Other Expenditures | 75.00 | 1,000.00 | -925.00 | 7.5% |
| 541.521 · Supplies & Materials | 2,958.07 | 2,000.00 | 958.07 | 147.9% |
| 541.522 · Uniforms | 0.00 | 375.00 | -375.00 | 0.0% |
| 541.530 · Road Materials/Street Repair | 8,164.64 | 2,500.00 | 5,664.64 | 326.6% |
| 541.630 · Street Signs | 341.00 | 15,000.00 | -14,659.00 | 2.3% |
| Total 541.300 · Operating Expenditures - ST | 41,365.14 | 79,625.00 | -38,259.86 | 51.9% |
| 541.600 · Captial Outlay - ST | | | | |
| 541.603 · Trsrfer Out-Restr. 5 Cent GasTx | 0.00 | 200,000.00 | -200,000.00 | 0.0% |
| Total 541.600 · Captial Outlay - ST | 0.00 | 200,000.00 | -200,000.00 | 0.0% |
| Total 541.000 · Streets | 67,643.52 | 330,825.00 | -263,181.48 | 20.4% |
| 550.000 · Building and Code Enforcement | | | | |
| 550.100 · Employee Benefits | 20,434.95 | 42,000.00 | -21,565.05 | 48.7% |
| 550.120 · Salaries and Wages | 44,052.00 | 84,700.00 | -40,648.00 | 52.0% |
| 550.140 · Overtime | 2,414.25 | 500.00 | 1,914.25 | 482.9% |
| 550.300 · Operating Expenditures | | | | |
| 550.240 · Workers Compensation Insurance | 527.60 | 750.00 | -222.40 | 70.3% |
| 550.311 · Legal Services & Magistrate | 4,056.01 | 5,000.00 | -943.99 | 81.1% |
| 550.340 · Contractual Services (Code Enf) | 932.69 | 23,000.00 | -22,067.31 | 4.1% |
| 550.345 · POLK COUTY PLAN REV & INSPECT | 239,545.69 | | | |
| 550.400 · Petroleum Products | 602.65 | 1,500.00 | -897.35 | 40.2% |
| 550.410 · Communication Services | 1,108.69 | 2,100.00 | -991.31 | 52.8% |
| 550.420 · Postage | 675.80 | 1,000.00 | -324.20 | 67.6% |
| 550.460 · Repairs and Maintenance | 532.40 | 200.00 | 332.40 | 266.2% |
| 550.490 · Other Expenditures | 179.06 | 550.00 | -370.94 | 32.6% |
| 550.491 · Code Enforcement Other | 3,861.84 | 50,000.00 | -46,138.16 | 7.7% |
| 550.522 · Uniforms | 0.00 | 300.00 | -300.00 | 0.0% |
| 550.540 · Education & Training | 1,729.58 | 1,500.00 | 229.58 | 115.3% |
| 550.541 · Travel, Meetings & Dues | 150.00 | 2,000.00 | -1,850.00 | 7.5% |
| Total 550.300 · Operating Expenditures | 253,902.01 | 87,900.00 | 166,002.01 | 288.9% |
| 550.600 · CAPITAL OUTLAY - CE | 0.00 | 10,000.00 | -10,000.00 | 0.0% |
| Total 550.000 · Building and Code Enforcement | 320,803.21 | 225,100.00 | 95,703.21 | 142.5% |
| 571.000 · Library | | | | |
| 571.100 · Employee Benefits | 29,428.54 | 72,600.00 | -43,171.46 | 40.5% |
| 571.120 · Salaries and Wages | 45,725.80 | 73,358.00 | -27,632.20 | 62.3% |
| 571.128 · Delivery Van Drivers | 43,870.33 | 94,715.00 | -50,844.67 | 46.3% |
| 571.300 · Operating Expenditures | | | | |
| 571.240 · Workers Compensation Insurance | 1,143.75 | 2,200.00 | -1,056.25 | 52.0% |
| 571.410 · Communication Services | 1,286.25 | 3,300.00 | -2,013.75 | 39.0% |
| 571.420 · Postage | 100.70 | 500.00 | -399.30 | 20.1% |
| 571.430 · Utility Services | 904.12 | 3,300.00 | -2,395.88 | 27.4% |
| 571.460 · Repair and Maintenance | 0.00 | 500.00 | -500.00 | 0.0% |
| 571.490 · Other Expenditures | 754.06 | 500.00 | 254.06 | 150.8% |
| 571.510 · Office Supplies | 1,560.42 | 2,400.00 | -839.58 | 65.0% |
| 571.520 · Operating Expenses - LB | 210.11 | 1,800.00 | -1,589.89 | 11.7% |
| 571.521 · Operating Expenses---LB Van Dri | 102.00 | | | |

CITY OF EAGLE LAKE
Profit & Loss Budget vs. Actual
October 2023 through March 2024

