



UMATILLA CITY COUNCIL MEETING

July 16, 2024 at 6:00 PM

Council Chambers, 1 S. Central Avenue, Umatilla, Florida 32784

AGENDA

Please silence your electronic devices

PLEDGE OF ALLEGIANCE AND INVOCATION

CALL TO ORDER

ROLL CALL

AGENDA REVIEW

MINUTES REVIEW

1. Approval of Meeting Minutes
- July 2, 2024 Regular City Council Minutes

PRESENTATIONS

2. Budget Presentation

PUBLIC COMMENT

At this point in the meeting, the Umatilla City Council will hear questions, comments and concerns from the public.

Please write your name and address on the paper provided at the podium. Zoning or code enforcement matters which may be coming before the Council at a later date should not be discussed until such time as they come before the Council in a public hearing. Comments, questions, and concerns from the public regarding items listed on this agenda shall be received at the time the Council addresses such items during this meeting. Public comments are generally limited to three minutes.

CONSENT AGENDA

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

3. Resolution No. 2024-09, Preliminary Fire Fee Assessment
4. First Reading of Ordinance No. 2024-D, Charter Amendments
5. Resolution No. 2024-06, Ludecke Variance Olde Mill Stream RV Park

NEW BUSINESS

DISCUSSION

6. Larkin Park baseball field advertising

OLD BUSINESS

7. Appointment for Vacant Seat #4

REPORTS

8. Staff Reports

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352)669-3125. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any invocation that may be offered before the official start of the Council meeting is and shall be the voluntary offering of a private citizen to and for the benefit of the Council pursuant to Resolution 2014-43. The views and beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent their individual religious beliefs, nor are the views or beliefs expressed intended to suggest allegiance to or preference for any particular religion, denomination, faith, creed, or belief by the Council or the City. No person in attendance at this meeting is or shall be required to participate in any invocation and such decision whether or not to participate will have no impact on his or her right to actively participate in the public meeting.

The City of Umatilla is an equal opportunity provider and employer.



UMATILLA CITY COUNCIL MEETING

July 2, 2024 at 6:00 PM

Council Chambers, 1 S. Central Avenue, Umatilla, Florida 32784

MINUTES

PLEDGE OF ALLEGIANCE AND INVOCATION

CALL TO ORDER

Having been duly advertised as required by law, Mayor Creech called the Regular City Council Meeting to order at 6:00 P.M. in the Umatilla City Council Chambers and led the Pledge of Allegiance and Invocation

ROLL CALL

MEMBERS PRESENT

Chris Creech, Mayor
Katherine Adams, Council Member
John Nichols, Council Member
Brian Butler, Council Member

NOT PRESENT

Scott Blankenship, City Manager
Misti Lambert, Assistant to the City Manager
Vaughan Nilson, Public Works Director
Regina Frazier, Finance Director

ALSO PRESENT

Kevin Stone, City Attorney
Jessica Burnham, City Clerk
Aaron Mercer, Development and Public Services Director
Amy Stultz, Library Director
Adam Bolton, Chief of Police

AGENDA REVIEW

Mayor Creech asked Mr. Mercer if there were any changes to the agenda. Mr. Mercer replied that the applicant for Resolution No. 2024-06, Ludeckde Variance, has asked for a two-week continuation and that item number four under New Business, Appointment for City Council Seat #4 be pulled in till a future meeting.

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE THE AGENDA WITH STATED CHANGES; SECONDED BY COUNCIL MEMBER BUTLER. MOTION WAS APPROVED BY AN UNANIMOUS VOICE VOTE.

MINUTES REVIEW

1. Approval of Meeting Minutes
- June 18, 2024, Regular City Council Minutes

MOTION BY COUNCIL MEMBER ADAMS TO APPROVE THE MINUTES DATED JUNE 18, 2024; SECONDED BY COUNCIL MEMBER NICHOLS. MOTION WAS APPROVED BY AN UNANIMOUS VOICE VOTE.

PRESENTATIONS

PUBLIC COMMENT

Mayor Creech opened public comment.

Walter Novillo, 14124 Rigdon Court, asked council to consider an appeal with regard to the cemetery plot rates. Mr. Novillo mentioned that he put down a deposit with the intention of purchasing plots after a survey was complete and the layout of the cemetery was confirmed. When he came back to purchase the plots, some time had passed, the rates had increased. Mr. Novillo is asking the council to consider allowing him to purchase the plots at the former rate.

The Council asked Mr. Novillo to reach out to the City Manager to further the discussion.

Mayor Creech closed public comment.

CONSENT AGENDA

2. NPDES Outreach Contract with Water Surface Professional

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE THE CONSENT AGENDA; SECONDED BY COUNCIL MEMBER ADAMS. MOTION WAS APPROVED BY AN UNANIMOUS VOICE VOTE.

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

**This item was continued to a following meeting.*

3. Resolution No. 2024-06, Ludeckde Variance

NEW BUSINESS

**This item was continued to a following meeting.*

4. Appointment for City Council Seat #4

OLD BUSINESS

5. Discussion on Charter Amendment Questions for the 2024 Election

City Attorney Stone went over the proposed Charter Amendment questions and stated that the first reading of the Ordinance for the questions would be brought to the council at the following meeting.

REPORTS

6. Staff Reports

Mr. Mercer provided council with an update on projects around the city.

City Attorney Stone had nothing to report.

Council Member Butler had nothing to report.

Mayor Creech mentioned that the city hosted the governor last Tuesday, and he awarded the city 4.8 million dollars.

Council Member Adams mentioned that the Museum would be open on Saturday from 10:00 to 2:00.

Council Member Nichols reported that it's been four years of working on the airplane with students and that the wings were put on the plane today.