| | Oct '23 - Mar 24 | Budget | \$ Over Budget | % of Budget |
|---|---------------------|---------------------|----------------------|---------------|
| 571.660 · Books & Materials | 4,004.23 | 20,000.00 | -15,995.77 | 20.0% |
| Total 571.300 · Operating Expenditures | 10,065.64 | 34,500.00 | -24,434.36 | 29.2% |
| Total 571.000 · Library | 129,090.31 | 275,173.00 | -146,082.69 | 46.9% |
| 572.000 · Parks & Rec | | | | |
| 572.100 · Employee Benefits | 9,076.20 | 24,000.00 | -14,923.80 | 37.8% |
| 572.120 · Salaries and Wages | 16,560.01 | 32,940.00 | -16,379.99 | 50.3% |
| 572.140 · Overtime | 171.32 | | | |
| 572.300 · Operating Expenditures | | | | |
| 572.240 · Workers Compensation Insurance | 345.05 | 750.00 | -404.95 | 46.0% |
| 572.340 · Contractual Services | 0.00 | 10,000.00 | -10,000.00 | 0.0% |
| 572.400 · Petroleum Products | 487.65 | 6,000.00 | -5,512.35 | 8.1% |
| 572.410 · Communication Services | 242.37 | 2,000.00 | -1,757.63 | 12.1% |
| 572.430 · Utility Services | 35,356.16 | 49,000.00 | -13,643.84 | 72.2% |
| 572.460 · Repair & Maintenance | 1,555.11 | 30,000.00 | -28,444.89 | 5.2% |
| 572.461 · Grounds-Bldg/Clean/Maint/Veh | 25,193.69 | 24,000.00 | 1,193.69 | 105.0% |
| 572.490 · Other Expenditures | 696.25 | 500.00 | 196.25 | 139.3% |
| 572.512 · Event Expenses | 4,998.78 | 5,000.00 | -1.22 | 100.0% |
| 572.513 · Hometown Festival (Fireworks) | 4,583.14 | 9,000.00 | -4,416.86 | 50.9% |
| 572.521 · Supplies & Materials | 4,867.84 | 7,000.00 | -2,132.16 | 69.5% |
| 572.654 · Mistletoe Marketplace | 3,272.30 | 3,000.00 | 272.30 | 109.1% |
| 572.888 · Facilities Deposit Refunds - PR | 125.00 | | | |
| Total 572.300 · Operating Expenditures | 81,723.34 | 146,250.00 | -64,526.66 | 55.9% |
| 572.600 · Capital Outlay - PR | 159,942.43 | 50,000.00 | 109,942.43 | 319.9% |
| Total 572.000 · Parks & Rec | 267,473.30 | 253,190.00 | 14,283.30 | 105.6% |
| 6560 · Payroll Expenses | 11.52 | | | |
| Total Expense | 1,937,570.76 | 3,734,347.00 | -1,796,776.24 | 51.9% |
| Net Ordinary Income | 2,531,780.77 | 0.00 | 2,531,780.77 | 100.0% |
| Net Income | 2,531,780.77 | 0.00 | 2,531,780.77 | 100.0% |

CITY OF EAGLE LAKE

Balance Sheet

As of March 31, 2024

04/17/24

| | <u>Mar 31, 24</u> |
|---|------------------------------------|
| ASSETS | |
| Current Assets | |
| Checking/Savings | |
| 100.000 · Cash & Cash Equivalents | |
| 101.103 · CS - GENERAL FUND | 6,105,202.32 |
| 102.216 · Petty Cash | 150.00 |
| 102.217 · Petty Cash Library | 15.00 |
| Total 100.000 · Cash & Cash Equivalents | 6,105,367.32 |
| 101.256 · CS - BUILDING/CODE ENFORCEMENT | 461,688.08 |
| 101.257 · CS - PARKS & REC FUND | 627,546.80 |
| 101.258 · CS - PUBLIC BUILDING FUND | 2,705,386.10 |
| 101.259 · CS- TRANSPORTATION FUND | 407,566.11 |
| 115.100 · Reclass FROM unrestricted cash | 0.28 |
| Total Checking/Savings | 10,307,554.69 |
| Accounts Receivable | |
| 115.101 · *Accounts Receivable | 114,197.75 |
| Total Accounts Receivable | 114,197.75 |
| Other Current Assets | |
| 115.108 · ACCOUNTS RECEIVABLE - CONTRA | -110,423.81 |
| 115.200 · A/R Due from Others | 69,031.39 |
| 115.300 · A/R - Due from Governments | 31,624.08 |
| 116.110 · Return Checks Receivable | 80.00 |
| 130.000 · Due From (To) Utility/CRA Fund | |
| 131.100 · Due From Utility Fund-Payroll | 18,166.05 |
| 131.200 · Due From Utility-Sani/Storm | -15,772.00 |
| 131.250 · Due From/To Utility Daily Dep. | 78,964.47 |
| 131.350 · Due ToFrom Utility Fund -OTHER | 85,395.47 |
| 131.382 · DUE FROM CRA FUND-ADMIN FEES | 35,586.19 |
| 131.390 · DUE FROM CRA | 16,000.00 |
| Total 130.000 · Due From (To) Utility/CRA Fund | 218,340.18 |
| 149.900 · Undeposited Funds | 215,938.96 |
| 2120 · Payroll Asset | 0.01 |
| Total Other Current Assets | 424,590.81 |
| Total Current Assets | 10,846,343.25 |
| Other Assets | |
| 115.900 · LEASE RECEIVABLE | 345,656.67 |
| Total Other Assets | 345,656.67 |
| TOTAL ASSETS | <u><u>11,191,999.92</u></u> |
| LIABILITIES & EQUITY | |
| Liabilities | |
| Current Liabilities | |
| Accounts Payable | |
| 202.100 · Accounts Payable | 881,932.35 |
| Total Accounts Payable | 881,932.35 |
| Other Current Liabilities | |
| 203.100 · Sales Tax Payable | 311.83 |
| 205.000 · Polk County Impact Fees Payable | 7,965.91 |
| 205.101 · POLK COUNTY SHERIFF EDUCATION | 4,332.77 |
| 205.102 · POLK COUNTY FIRE REVIEW | 6,071.87 |
| 205.200 · DBPR Fee Payable | 6,262.03 |
| 205.201 · DCA PAYABLE | -11,007.29 |
| 208.101 · DUE TO STATE UNCLAIMED PROPERTY | -75.00 |
| 210.000 · Accrd Exp & Other Liabilities | |

CITY OF EAGLE LAKE
Balance Sheet
As of March 31, 2024

| | Mar 31, 24 |
|--|----------------------|
| 218.110 · Withholding Payable | -52.96 |
| 218.190 · Cobra Insurance Payable | 156.94 |
| Total 210.000 · Accrd Exp & Other Liabilities | 103.98 |
| 2100 · Payroll Liabilities | |
| 2100.06 · UNITED WAY QB | 30.00 |
| 2100.07 · EMPLOYEE FUND QB | 75.00 |
| 2100.10 · LIBERTY LIFE QB | -0.07 |
| 2100.11 · COLONIAL ACCIDENT CANCER QB | 0.03 |
| 2100.26 · PAYROLL TAXES | 1.00 |
| Total 2100 · Payroll Liabilities | 105.96 |
| 215.000 · Accrued Payroll and Benefits | 34,498.08 |
| 240.200 · DEFERRED INFLOWS | 338,035.69 |
| Total Other Current Liabilities | 386,605.83 |
| Total Current Liabilities | 1,268,538.18 |
| Total Liabilities | 1,268,538.18 |
| Equity | |
| 271.100 · Fund Balance | 7,391,680.97 |
| Net Income | 2,531,780.77 |
| Total Equity | 9,923,461.74 |
| TOTAL LIABILITIES & EQUITY | 11,191,999.92 |

CITY OF EAGLE LAKE - UTILITY FUND

ACCOUNT BALANCE

MAR 2024

| | |
|--|---------------------|
| ACCOUNT BALANCE AS OF FEBRUARY 29, 2024 | 4,748,538.01 |
| DEPOSITS | 462,649.97 |
| CLEARED CHECKS | (555,390.00) |
| WITHDRAWALS/ACH | 0.00 |
| RETURNED CHECKS | 0.00 |
| ACCOUNT BALANCE AS OF MARCH 31, 2024 | 4,655,797.98 |

OUTSTANDING CHECKS:

| | | |
|-------|--------------------------------|----------|
| 20561 | SHEILA PAGE - REF | (120.13) |
| 21507 | JESUS CANA MOHAMMED ALAM - REF | (31.23) |
| 21682 | WALTER O'BYRNE - REF | (50.88) |
| 21667 | HEATHER MCKENZIE - REF | (19.42) |
| 21713 | SHELBY DIAZ - REF | (55.65) |
| 21740 | ALFONSO ARCADIO ESTRADA - REF | (166.24) |
| 21769 | RESHEENA HARDY - REF | (29.33) |
| 21793 | PAULA TIERNEY - REF | (37.70) |
| 21892 | TOM PERRY ST - REF | (30.81) |
| 21972 | BRANDON GIBSON - REF | (31.01) |
| 22523 | FIDENCIO COSTILLA - REF | (15.62) |
| 22568 | VSP TAMPA LLC - REF | (124.38) |
| 22550 | JEANNIE SHANKS - REF | (27.47) |
| 22671 | RYAN RAMOS - REF | (76.87) |
| 23081 | JOHN SHELTON - REF | (120.85) |
| 23232 | GEOFFERY LOVERIDGE - REF | (103.14) |
| 23380 | JAMIE RIVERA - REF | (33.54) |
| 23461 | DEBORAH VASSER - REF | (85.69) |
| 23488 | JOSE RIOS-MENDEZ - REF | (91.80) |
| 23599 | VICTORIA HERNANDEZ - REF | (122.48) |
| 23574 | ANGEL VELEZ - REF | (25.58) |
| 23638 | G W OR SHIRLEY K LOSEY - REF | (67.94) |
| 23648 | ANGEL VELEZ - REF | (10.00) |
| 23710 | SHERDRICA BAZIL - REF | (16.48) |
| 23798 | JULIAN HILLS LLC - REF | (206.52) |
| 23815 | TACO STOP -REF | (96.85) |
| 23805 | MARY CARR - REF | (28.60) |
| 23820 | JULIAN HILLS LLC - REF | (14.23) |
| 23837 | MODDIE LOCKLEAR - REF | (2.36) |
| 23866 | MAKAYLA SHAVER -REF | (80.56) |
| 23952 | JULIAN HILLS LLC - REF | (150.00) |
| 23989 | SABRINA LOPEZ - REF | (6.92) |
| 23990 | YOLANDA CAMACHO - REF | (6.53) |
| 24005 | JULIAN HILLS LLC - REF | (150.00) |

CITY OF EAGLE LAKE - UTILITY FUND
ACCOUNT BALANCE

| | | |
|-------|-----------------------------------|------------|
| 24020 | KRISTONYA MOODY - REF | (12.26) |
| 24027 | CATHERINE PFLUG - REF | (30.40) |
| 24048 | RUSS JOHNSON - REF | (25.01) |
| 24040 | JUAN ZEPEDA - REF | (4.64) |
| 24121 | ARIEL URREA JR - REF | (16.04) |
| 24151 | RP HOMES 3 LLC - REF | (107.94) |
| 24207 | PETER STODDART - REF | (102.32) |
| 24241 | CITY ELECTRIC SUPPLY CO* | (68.86) |
| 24307 | DEMETRIO APARICIO - REF* | (68.92) |
| 24302 | AMANDA PRADO - REF | (68.92) |
| 24326 | BENJAMIN WESTBROOK - REF | (152.29) |
| 24336 | ENRIQUEZ LEIA - REF | (59.65) |
| 24329 | CHRISTOPHER DENMARK - REF | (10.00) |
| 24361 | ERIKA JUAREZ - REF | (4.10) |
| 24402 | ANIL KURTULDU - REF | (58.56) |
| 24408 | EMMANUEL OSIAS - REF | (25.26) |
| 24420 | VERONICA ROSADO - REF | (7.89) |
| 24559 | EDGAR OMAR VENEGAS - REF | (34.31) |
| 24556 | DEBORAH ARNETT-WILLIAMS - REF | (28.50) |
| 24618 | JAMES SHELTON - REF | (2.49) |
| 24733 | ERIC INGRAM - REF | (32.21) |
| 24759 | HUDSON HOMES MANAGEMENT LLC - REF | (115.45) |
| 24788 | LOWE'S | (2,020.23) |
| 24827 | PROCESS CONTROL SERVICES LLC | (1,065.00) |
| 24831 | SPECTRUM ENTERPRISE - 230292201 | (219.98) |
| 24828 | ROBERT COVINGTON - REF | (30.90) |
| 24830 | SASHA PETROUS - REF | (14.45) |
| 24853 | ALLEN DYER - REF | (129.25) |
| 24837 | BRENNTAG MID-SOUTH INC | (1,815.50) |
| 24848 | WJHFL LLC - REF | (1,320.99) |
| 24844 | RMC 2023 LLC - REF | (284.52) |
| 24846 | VICTORIA HENNING - REF | (235.50) |
| 24847 | VILLAGE REALTY*-REF | (174.57) |
| 24845 | RP HOMES 3 LLC - REF | (115.45) |
| 24840 | DIEP LE* - REF | (115.45) |
| 24843 | MADDOX HOOD - REF | (107.28) |
| 24839 | D R HORTON* - REF | (94.22) |
| 24838 | CHANDRAKANT PATEL - REF | (38.43) |
| 24842 | JEFFREY ROBERGE - REF | (20.90) |