Chief Bolton expressed that it was honored for the department to provide additional help with security when the governor visited the city.

Ms. Stultz had nothing to report.

ADJOURNMENT

With no further business for discussion, the meeting adjourned at approximately 6:42 p.m.

Christopher R. Creech, MAYOR

Jessica Burnham, FCRM
City Clerk



CITY OF UMATILLA AGENDA ITEM STAFF REPORT

DATE: July 12, 2024

MEETING DATE: July 16, 2024

SUBJECT: Budget Presentation

BACKGROUND SUMMARY:

SETTING PROPOSED MILLAGE RATE: Staff recommends setting the FY 2025 proposed millage rate at 7.1089 mills. Once the proposed millage is set you may lower it but it is very difficult and expensive to increase it.

August 1st at noon is the deadline to provide the proposed millage rate and the date of the Tentative Public Hearing to the Lake County Property Appraiser's Office. The TRIM notices are then prepared and mailed to the property owners.

DATES FOR TENTATIVE AND FINAL BUDGET HEARINGS: It is very important that all Council members be in attendance for the Tentative and Final Budget Hearings held in September. It is especially critical for all to be in attendance during the Final Budget Hearing because a form entitled "Vote Record for Final Adoption of Millage Levy" is a required submittal for Certification of Compliance with the Department of Revenue.

Tuesday, September 3:

- Hearing to adopt 2025 Tentative Millage Rate and Budget

Thursday, September 12:

- Adoption of Final Fire Assessment Resolution

Tuesday, September 17:

- CRA meeting to adopt CRA Budget
- Final Hearing to adopt FY 2025 millage rates and budget

If any Council member has a conflict with the September 17th date please suggest an alternate date. Budget hearings cannot be held in conflict with hearings held by the School Board (September 9th) and the Board of County Commissioners (September 10th and 24th).

The September budget hearings should deal solely with the adoption of the ad valorem rate and the budget. Public comments from the citizens regarding the ad valorem tax rate and the budget are taken during the

hearings.

RECOMMENDATIONS:

Set proposed millage rate of 7.1089 for FY 2025. Council consensus on dates for Tentative and Final Budget Hearings.

FISCAL IMPACTS:

n/a

ATTACHMENTS:

None



CITY OF UMATILLA AGENDA ITEM STAFF REPORT

DATE: July 9, 2024

MEETING DATE: July 16, 2024

SUBJECT: Resolution No. 2024-09, Preliminary Fire Fee Assessment

BACKGROUND SUMMARY:

In 2018, the Council established a Fire Assessment Fee through Ordinance 2018-C, the Initial Assessment Resolution 2018-23 and the Final Assessment Resolution 2018 – 35. The Fire Assessment Fee funds fire protection services and addresses public safety needs while providing relief to the general fund and allowing City Council and staff to address other needs.

Each year a Preliminary Rate Resolution initiates the annual process for updating the Assessment Roll and directs the re-imposition of Fire Services Assessments for the upcoming Fiscal Year beginning October 1.

The rates are set forth in Appendix A, which accompanies Resolution No. 2024-09.

The Preliminary Assessment Resolution establishes the maximum assessment rate. Should the Council determine they wish to make a reduction in any category, it can be adopted in the Final Fire Assessment Resolution.

Fire Services Assessments are not imposed on government property or upon buildings on parcels of Institutional property whose use is wholly exempt from ad valorem taxation under Florida law.

Notice will be provided to the owner of each assessed parcel and mailed with the Truth In Millage notice mailed by the Property Appraiser, fulfilling the separate mailing requirement.

A public hearing notice will be published no later than August 16, 2024, for the hearing scheduled for September 12, 2024 . At that time, the City Council will receive and consider any comments on the Fire Services Assessment from the public and affected property owners and consider imposing the Fire Services Assessments for the Fiscal Year commencing October 1, 2024, collecting such assessments imposed on Tax Parcels within the City on the same bill as ad valorem taxes under the Uniform Assessment Collection Act.

RECOMMENDATIONS:

Approval of Resolution No. 2024-09, Preliminary Fire Fee Assessment

FISCAL IMPACTS:

Anticipated FY 2025 Revenue of \$628,439

ATTACHMENTS:

1. Resolution No. 2024-09, Preliminary Fire Assessment Fee
-

2. Umatilla Appendices to Prelim Resolution FY 24-25
 3. Resolution No. 2024-09, Preliminary Fire Assessment Fee Map
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RESOLUTION 2024-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF UMATILLA, FLORIDA; ESTABLISHING THE ESTIMATED RATES FOR FIRE SERVICES ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Umatilla, Florida, as follows:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the provisions of Ordinance No. 2018-C (the “Ordinance”), the Initial Assessment Resolution (Resolution No. 2018-23), the Final Assessment Resolution (Resolution No. 2018-35), Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS. This resolution constitutes the Preliminary Rate Resolution as defined in the Ordinance which initiates the annual process for updating the Assessment Roll and directs the reimposition of Fire Services Assessments for the Fiscal Year beginning October 1, 2024. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance, the Initial Assessment Resolution, and the Final Assessment Resolution. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

SECTION 3. PROVISION AND FUNDING OF FIRE PROTECTION SERVICES.

(A) Upon the reimposition of a Fire Services Assessment for fire protection services, facilities, or programs against Assessed Property located within the City, the City shall provide fire protection services to such Assessed Property. All or a portion of the cost to provide such fire protection services, facilities, or programs shall be funded from proceeds of the Fire Services Assessments. The remaining cost, if any, required to provide fire protection services, facilities, and programs shall be funded by available City revenues other than Fire Services Assessment proceeds.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the City will be benefited by the City’s provision of fire protection services, facilities, and programs in an amount not less than the Fire Services Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 4. IMPOSITION AND COMPUTATION OF FIRE PROTECTION ASSESSMENTS. Fire Protection Assessments shall be imposed against all Tax Parcels within the Property Use Categories. Fire Services Assessments shall be computed in the manner set forth in this Preliminary Rate Resolution.