(11,075.45)

| | | |
|-----------------|------------|----------|
| General Journal | 03/28/2024 | 1,027.93 |
| Deposit | 03/28/2024 | 1,100.00 |
| General Journal | 03/29/2024 | 559.87 |
| General Journal | 03/30/2024 | 290.73 |

CITY OF EAGLE LAKE - UTILITY FUND
ACCOUNT BALANCE

General Journal

03/31/2024

527.18

TOTAL OUTSTANDING DEPOSITS:

3,505.71

REMAINING ACCOUNT BALANCE:

4,648,228.24

City of Eagle Lake-Utility Fund
Profit & Loss Budget vs. Actual
 October 2023 through March 2024

| | Oct '23 - Ma... | Budget | \$ Over Bud... | % of Budget |
|--|-----------------|--------------|----------------|-------------|
| Ordinary Income/Expense | | | | |
| Income | | | | |
| 324.210 · Impact Fees-Water-residential | 1,563,725.70 | | | |
| 324.211 · Impact Fees-Sewer-residential | 1,501,500.00 | | | |
| 330.000 · Intergovernmental Revenue | | | | |
| 331.000 · Federal/State Grants/CDBG | 38,482.00 | | | |
| Total 330.000 · Intergovernmental Revenue | 38,482.00 | | | |
| 343.000 · Charges for Services | | | | |
| 343.300 · Water Charges / User Fee | 541,377.42 | 690,000.00 | -148,622.58 | 78.5% |
| 343.310 · Water Taps | 94,350.00 | 3,000.00 | 91,350.00 | 3,145.0% |
| 343.311 · New Water Meters | | | | |
| 343.314 · HYDRANT METERS | 1,507.49 | | | |
| 343.311 · New Water Meters - Other | 355,420.00 | 5,000.00 | 350,420.00 | 7,108.4% |
| Total 343.311 · New Water Meters | 356,927.49 | 5,000.00 | 351,927.49 | 7,138.5% |
| 343.312 · Water Reconnect Fee | 0.00 | 8,000.00 | -8,000.00 | 0.0% |
| 343.313 · ADMIN FEES | 12,285.00 | | | |
| 343.330 · Service Charge - 1/2 | 24,539.31 | 16,000.00 | 8,539.31 | 153.4% |
| 343.340 · Charges for Repairs | 14,260.00 | | | |
| 343.360 · Customer Billing Fee - 1/3 | 43,731.00 | 60,000.00 | -16,269.00 | 72.9% |
| 343.400 · Garbage Collection | | | | |
| 343.410 · GARBAGE TOTE SALES | 577.80 | | | |
| 343.400 · Garbage Collection - Other | 434,921.43 | 600,000.00 | -165,078.57 | 72.5% |
| Total 343.400 · Garbage Collection | 435,499.23 | 600,000.00 | -164,500.77 | 72.6% |
| 343.500 · Sewer Charges / User Fee | 729,533.97 | 900,000.00 | -170,466.03 | 81.1% |
| 343.510 · Tap Fees - Sewer | 155,000.00 | 3,000.00 | 152,000.00 | 5,166.7% |
| 343.520 · Polk County Utility Tax-CITY SH | 490.76 | 200.00 | 290.76 | 245.4% |
| 343.900 · Stormwater Fees | 81,248.00 | 85,000.00 | -3,752.00 | 95.6% |
| 349.000 · Late Fees - 1/2 | 27,375.00 | 35,000.00 | -7,625.00 | 78.2% |
| Total 343.000 · Charges for Services | 2,516,617.18 | 2,405,200.00 | 111,417.18 | 104.6% |
| 361.000 · Interest Income | 9,354.87 | 5,000.00 | 4,354.87 | 187.1% |
| 369.901 · Miscellaneous Income - 1/2 | 10,307.43 | 2,000.00 | 8,307.43 | 515.4% |
| Total Income | 5,639,987.18 | 2,412,200.00 | 3,227,787.18 | 233.8% |
| Gross Profit | 5,639,987.18 | 2,412,200.00 | 3,227,787.18 | 233.8% |
| Expense | | | | |
| 533.000 · Water | | | | |
| 533.100 · Employee Benefits | 28,525.62 | 48,000.00 | -19,474.38 | 59.4% |
| 533.120 · Salaries and Wages | 80,197.13 | 103,499.00 | -23,301.87 | 77.5% |
| 533.125 · On Call Pay | 4,812.40 | 11,000.00 | -6,187.60 | 43.7% |
| 533.140 · Overtime | 1,323.00 | 3,500.00 | -2,177.00 | 37.8% |
| 533.300 · Operating Expenses | | | | |
| 533.240 · Insurance | 1,318.85 | 3,500.00 | -2,181.15 | 37.7% |
| 533.310 · Engineering Services | 33,498.66 | 10,000.00 | 23,498.66 | 335.0% |
| 533.311 · Legal Services | 7,344.00 | 6,000.00 | 1,344.00 | 122.4% |
| 533.320 · Accounting & Auditing - WD | 5,750.00 | 6,500.00 | -750.00 | 88.5% |
| 533.340 · Contractual Services | 14,213.04 | 15,000.00 | -786.96 | 94.8% |
| 533.400 · Petroleum Products | 4,451.77 | 12,000.00 | -7,548.23 | 37.1% |
| 533.410 · Communications Services | 3,428.23 | 7,000.00 | -3,571.77 | 49.0% |
| 533.420 · Postage Supplies & Billing 1/3 | 5,785.59 | 10,000.00 | -4,214.41 | 57.9% |
| 533.430 · Utilities | 1,102.46 | 57,000.00 | -55,897.54 | 1.9% |
| 533.450 · Insurance Auto & Equipment | 24,698.13 | 20,000.00 | 4,698.13 | 123.5% |
| 533.460 · Repairs & Maint Svc (Equip/Veh) | 15,025.43 | 26,000.00 | -10,974.57 | 57.8% |
| 533.480 · ADVERTISING | 223.13 | 2,500.00 | -2,276.87 | 8.9% |
| 533.490 · Other Expenditures | 4,368.33 | 2,000.00 | 2,368.33 | 218.4% |
| 533.521 · Supplies & Materials (Tools) | 6,264.01 | 10,000.00 | -3,735.99 | 62.6% |
| 533.522 · Uniforms | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| 533.540 · Education and Training | 0.00 | 250.00 | -250.00 | 0.0% |

City of Eagle Lake-Utility Fund
Profit & Loss Budget vs. Actual
October 2023 through March 2024

| | Oct '23 - Ma... | Budget | \$ Over Bud... | % of Budget |
|---|---------------------|---------------------|--------------------|-----------------|
| 533.541 · Travel, Meetings, & Dues | 296.80 | 600.00 | -303.20 | 49.5% |
| 533.555 · Chemicals | 13,875.50 | 16,000.00 | -2,124.50 | 86.7% |
| 533.560 · POLK REGIONAL WATER COOPERATIVE | 164,816.91 | 160,344.00 | 4,472.91 | 102.8% |
| 533.581 · Transfer to General Fund/Adm | 53,270.78 | 75,190.00 | -21,919.22 | 70.8% |
| 533.602 · Repairs & Maint Svc (Plants) | 191,328.57 | 40,000.00 | 151,328.57 | 478.3% |
| 533.996 · Debt Service Rus Water | 0.00 | 31,510.00 | -31,510.00 | 0.0% |
| 533.998 · Reserve/Contingency | 0.00 | 109,827.00 | -109,827.00 | 0.0% |
| Total 533.300 · Operating Expenses | 551,060.19 | 622,221.00 | -71,160.81 | 88.6% |
| 533.600 · Capital Outlay - WD | 101,411.78 | 95,000.00 | 6,411.78 | 106.7% |
| 533.900 · Bad Debt Expense - WD | 1,864.06 | | | |
| Total 533.000 · Water | 769,194.18 | 883,220.00 | -114,025.82 | 87.1% |
| 533.999 · AMERICAN RESCUE PLAN EXPENSE WD | 14,475.00 | 200,000.00 | -185,525.00 | 7.2% |
| 534.000 · Solid Waste | | | | |
| 534.300 · Operating Expenses | | | | |
| 534.340 · Contract for Solid Waste | 268,839.71 | 378,000.00 | -109,160.29 | 71.1% |
| 534.913 · Due to Gen Fund Admin S Waste | 60,602.00 | 21,204.00 | 39,398.00 | 285.8% |
| Total 534.300 · Operating Expenses | 329,441.71 | 399,204.00 | -69,762.29 | 82.5% |
| Total 534.000 · Solid Waste | 329,441.71 | 399,204.00 | -69,762.29 | 82.5% |
| 535.000 · Sewer/Waste Water Services | | | | |
| 535.100 · Employee Benefits | 37,511.58 | 96,000.00 | -58,488.42 | 39.1% |
| 535.120 · Salaries and Wages | 72,659.15 | 177,938.00 | -105,278.85 | 40.8% |
| 535.125 · On Call Pay | 6,256.48 | 11,000.00 | -4,743.52 | 56.9% |
| 535.140 · Overtime | 10,438.83 | 6,000.00 | 4,438.83 | 174.0% |
| 535.300 · Operating Expenses | | | | |
| 535.240 · Insurance | 698.65 | 3,000.00 | -2,301.35 | 23.3% |
| 535.310 · Engineering | 10,736.91 | 15,000.00 | -4,263.09 | 71.6% |
| 535.311 · Legal Services | 0.00 | 600.00 | -600.00 | 0.0% |
| 535.312 · NPDES Charges | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| 535.320 · Accounting & Auditing - SW | 8,985.00 | 11,000.00 | -2,015.00 | 81.7% |
| 535.340 · Contractual Services | 5,186.02 | 10,000.00 | -4,813.98 | 51.9% |
| 535.400 · Petroleum Products | 633.60 | 10,000.00 | -9,366.40 | 6.3% |
| 535.410 · Communications Services | 4,533.80 | 4,500.00 | 33.80 | 100.8% |
| 535.420 · Postage Supplies & Billing 1/3 | 6,036.66 | 9,500.00 | -3,463.34 | 63.5% |
| 535.430 · Utilities | 34,762.51 | 50,000.00 | -15,237.49 | 69.5% |
| 535.431 · Wastewater Treatment - SW | 84,262.78 | 160,000.00 | -75,737.22 | 52.7% |
| 535.450 · Insurance Auto & Equip | 31,468.23 | 29,500.00 | 1,968.23 | 106.7% |
| 535.460 · Repairs & Maint Svc (Equip/Veh) | 5,862.26 | 5,000.00 | 862.26 | 117.2% |
| 535.490 · Other Expenditures | 574.29 | 500.00 | 74.29 | 114.9% |
| 535.521 · Supplies & Materials (Tools) | 1,936.40 | 25,000.00 | -23,063.60 | 7.7% |
| 535.522 · Uniforms | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| 535.541 · Travel, Meetings & Dues | 296.80 | 1,500.00 | -1,203.20 | 19.8% |
| 535.581 · Transfer Out - Other Funds | 53,270.78 | 75,190.00 | -21,919.22 | 70.8% |
| 535.602 · Repairs & Maint-Syst (Lift Sta) | 7,746.15 | 20,000.00 | -12,253.85 | 38.7% |
| 535.995 · Lift Station Debt Svc-Bond Pmt | 17,085.78 | 21,721.00 | -4,635.22 | 78.7% |
| 535.998 · Reserve / Contingency | 0.00 | 109,827.00 | -109,827.00 | 0.0% |
| Total 535.300 · Operating Expenses | 274,076.62 | 563,838.00 | -289,761.38 | 48.6% |
| Total 535.000 · Sewer/Waste Water Services | 400,942.66 | 854,776.00 | -453,833.34 | 46.9% |
| 535.600 · Capital Outlay | 117,651.77 | 50,000.00 | 67,651.77 | 235.3% |
| 535.999 · AMERICAN RESCUE PLAN EXPENSE SD | 14,475.00 | | | |
| 538.000 · Stormwater | | | | |
| 538.910 · Stormwater Expenses - Operating | 260,384.83 | 25,000.00 | 235,384.83 | 1,041.5% |
| Total 538.000 · Stormwater | 260,384.83 | 25,000.00 | 235,384.83 | 1,041.5% |
| Total Expense | 1,906,565.15 | 2,412,200.00 | -505,634.85 | 79.0% |