48 **SECTION 5. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND**
49 **FAIR APPORTIONMENT.** The legislative determinations of special benefit and fair
50 apportionment embodied in the Ordinance, the Initial Assessment Resolution, and the Final
51 Assessment Resolution are affirmed and incorporated herein by reference.

52
53 **SECTION 6. COST APPORTIONMENT METHODOLOGY.** The Cost Apportion-
54 ment embodied in Section 7 of the Initial Assessment Resolution, as amended, is affirmed and
55 incorporated herein by reference.

56
57 **SECTION 7. PARCEL APPORTIONMENT METHODOLOGY.** The Parcel Appor-
58 tionment embodied in Section 8 of the Initial Assessment Resolution, as amended, is hereby
59 affirmed and incorporated herein by reference.

60
61 **SECTION 8. DETERMINATION OF FIRE SERVICES ASSESSED COSTS;**
62 **ESTABLISHMENT OF ANNUAL FIRE SERVICES ASSESSMENTS.**

63
64 (A) The Fire Services Assessed Costs to be assessed and apportioned among benefited
65 parcels pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year
66 commencing October 1, 2024, is the amount determined in the Estimated Fire Services Assessment
67 Rate Schedule, attached hereto as Appendix A. The approval of the Estimated Fire Services
68 Assessment Rate Schedule by the adoption of this Preliminary Rate Resolution determines the
69 amount of the Fire Services Assessed Cost. The remainder of such Fiscal Year budget for fire
70 protection services, facilities, and programs shall be funded from available City revenue other than
71 Fire Services Assessment proceeds.

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73 (B) The estimated Fire Services Assessments specified in the Estimated Fire Services
74 Assessment Rate Schedule are hereby established to fund the specified Fire Services Assessed
75 Costs determined to be assessed in the Fiscal Year commencing October 1, 2024.

76
77 (C) The estimated Fire Services Assessments established in this Preliminary Rate
78 Resolution shall be the estimated assessment rates applied by the City Manager in the preparation
79 of the updated Fire Services Assessment Roll for the Fiscal Year commencing October 1, 2024, as
80 provided in Section 9 of this Preliminary Rate Resolution.

81
82 **SECTION 9. ASSESSMENT ROLL.**

83
84 (A) The City Manager is hereby directed to prepare, or cause to be prepared, an updated
85 Assessment Roll for the Fiscal Year commencing October 1, 2024, in the manner provided in the
86 Ordinance. The updated Assessment Roll shall include all Tax Parcels within the Property Use
87 Categories. The City Manager shall apportion the estimated Fire Services Assessed Cost to be
88 recovered through Fire Services Assessments in the manner set forth in this Preliminary Rate
89 Resolution.

90
91 (B) A copy of the Ordinance, the Initial Assessment Resolution, the Final Assessment
92 Resolution, the Preliminary Rate Resolution, documentation related to the estimated amount of the
93 Fire Services Assessed Cost to be recovered through the imposition of Fire Services Assessments,
94 and the updated Assessment Roll shall be maintained on file in the office of the City Manager and

95 open to public inspection. The foregoing shall not be construed to require that the updated Fire
96 Services Assessment Roll be in printed form if the amount of the Fire Services Assessment for
97 each parcel of property can be determined by the use of a computer terminal available to the public.
98

99 (C) It is hereby ascertained, determined, and declared that the method of determining
100 the Fire Services Assessments for fire protection services as set forth in this Preliminary Rate
101 Resolution is a fair and reasonable method of apportioning the Fire Services Assessed Cost among
102 parcels of Assessed Property located within the City.
103
104

105 **SECTION 10. AUTHORIZATION OF PUBLIC HEARING.** There is hereby
106 established a public hearing to be held at 6:00 p.m. on September 12, 2024, in the Umatilla City
107 Council Chambers, 1 S. Central Ave., Umatilla, FL, at which time the City Council will receive
108 and consider any comments on the Fire Services Assessments from the public and affected
109 property owners and consider reimposing Fire Services Assessments and collecting such
110 assessments on the same bill as ad valorem taxes.
111

112 **SECTION 11. NOTICE BY PUBLICATION.** The City Manager shall publish a notice
113 of the public hearing authorized by Section 11 hereof in the manner and time provided in Section
114 2 of the Ordinance and by Section 50-80 of the City Code of Ordinances. The notice shall be
115 published no later than August 16, 2024, in substantially the form attached hereto as Appendix B.
116

117 **SECTION 12. NOTICE BY MAIL.** The City Manager or designee shall also provide
118 notice by first class mail to the owner of each parcel of Assessed Property, as required by Section
119 2 of the Ordinance and by Section 50-81 of the City Code of Ordinances. Such notice shall be in
120 substantially the form attached hereto as Appendix C. The notices shall be mailed no later than
121 August 16, 2024. If the City determines that the truth-in-millage (“TRIM”) notice that is mailed
122 by the Property Appraiser under Section 200.069, Florida Statutes, also fulfills the requirements
123 of this section, then the separate mailing requirement will be deemed to be fulfilled by the TRIM
124 notice.
125

126 **SECTION 13. APPLICATION OF ASSESSMENT PROCEEDS.** Proceeds derived
127 by the City from the Fire Services Assessments shall be used for the provision of fire protection
128 services, facilities, and programs within the City. In the event there is any fund balance remaining
129 at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire
130 protection services, facilities, and programs.
131

132 **SECTION 14. EFFECTIVE DATE.** This Preliminary Assessment Resolution shall take
133 effect immediately upon its passage and adoption.
134

135 **PASSED** and **RESOLVED** this _____ day of _____, 2024,
136 by the City Council of the City of Umatilla.
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144 _____
145 Christopher Creech, Mayor

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147

148 ATTEST:

149

150 _____
151 Jessica Burnham, City Clerk

Approved as to form:

Kevin M. Stone, City Attorney

Appendix A

ESTIMATED FIRE SERVICES ASSESSMENT RATE SCHEDULE

Section A-1. DETERMINATION OF FIRE SERVICES ASSESSED COSTS. The estimated Fire Services Assessed Cost to be assessed for the Fiscal Year beginning October 1, 2024, is \$628,439.