City of Eagle Lake-Utility Fund
Profit & Loss Budget vs. Actual
October 2023 through March 2024

| | <u>Oct '23 - Ma...</u> | <u>Budget</u> | <u>\$ Over Bud...</u> | <u>% of Budget</u> |
|---------------------|------------------------|---------------|-----------------------|--------------------|
| Net Ordinary Income | 3,733,422.03 | 0.00 | 3,733,422.03 | 100.0% |
| Net Income | <u>3,733,422.03</u> | <u>0.00</u> | <u>3,733,422.03</u> | <u>100.0%</u> |

City of Eagle Lake-Utility Fund

Balance Sheet

As of March 31, 2024

04/17/24

Accrual Basis

| | <u>Mar 31, 24</u> |
|---|-------------------|
| ASSETS | |
| Current Assets | |
| Checking/Savings | |
| 101.108 · UNRESTRICTED CASH - ALL | |
| 101.109 · CS- UTILITY FUND | 4,648,228.24 |
| 101.108 · UNRESTRICTED CASH - ALL - Other | 200.00 |
| | <hr/> |
| Total 101.108 · UNRESTRICTED CASH - ALL | 4,648,428.24 |
| 102.216 · PETTY CASH-DRAWER SET UP | 50.00 |
| 150.001 · RESTRICTED CASH - ALL | |
| 101.104 · CS STORMWATER UTILITY FUND | 521,083.33 |
| 101.110 · CS- DEPOSIT FUND | 433,508.84 |
| 101.111 · CS - WATER IMPACT FUND | 10,478.97 |
| 101.112 · CS- SEWER IMPACT FUND | 9,264.76 |
| 101.121 · CS- WATER IMPACT SAVINGS | 5,968,150.02 |
| 101.122 · CS- SEWER IMPACT SAVINGS | 5,429,897.69 |
| 151.113 · CS- RUS FUND | 50,033.14 |
| 151.116 · CS- LIFT STATION FUND | 35,412.63 |
| | <hr/> |
| Total 150.001 · RESTRICTED CASH - ALL | 12,457,829.38 |
| | <hr/> |
| Total Checking/Savings | 17,106,307.62 |
| Accounts Receivable | |
| 1200 · *Accounts Receivable | 11,187.46 |
| | <hr/> |
| Total Accounts Receivable | 11,187.46 |
| Other Current Assets | |
| 110.000 · Accounts Receivable, Net | |
| 115.100 · Accounts Receivable | 254,659.69 |
| 116.100 · Unbilled Accounts Receivable | 120,239.98 |
| 116.110 · Utility Returned Checks Rec. | 38,642.84 |
| 117.100 · Allowance for Bad Debts | -3,410.23 |
| | <hr/> |
| Total 110.000 · Accounts Receivable, Net | 410,132.28 |
| 131.000 · Due From Other Funds | |
| 131.250 · Due to/from General Fund | 410,143.22 |
| 131.350 · Due From/To Gen.Fund - Other | -83,827.68 |
| 207.100 · Due to General Fund-Payroll | -23,449.91 |
| 207.200 · Due to General Fund-Sani/Storm | 15,772.00 |
| | <hr/> |
| Total 131.000 · Due From Other Funds | 318,637.63 |
| 141.100 · Inventory of Supplies | 10,749.32 |
| 1499 · Undeposited Funds | 200.00 |
| | <hr/> |
| Total Other Current Assets | 739,719.23 |
| | <hr/> |
| Total Current Assets | 17,857,214.31 |
| Fixed Assets | |
| 160.900 · Fixed Assets, Net | |
| 161.900 · Land-Water | 28,526.62 |
| 164.900 · Water Plant | 3,274,813.64 |
| 164.901 · Sewer Plant | 5,843,224.65 |
| 164.902 · Stormwater Plant | 1,913,068.76 |
| 166.900 · Furniture & Equipment - Water | 847,981.45 |
| 166.901 · Furniture & Equipment - Sewer | 336,598.48 |
| 167.900 · Accumulated Depreciation-Water | -2,084,630.15 |
| 167.901 · Accumulated Depr - Sewer | -3,468,995.73 |
| 167.902 · Accumulated Depr. - Stormwater | -632,734.52 |
| | <hr/> |
| Total 160.900 · Fixed Assets, Net | 6,057,853.20 |
| 169.900 · Construction in Process | 97,794.12 |
| | <hr/> |

City of Eagle Lake-Utility Fund

Balance Sheet

As of March 31, 2024

04/17/24

Accrual Basis

| | <u>Mar 31, 24</u> |
|---|-----------------------------|
| Total Fixed Assets | 6,155,647.32 |
| Other Assets | |
| 120.009 · ALLOWANCE UNCOLLECTIBLE MISC AR | -6,151.72 |
| Total Other Assets | -6,151.72 |
| TOTAL ASSETS | <u>24,006,709.91</u> |
| LIABILITIES & EQUITY | |
| Liabilities | |
| Current Liabilities | |
| Accounts Payable | |
| 202.100 · Accounts Payable | 142,105.54 |
| Total Accounts Payable | 142,105.54 |
| Other Current Liabilities | |
| 202.500 · Polk County Utility Tax | 11,805.23 |
| 202.501 · Bartow Sewer Impact Fee Payable | 72,376.74 |
| 208.100 · DUE TO STATE-UNCLAIMED PROPERTY | -1,220.02 |
| 215.000 · Accrued Payroll and Benefits | 19,655.88 |
| 217.000 · Accrued Compensated Absences | |
| 217.100 · Accrued Sick Pay | 63,246.00 |
| 217.200 · Accrued Vacation Pay | 22,043.03 |
| 217.300 · Accrued Compensatory Time | 3,466.03 |
| Total 217.000 · Accrued Compensated Absences | 88,755.06 |
| 220.100 · Customer Deposits | 467,607.30 |
| 223.100 · UNEARNED REVENUE - ARPA GRANT | 210,651.75 |
| 232.950 · Accrued Interest Payable | 9,233.57 |
| 239.100 · OPEB LIABILITY | 35,180.11 |
| Total Other Current Liabilities | 914,045.62 |
| Total Current Liabilities | 1,056,151.16 |
| Long Term Liabilities | |
| 203.120 · RUS Water Revenue Bonds - 2007 | 196,694.21 |
| 203.140 · USDA LOAN - LIFT STATIONS | 374,087.00 |
| 203.150 · CURRENT PORTION OF LONG TERM D | 30,454.50 |
| 203.155 · LESS CURRENT PORTION OF LTD | -30,454.50 |
| 203.902 · PLATINUM BANK - HARRISON | 0.01 |
| Total Long Term Liabilities | 570,781.22 |
| Total Liabilities | 1,626,932.38 |
| Equity | |
| 281.500 · Retained Earnings | 18,646,355.50 |
| Net Income | 3,733,422.03 |
| Total Equity | 22,379,777.53 |
| TOTAL LIABILITIES & EQUITY | <u>24,006,709.91</u> |

CITY OF EAGLE LAKE - CRA

ACCOUNT BALANCE

MAR 2024

| | |
|--|--------------------------|
| ACCOUNT BALANCE AS OF FEBRUARY 29, 2024 | 341,714.07 |
| DEPOSITS | 21.53 |
| CLEARED CHECKS | (5,975.84) |
| WITHDRAWALS/ACH | 0.00 |
| RETURNED CHECKS | 0.00 |
| ACCOUNT BALANCE AS OF MARCH 31, 2024 | <u><u>335,759.76</u></u> |
| OUTSTANDING CHECKS: | |
| | |
| | |
| TOTAL OUTSTANDING CHECKS | <u><u>0.00</u></u> |
| | |
| REMAINING ACCOUNT BALANCE | <u><u>335,759.76</u></u> |

City of Eagle Lake CRA Profit & Loss Budget vs. Actual

October 2023 through March 2024

| | Oct '23 - Mar 24 | Budget | \$ Over Budget | % of Budget |
|---|------------------|-------------|------------------|---------------|
| Income | | | | |
| 310.000 · Taxes-Other | | | | |
| 311.100 · CRA Ad Valorem taxes - E.L. | 20,000.00 | 20,000.00 | 0.00 | 100.0% |
| 311.101 · Polk Cty.-tax increment EL-CRA | 59,467.05 | 52,000.00 | 7,467.05 | 114.4% |
| Total 310.000 · Taxes-Other | 79,467.05 | 72,000.00 | 7,467.05 | 110.4% |
| 361.100 · Interest Income | 121.85 | 100.00 | 21.85 | 121.9% |
| Total Income | 79,588.90 | 72,100.00 | 7,488.90 | 110.4% |
| Gross Profit | 79,588.90 | 72,100.00 | 7,488.90 | 110.4% |
| Expense | | | | |
| 510.000 · Operating Expenses | | | | |
| 510.311 · Legal Services | 225.00 | 2,000.00 | -1,775.00 | 11.3% |
| 510.313 · Planning Services | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| 510.420 · Postage, Supplies & Materials | 0.00 | 100.00 | -100.00 | 0.0% |
| 510.430 · Utilities | 1,145.38 | 3,000.00 | -1,854.62 | 38.2% |
| 510.460 · Repair & Maint Service | 2,695.87 | 1,000.00 | 1,695.87 | 269.6% |
| 510.470 · Printing and Binding-CRA | 0.00 | 500.00 | -500.00 | 0.0% |
| 510.480 · Advertising | 54.25 | 500.00 | -445.75 | 10.9% |
| 510.490 · Other Expenditures | 4,937.00 | | | |
| 510.510 · Office Supplies - CRA | 0.00 | 500.00 | -500.00 | 0.0% |
| 510.520 · OPERATING SUPPLIES | 0.00 | 500.00 | -500.00 | 0.0% |
| 510.541 · Travel, Meetings and Dues | 0.00 | 100.00 | -100.00 | 0.0% |
| 510.832 · Facade Grant | 0.00 | 4,000.00 | -4,000.00 | 0.0% |
| 510.991 · CRA CONTIGENCY | 0.00 | 34,896.00 | -34,896.00 | 0.0% |
| Total 510.000 · Operating Expenses | 9,057.50 | 49,096.00 | -40,038.50 | 18.4% |
| 510.320 · Accounting & Auditing | 0.00 | 3,000.00 | -3,000.00 | 0.0% |
| 510.581 · Transfer Out - Other Funds | 10,002.00 | 20,004.00 | -10,002.00 | 50.0% |
| Total Expense | 19,059.50 | 72,100.00 | -53,040.50 | 26.4% |
| Net Income | 60,529.40 | 0.00 | 60,529.40 | 100.0% |

City of Eagle Lake CRA
Balance Sheet
As of March 31, 2024

| | Mar 31, 24 |
|---|-------------------|
| ASSETS | |
| Current Assets | |
| Checking/Savings | |
| 101.408 · PB- CRA COMMUNITY REDEVELOPMENT | 335,759.76 |
| Total Checking/Savings | 335,759.76 |
| Other Current Assets | |
| 131.382 · DUE TO GENERAL FUND-ADMIN FEES | -35,586.19 |
| Total Other Current Assets | -35,586.19 |
| Total Current Assets | 300,173.57 |
| TOTAL ASSETS | 300,173.57 |
| LIABILITIES & EQUITY | |
| Liabilities | |
| Current Liabilities | |
| Accounts Payable | |
| 202.000 · Accounts Payable | 884.43 |
| Total Accounts Payable | 884.43 |
| Other Current Liabilities | |
| 131.390 · DUE TO GENERAL FUND --LOAN PAY | 16,000.00 |
| Total Other Current Liabilities | 16,000.00 |
| Total Current Liabilities | 16,884.43 |
| Total Liabilities | 16,884.43 |
| Equity | |
| 1110 · Retained Earnings | 222,759.74 |
| Net Income | 60,529.40 |
| Total Equity | 283,289.14 |
| TOTAL LIABILITIES & EQUITY | 300,173.57 |

From: [Brian Fletcher](#)
To: [Tom Ernharth](#)
Cc: [Dawn Wright](#); [Jody Mcleod](#)
Subject: Hours
Date: Wednesday, April 17, 2024 6:58:36 AM

Sir I'm requesting to be paid my comp hours I have accumulated over the last couple months or so. As y'all probably all ready know as we continue to get bigger the amount of calls for service has grown as well and we didn't have enough staff all ready. Let alone we are down to 3 people juggling everything right now. I feel like it's only fair to me to be compensated for all I'm having to do above and beyond my normal stuff especially as it appears this isn't gonna go away in the near future. I am continuing to try and fill these vacancies as fast as possible and will continue to do so. I've even considered calling a temp agency but I feel like with what we do it's gonna be more of a hassle than it would be worth but I might not have a choice at some point.