Section A-2. ESTIMATED FIRE SERVICES ASSESSMENTS.

(A) The estimated Fire Services Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Services Assessed Cost for the Fiscal Year beginning October 1, 2024, are hereby established as follows for the purpose of this Initial Assessment Resolution:

Residential Property Use Categories	Rate Per Dwelling Unit
Residential	\$228.00

Non-Residential Property Use Categories	Rate Per Square Foot
Commercial	\$0.12
Industrial/Warehouse	\$0.02
Institutional	\$0.48
Nursing Home	\$1.80

(B) No Fire Services Assessment shall be imposed upon a parcel of Government Property or upon Buildings located on a parcel of Institutional Property whose Building use is wholly exempt from ad valorem taxation under Florida law; however, Government Property that is owned by federal mortgage entities, such as the VA and HUD, shall not be exempt from the Fire Protection Assessment.

(C) Any shortfall in the expected Fire Services proceeds due to any reduction or exemption from payment of the Fire Services Assessments required by law or authorized by the City Council shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Services Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the City Council is improper or otherwise adversely affects the validity of the Fire Services Assessment imposed for this Fiscal Year, the sole and exclusive remedy shall be the imposition of a Fire Services Assessment upon each affected Tax Parcel in the amount of the Fire Services Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such Tax Parcel by the City Council.

APPENDIX B

FORM OF NOTICE TO BE PUBLISHED

To be published by August 21, 2024

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF FIRE SERVICES SPECIAL ASSESSMENTS

Notice is hereby given that the City Council of the City of Umatilla will conduct a public hearing to consider the imposition of annual fire services special assessments for the provision of fire protection services within the municipal boundaries of the City of Umatilla.

The hearing will be held at 6:00 p.m. on September 12, 2024, in City Council Chambers of City Hall, 1 S. Central Avenue, Umatilla, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Council within 20 days of this notice. If a person decides to appeal any decision made by the City Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact Jessica Burnham, City Clerk at (352) 669-3125, at least two days prior to the date of the hearing.

The assessment of each parcel of property will be based upon each parcel’s classification and the total number of billing units attributed to that parcel. The following table reflects the proposed fire services assessment schedules:

FIRE SERVICES ASSESSMENTS FISCAL YEAR 2024-25

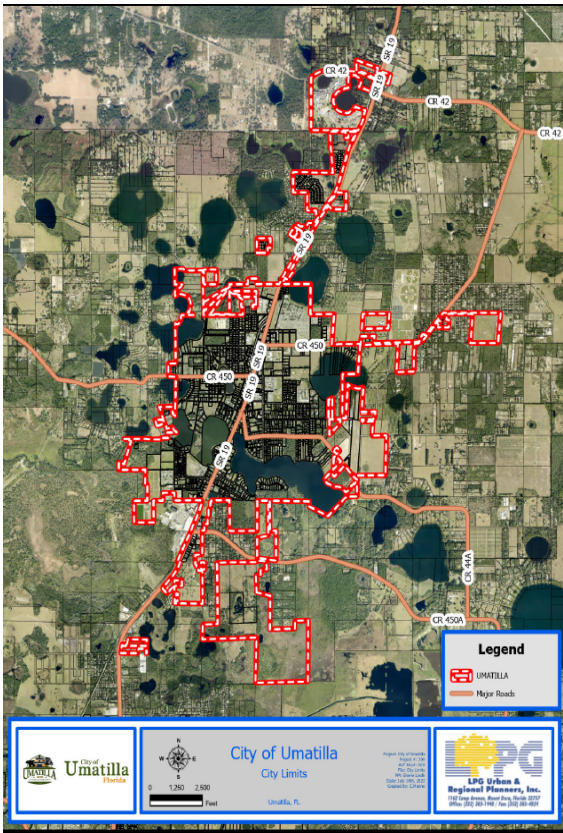
Residential Property Use Categories	Rate Per Dwelling Unit
Residential	\$228.00

Non-Residential Property Use Categories	Rate Per Square Foot
Commercial	\$0.12
Industrial/Warehouse	\$0.02
Institutional	\$0.48
Nursing Home	\$1.80

Copies of the Fire Services Assessment Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, and the preliminary Assessment Roll are available for inspection at the City Manager or Administrator’s Office, City Hall, located at 1 S. Central Avenue, Umatilla, Florida.

The fire service non-ad valorem assessment will be collected on the ad valorem tax bill to be mailed in November 2024. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the City at (352) 669-3125 Monday through Friday between 8:00 a.m. and 5:00 p.m.





**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: June 11, 2024

MEETING DATE: July 16, 2024

SUBJECT: First Reading of Ordinance No. 2024-D, Charter Amendments

BACKGROUND SUMMARY:

During the June 2, 2024, Regular City Council meeting, staff provided council with proposed referendum questions for the upcoming 2024 Election. The council gave staff directions to bring back the questions for approval. Ordinance No. 2024-D has nine (9) ballot questions that would be brought to the voters in November.

RECOMMENDATIONS:

Determine if the Council wishes to put forth the recommended Charter Amendments to the voters through approval of Ordinance No. 2024-D, First Reading

FISCAL IMPACTS:

N/A

ATTACHMENTS:

1. Ordinance No. 2024-D, Charter Amendments 20240711 kms
 2. BIE_Charter Amendment Ord. 2024-D
-

ORDINANCE 2024-D

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, PROPOSING AMENDMENTS TO THE CITY CHARTER; PROVIDING FOR SUBMISSION OF PROPOSED AMENDMENTS OF THE CITY CHARTER TO THE ELECTORS OF THE MUNICIPALITY PURSUANT TO SECTION 166.031, FLORIDA STATUTES; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER UPON ADOPTION OF AMENDMENTS BY A MAJORITY OF THE ELECTORS VOTING IN A REFERENDUM; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Charter of the City of Umatilla and Section 166.031, Florida Statutes, require a referendum by the electors of the City of Umatilla to effect a change to the City Charter; and

WHEREAS, the City Council of the City of Umatilla has determined to submit certain proposed charter amendments for approval or disapproval by the electors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA:

Section 1. AMENDMENTS.

(NOTE: Underlined words constitute additions to the original text of the Charter; strikethroughs constitute deletions to the original text of the Charter; and asterisks (***) indicate omission from the original text of the Land Development Code which is intended to remain unchanged.)

A new section 5 of Article III of the City Charter is hereby created to read as follows:

- (a) Beginning with respect to the regular election in November, 2028 there shall be three (3) geographic City Council districts corresponding to City Council seats 1, 2, and 3.
- (b) A person elected to City Council seat 1, 2 or 3 must, throughout the term of office, reside in the district established for such seat as it existed as of the beginning of the term.
- (c) The City Council shall initially adopt and thereafter modify City Council districts by the enactment of an ordinance under such processes and procedures, and with the advice of such redistricting advisory committees and/or consultants, the City Council may deem to be desirable. Each City Council district shall be formed from reasonably compact contiguous territory with boundary lines following centers of streets, all to the extent practicable. Due consideration shall be given to maintaining the geographical integrity of neighborhoods and developments within

the individual districts. Districts shall be constructed so as to comply with applicable law. The City Council shall consider the multiple constitutional principles involved in the electoral process and, to the extent allowed by law, shall give due regard for the opportunity of minority representation on the City Council. The City Council shall initiate a redistricting process for City Council districts within thirty (30) days after the receipt of the official U.S. Bureau of the Census data every ten (10) years so as to finalize the redistricting process 270 days in advance of the next regular City election. In the event the redistricting process is not completed prior to 270-day advance period, the City Council shall accomplish the redistricting process as soon as is reasonably possible thereafter. The official U.S. Bureau of the Census data shall be considered in redistricting City Council districts in compliance with state and federal standards.

- (d) No incumbent council member shall have a term of office cut short by the adoption of a districting or realignment plan.

Sec. 5. - City Council Districts and Redistricting.

Section 12 of Article II of the City Charter is amended to read as follows:

Sec. 12. - Officers.

The officers of the City of Umatilla shall be a ~~Mayor~~, a City Manager, ~~City Clerk~~, a ~~Chief of Police~~, a ~~Fire Chief~~, and five (5) Council Members.

The following sections of Article III of the City Charter are amended to read as follows:

Sec. 1. - Membership.

The City Council shall be divided into five (5) council seats designated numerically Council Seat One, Council Seat Two, Council Seat Three, Council Seat Four, and Council Seat Five. It is the intent of this act that City Council members shall hold their office for a term of four (4) years, ~~however, in order to harmonize the terms of the present members of the City Council with the procedures established by this act and to coordinate the City's regular elections with elections held by Lake County, it is necessary for the initial terms of Council Members to be staggered as set forth below.~~ Council Members shall have term limits of three twelve consecutive terms years. For the purposes of this term limit, a partial term resulting from appointment to fill a vacancy shall not be counted as a term; any other partial term shall be counted as though the full term were served. A person who reaches a term limit becomes ineligible for election or appointment, but shall regain eligibility for election or appointment after one full term out of office. ~~or three terms whichever occurs first. Service as council members, which commenced prior to the effective date of the Term Limit~~

~~Amendment will be counted toward the twelve consecutive years or three term limitation. The City Council members who are serving on the effective date of the Charter Amendment shall continue to serve through the balance of their terms.~~

Sec. 2. - Selection.

~~The first regular election under this act shall be held on the first Tuesday after the first Monday of November 2008, at which time an election for Council Seat Four and Council Seat Five will be held, and the term of these seats will continue to be two (2) years. However, commencing at the election held on the first Tuesday after the first Monday of November 2010, Council Seat Four and Council Seat Five will thereafter hold their office for a term of four (4) years.~~

~~The second regular election under this act shall be held on the first Tuesday after the first Monday of November 2009, at which time an election for Council Seat One, Council Seat Two and Council Seat Three will be held, and the term of these seats will be three (3) years. However, commencing at the election held on the first Tuesday after the first Monday of November 2012, Council Seat One, Council Seat Two and Council Seat Three will thereafter hold their office for a term of four (4) years.~~

~~Each elected Council member of such officers or councilmen, elected thereto, shall be inducted into office and their terms of office shall begin at the opening of the first meeting of the City Council next following the certification of election results at 12:00 o'clock noon of the day of the first regular meeting in January of the next year ensuing. Each such election shall be in accordance with the general laws of the State of Florida and such acts applicable to municipal elections of Lake County, Florida. All electors who shall possess the qualifications requisite to an elector at a general state election and who shall have been a resident of the City of Umatilla as defined in this act for a period of six (6) months next preceding the day of election and who shall have been duly registered in the manner as provided by ordinance, shall be deemed regular voters at any city election. Registration by the State and County Registrar, as provided for the registration of municipal electors by any special or general act of the State of Florida, applicable to the County of Lake shall be deemed a qualified elector of the City of Umatilla when the provisions of the required ordinances of said City have been met.~~

Sec. 6. - Meetings.