Thank ya sir
Brian L Fletcher
Sent from my iPad

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF EAGLE LAKE AND
THE TOWN OF LAKE HAMILTON REGARDING THE
UTILIZATION OF A SPECIAL MAGISTRATE
TO ENFORCE MUNICIPAL CODES**

WHEREAS, local governments are authorized to enforce their codes and appoint a Code Enforcement Special Magistrate and Hearing Officer pursuant to Florida Statute 162, *et. seq.*; and Florida Statute 316.0083, *et. seq.*; and

WHEREAS, the Florida Attorney General, via AGO 2000-34, has approved of the use of Interlocal Agreements as an alternative means of enforcing codes; and

WHEREAS, local governments are encouraged to enter into agreements that will allow a more efficient use of their resources and to cooperate in matters of code enforcement.

WHEREAS, Joseph P. Mawhinney, an attorney licensed to practice law in the State of Florida and admitted to the Florida Bar, currently serves as the City of Eagle Lake's Code Enforcement Special Magistrate;

WHEREAS, the Town of Lake Hamilton has a need for a Code Enforcement Special Magistrate and Traffic Camera Hearing Officer to hear and adjudicate cases relating to code enforcement and other quasi-judicial matters, as more specifically set forth in various sections of the Lake Hamilton Code of Ordinances; and

WHEREAS, pursuant to Florida law, the Town of Lake Hamilton and City of Eagle Lake are authorized to enter into an Interlocal Agreement on the basis of mutual advantage; and

WHEREAS, the Town of Lake Hamilton desires to enter into an Interlocal Agreement with the City of Eagle Lake in order for Joseph P. Mawhinney to serve as its Code Enforcement Special Magistrate and Traffic Camera Hearing Officer.

NOW, THEREFORE, the City of Eagle Lake (hereafter “City”) and the Town of Lake Hamilton (hereafter “Town”), enter into this Interlocal Agreement in order to agree that Joseph P. Mawhinney, of Reed, Mawhinney and Link, may also serve as the Code Enforcement Special Magistrate and Traffic Camera Hearing Officer for the Town of Lake Hamilton in accordance with the terms of this Agreement as set forth hereinafter:

Section 1. Definition.

Municipality – The City of Eagle Lake and the Town of Lake Hamilton.

Section 2. Authorization.

(A) The Special Magistrate is hereby authorized to serve as Special Magistrate and Hearing Officer (hereinafter interchangeably referred to as “Special Magistrate” or “Hearing Officer”) as contemplated by Florida Statute 162, *et. seq.* and Florida Statute 316.0083 *et. seq.*, for the Town in the process of enforcing the Town’s Code of Ordinances.

(B) The Special Magistrate when exercising his/her authority as vested hereunder and by law, shall consider, apply and enforce the local and state laws which are applicable in the municipality where the alleged violation occurred and as otherwise provided herein.

Section 3. Special Magistrate Designation.

The Special Magistrate shall be the individual, or individuals, as selected and determined by the City and Town with the qualifications set forth in the City and Town Codes of Ordinances and as otherwise set forth in Florida law. Nothing contained herein shall prevent and/or abridge the City's right to designate a different Special Magistrate, alternates or replacement therefore for the City's code enforcement matters, in accordance with its own criteria and time-line.

Section 4. Conduct of Hearing.

(A) The Special Magistrate shall conduct the Hearings in a manner the Special Magistrate deems appropriate.

(B) The Special Magistrate shall have the power to:

1. Adopt rules for the conduct of its Hearings.
2. Adopt rules for the conduct of its Hearings consistent with Chapter 162 of Florida Statutes and the requirements of due process.
3. Take testimony under oath.
4. Conduct Hearings for all purposes permitted by Chapter 162 *et. seq.*, and Chapter 316.0083 *et. seq.*, Florida Statutes.
5. To enter orders granting relief to the full extent permitted by law.

Section 5. Withdrawal by Municipality.

Any party to this Agreement may withdraw from this Agreement and its utilization of the Special Magistrate by providing no less than ten (10) days' written notice to the Clerk of each respective municipality with a copy to the Special Magistrate.

Section 6. Funding.

The expenses of the Special Magistrate shall be paid by the municipality utilizing the Special Magistrate's services. In this regard, the municipality utilizing the Special Magistrate shall pay the Special Magistrate directly and the Special Magistrate shall bill the municipality directly. Further, the Town of Lake Hamilton shall pay the Special Magistrate at an hourly rate of \$175 per hour.

Section 7. Public Records.

Except as otherwise provided by law, all of the records of the Special Magistrate shall be public records and available for public inspection.

Section 8. Special Magistrate Hearings.

The municipality requesting Special Magistrate services shall have the responsibility to provide, at the municipality's expense, the meeting room, secretary, staff and equipment necessary to conduct hearings in accordance with Florida law and the applicable Charter and Code provisions.

Section 9. Modification.

No modification of any of the terms of this Agreement shall be valid unless in writing and executed with the same formality as this Agreement by the same parties hereto.

Section 10. Partial Invalidity.

In the event any clause or portion of this Agreement shall be determined to be invalid by any Court, it is understood and agreed that such invalid clause or portion of this Agreement shall have no effect upon the validity of other portions of this Agreement, and all of the other provisions of this Agreement shall be valid and enforceable.

Section 11. Effective Date.

This Agreement shall take effect on the date immediately upon approval by the Town and City.

IN WITNESS WHEREOF: This parties hereto have approved this Agreement and caused such to be executed on the date indicated herein.

CITY OF EAGLE LAKE

TOWN OF LAKE HAMILTON

By: _____
Suzy Wilson, Mayor

By: Michael Kehoe
Michael Kehoe, Mayor

Date Executed: _____

Date Executed: 2-6-2024