~~The first meeting of each newly elected council shall be held at 7:00 p.m. on the first Tuesday immediately following election certification in November, following regular city election of councilmen, after which the Council shall regularly meet at such times as may be prescribed by its rules but not less frequently than once each month. If a regularly scheduled council meeting falls on an election day or a holiday, then the City Council shall reschedule at its discretion. The~~

~~rescheduled meeting must be duly noted and properly advertised. meeting shall be held on Thursday following such election day or holiday.~~ Any regular meeting may be adjourned from day to day. All regular meetings of the Council shall be open to the public and shall be conducted in an orderly manner according to accepted rules of Parliamentary procedure or upon such other rules as may be prescribed by the Council in public announcement.

Sec. 8 – Vacancies.

~~Any vacancy in the Council shall be filled by appointment for the balance of the term until the next regular Municipal election by vote of the remaining members of the Council; provided that if such vacancy is not filled within thirty (30) days after it shall have occurred, it shall be filled by appointment of the Governor. If a vacancy occurs for a Council seat that is designated for district representation, the Council may appoint a person who does not reside in the district so long as the person is otherwise eligible to be a candidate for election.~~

The following sections of Article VI of the City Charter are amended to read as follows:

Sec. 5. Declaring Candidacy.

All candidates for election to office in the City shall declare their intention and candidacy and qualify in accordance with consistent with Florida law. ~~to the City Clerk, in writing, upon a form provided by the City Clerk, not less than thirty (30) days prior to the day of the election in which he shall be a candidate. Twenty (20) days prior to each election the City Clerk shall post, at the City Hall, a list of all candidates for election and designate thereon the office which each seeks, and the term thereof.~~

The following sections of Article X of the City Charter are amended to read as follows:

Sec. 1. - Department of Records and Finance; Appointment of City Clerk.

There shall be a Department of Records and Finance. The City Clerk ~~Manager~~ shall appoint and manage ~~serve as~~ the Director of the Department of Records and Finance, ~~and shall be appointed by the City Council and serve at the pleasure of the City Council. The City Clerk shall have knowledge of municipal accounting and taxation, shall have had experience in budgeting and financial controls, and shall receive a salary to be fixed by the City Council.~~

Sec 2. - Removal.

The City Manager shall have the power t~~To remove the City Clerk, the City Council shall adopt a preliminary resolution stating the reasons for the intended removal and shall offer the City Clerk an opportunity for a public hearing before~~

~~the council on the matters raised by the resolution. This preliminary resolution may also suspend the City Clerk from duty immediately with pay. The City Clerk must accept the offer of a public hearing or file a written response within ten days of the adoption of the preliminary resolution or the resolution becomes final on that date. If the public hearing is requested it shall be held not earlier than 20 days nor later than 30 days after the adoption of the preliminary resolution. After any such public hearing, or after consideration of any written response, the council shall adopt a final resolution of removal or let the preliminary resolution lapse. Notwithstanding the foregoing, the City Council and the City Clerk may enter into a contract with regard to the terms and conditions of the City Clerk's employment, in which case, the provisions therein regarding removal shall govern.~~

Section 3. Form of Ballot. The form of ballot for the charter amendments provided in Sections 1 and 2 above shall be as follows:

A. Ballot Question Number 1: Voting Districts

City Council is currently comprised of five (5) at-large representatives. The proposed amendments provide that City Council shall be comprised of three (3) district representatives for seats one (1), two (2), and three (3) who reside within and will represent a district and two (2) at-large representatives for seats four (4) and five (5), all of whom will be elected by the City's voters at-large.

Shall the above-described amendments be adopted?

- Yes
- No

B. Ballot Question Number 2: Department of Records and Finance; Appointment of City Clerk

Under the current Charter, City Clerk is designated as Director of Records and Finance, appointed by City Council, and required to have knowledge of accounting, taxation, budgeting and financial controls. This responsibility was required before establishing the positions of City Manager and Director Finance and Administration. The proposed amendment to Article X Section 1 authorizes the City Manager to appoint the City Clerk and reallocate duties and qualifications accordingly.

Shall the above-described amendment be adopted?

- Yes
- No

C. Ballot Question Number 3: Removal

The City Manager is the City’s chief administrator and operates under direction of the City Council. Per the Charter, the City Council must adopt preliminary and final resolutions, hold public hearings, and offer a public hearing on the matters regarding removal of the City Clerk. The proposed amendment to Article X Section 2 removes these requirements and places the administrative responsibility for the City Clerk to the City Manager.

Shall the above-described amendment be adopted?

- Yes
- No

D. Ballot Question Number 4: Officers

Under the current Charter, the officers of the City shall be a Mayor, a City Manager, City Clerk, a Chief of Police, a Fire Chief, and five (5) Council Members. The proposed amendment would eliminate the Mayor, City Clerk, Chief of Police, and Fire Chief as officers of the City. If approved, the officers of the City will be the five (5) Council Members, and the City Manager.

Should the above-described amendment be adopted?

- Yes
- No

E. Ballot Question Number 5: Meetings

Under the current Charter, if a regularly scheduled council meeting falls on an election day or a holiday, then the meeting shall be held on Tuesday following such election day or holiday. The proposed amendment would allow the City Council to reschedule at their discretion and require it to be duly noted and properly advertised.

Should the above-described amendment be adopted?

- Yes
- No

F. Ballot Question Number 6: Declaring Candidacy

Under the current Charter, candidates for city election shall declare their candidacy to the City Clerk, in writing, upon a form provided by the City Clerk, not less than thirty (30) days prior to the day of the election. The proposed amendment to Article

VI Section 5 would remove the requirement and make candidacy requirements consistent with the rules and dates of the Florida Statutes.

Should the above-described amendment be adopted?

Yes

No

G. Ballot Question Number 7: Elections

Under the current Charter, there is conflicting language regarding when officers or council members shall be inducted into office. The proposed amendment to Article III Section 2 would eliminate language regarding past elections and amend when officers or council members, elected thereto, shall be inducted into office. The terms of office shall begin on the first Tuesday immediately following election certification in November.

Should the above-described amendment be adopted?

Yes

No

H. Ballot Question Number 8: Membership

Under the current Charter, Council members are limited to a maximum number of twelve years of consecutive service or three terms, whichever occurs first. The proposed amendment to Article III Section 1 allows former Council members who have served twelve consecutive years, not including years appointed, to regain office four (4) years after the expiration of the last term served.

Should the above-described amendment be adopted?

Yes

No

I. Ballot Question Number 9: Vacancies

Under the current Charter, Council shall appoint vacancies until the next regular Municipal election; provided that if such vacancy is not filled within thirty (30) days after it shall have occurred, it shall be filled by appointment of the Governor. The proposed amendment to Article III Section 8 would allow Council to appoint vacancies for the remaining portion of that term and allow candidates for appointment to be at-large.

Should the above-described amendment be adopted?

Yes

No

Section 4. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon passage on second and final reading; however, the proposed Charter amendments contained herein shall not be effective until adopted by a majority of the qualified voters of the City of Umatilla as certified by the Supervisor of Elections for Lake County, Florida, at which time the amendments shall be adopted.

Section 6. Upon adoption of the Charter amendment contained herein, the City Clerk is directed to revise the City Charter to incorporate the amendment and to file the revised Charter with the Secretary of State for the State of Florida.

Section 7. If Ballot Question Number 1 relating to districting is passed, the City Council shall pass such ordinance(s) necessary to have districting in place at least 270 days in advance of the first date to qualify for the 2028 regular election of the City. If, however, such ordinance(s) are not passed at least 270 days in advance of the first date to qualify for the 2028 regular election of the City, then Council shall pass such ordinance(s) promptly thereafter provided that all census and other relevant data is available so that districting is in place at least 270 days in advance of the first date to qualify for the following regular election of the City.

Section 8. The provisions of this ordinance are intended to be incorporated into the City Charter of the City of Umatilla, Florida, and the sections of this ordinance may be renumbered, re-lettered, and the word “ordinance” may be changed to “section”, “article”, or such other word or phrase in order to accomplish such intention.

Section 9. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

PASSED AND ORDAINED this _____ day of _____, 2024, by the City Council of the City of Umatilla, Florida.

CITY COUNCIL OF THE CITY OF UMATILLA

Christopher Creech, City Mayor

ATTEST:

Jessica Burnham, City Clerk FCRM

Approved as to form:

Kevin Stone, City Attorney



Business Impact Estimate

Ordinance 2024-D – Charter Amendments

Summary of Ordinance: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, PROPOSING AMENDMENTS TO THE CITY CHARTER; PROVIDING FOR SUBMISSION OF PROPOSED AMENDMENTS OF THE CITY CHARTER TO THE ELECTORS OF THE MUNICIPALITY PURSUANT TO SECTION 166.031, FLORIDA STATUTES; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER UPON ADOPTION OF AMENDMENTS BY A MAJORITY OF THE ELECTORS VOTING IN A REFERENDUM; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

Ordinance 2024-D provides ballot language for submission to the electors of the City of Umatilla. The purpose of the ordinance is to allow the electors of the City of Umatilla to determine the form of government implemented.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's costs, including estimated revenues from any new charges or fees to cover such costs.

There is no direct compliance cost that businesses may reasonably incur due to the proposed ordinance. There is no new charge or fee imposed by the proposed ordinance. There is no anticipated regulatory cost associated with the proposed ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **None.**

4. Additional information the governing body deems useful (if any):
[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses].

The proposed ordinance would submit to the electors of the City of Umatilla proposed amendments to the City Charter and place a referendum on the general election ballot. Per Florida Statutes section 166.031(1) and the City Charter, an adoption of an amendment to the City of Umatilla Charter would require an affirmative vote of a majority of the votes cast by the electors voting in a referendum upon such proposed amendment.



CITY OF UMATILLA AGENDA ITEM STAFF REPORT

DATE: July 10, 2024

MEETING DATE: July 16, 2024

SUBJECT: Resolution No. 2024-06, Ludecke Variance Olde Mill Stream RV Park

BACKGROUND SUMMARY:

THE APPLICANT HAS REQUESTED A CONTINUANCE TO THE AUGUST 6, 2024, CITY COUNCIL MEETING

The owners of Olde Mill Stream RV Park are requesting a variance for the length of stay affecting lots of "more than 6-months" from 80 (15%) to 107 (20%) and the total number of 6-months or less, limited residents from 429 (80%).

The applicant's justification for the year-round stay indicates that the proposed RVers will provide additional revenue for City merchants during the slow summer months. Pursuant to Chapter 6, (4)D of the City's Land Development Regulations, the length of stay is limited to 180 days (6 months) out of 365 days;

Previously, two variances were issued affecting the length of stay. In 2004 (Resolution 2004-11) allowed 25% of the occupants to remain eight (8) months of the year rather than six (6) months. The most recent variance was approved in 2016 and superseded Resolution 2004-11. **The current entitlement allows 15% (80 spaces) of the occupants to stay year-round and 85% (456 spaces) of the occupants not to exceed 6-months.**

The RV Park is currently zoned Commercial Tourist (CT). The City's Zoning Chapter of the Land Development Code provides the parameters of the Tourist Commercial Zoning. Chapter 6, Section 2, n(4)D, with regard to the general requirements for RV parks and indicates, "**...the proposed site shall be designated and used for short-term, transient accommodation of travel trailers, vehicles with sleeping accommodations, tents, and other similar types of accommodations**".

RECOMMENDATIONS:

Staff recommendation is approval provided the following conditions be added:

1. The number of year-round lots shall not exceed 107 (20%)
2. The number of lots designated as 6-month occupancy shall not exceed 429 (80%).
3. Pay all impact fees associated with year-round lots within 14 business days upon execution of this resolution.
4. A rate of 0.50 ERU's will be applied to new lots designated as "year-round" or "exceeding 6-months stays" for the purpose of calculating water and sewer impact fees.
5. Park Models are limited to 35 maximum units.
6. Provide the City with an annual report detailing the location, name and address of occupants of spaces that exceed the 6-month designation. The report shall be a notarized affidavit executed by the owner in January of each year.

FISCAL IMPACTS:

N/A

ATTACHMENTS:

1. Resoultion 2024-6 Olde Mill Stream Variance 7.10.24 V4
 2. Staff Report Olde Mill Stream Variance Year Round aaron V3
 3. Comparison_03-04-2024_SDL (002)
 4. OLDE MILL STREAM flyer
 5. OMS Location Map2
-

RESOLUTION 2024-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA; GRANTING A VARIANCE TO THE LAND DEVELOPMENT CODE (“CODE”) AS TO OCCUPANCY IN AN RV PARK; ALLOW UP TO TWENTY PERCENT (20%) OF OCCUPANTS TO REMAIN MORE THAN SIX MONTHS ON THE PROPERTY KNOWN AS 1000 N. CENTRAL AVE. IN THE CITY OF UMATILLA FLORIDA; PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Carl R. Ludeckde, as General Partner of Evers Enterprises, LLLP (“Owner”), has petitioned for a variance for property zoned Tourist Commercial (TC-12) located at 1000 North Central Avenue, Umatilla, Florida; and

WHEREAS, the Owner desires to request a variance from the City’s Code requirement pertaining to the length of time an occupant may reside in an RV Parks and Campgrounds from a maximum of one hundred eighty (180) days out of every three hundred sixty-five (365) days; and

WHEREAS, to accommodate an increase in the length of time of occupancy a variance from the zoning requirements contained in the City Code is required; and

WHEREAS, the Owner requests a variance to LDC Chapter 6, Section 2(n)(4) General Requirements for RV Parks and Campgrounds; and

WHEREAS, the City Council has considered the petition in accordance with standards for the granting of variances contained in Chapter 20, City Code.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, as follows:

Section 1. The petition for variance filed by Carl R. Ludeckde, General Partner of Evers Enterprises, LLLP, for property located at 1000 North Central Avenue, Umatilla, Florida, more particularly described on Exhibit “A”.

Section 2. The variance is granted as follows:

- a. A variance to Chapter 6, Section 2(n)(4) General Requirements for RV Parks and Campgrounds to allow up to twenty percent (20%) of the occupants to remain more than six months.
- b. This Variance shall become effective immediately on its approval and adoption by the City Council of the City of Umatilla, Florida.

Section 3. The Owner agrees to the following conditions relating to occupancy:

- a. The total number of RV spaces allowed is 536, per the existing Conditional Use Permit (CUP).
- b. The number of RV spaces stays greater than six months shall not exceed 107 (20% of total).
- c. The number of RV spaces designated as 6-month occupancy shall not exceed 344 (64% of total).
- d. Owner agrees to pay all impact fees associated with RV spaces designated as greater than six months within 14 business days of execution of this Resolution.

- e. Based on the increase demand on city utilities, the Owner agrees to pay a rate of 0.50 ERU's for the purpose of calculating water and sewer impact fees on new lots designated as exceeding six month stays.
- f. Owners agrees to limit the Park Models to a maximum of 35 units.
- g. Owner agrees to provide the City with an annual report detailing the location, name and address of occupants of RV spaces that exceed the 6-month designation. The report shall be a notarized affidavit executed by the owner in January of each year.

PASSED AND ORDAINED in regular session of the City Council of the City of Umatilla, Lake County, Florida, this _____ day of _____, 2024.

Approved as to Form:

Christopher Creech, Mayor

Kevin Stone, City Attorney

Passed first reading: _____

ATTEST: _____
Jessica Burnham, City Clerk

(SEAL)

EXHIBIT "A"

LEGAL DESCRIPTION:

THAT PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 795, PAGES 463 THROUGH 464, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4; AND THE NORTH 1/4 OF THE SOUTHEAST 1/4 LYING EAST OF THE ABANDONED RAILROAD RIGHT OF WAY AS SHOWN ON ATLANTIC COASTLINE RAILROAD RIGHT OF WAY MAP DATED JUNE 30, 1917; AND THE SOUTH 1/2 OF THE NORTHEAST 1/4 LYING EAST OF SAID ABANDONED RAILROAD RIGHT OF WAY, ALL BEING IN SAID SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

TOGETHER WITH:

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2116, PAGE 497 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE NORTH 468 FEET OF THE WEST 554.4 FEET OF GOVERNMENT LOT 3, IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA.

LESS AND EXCEPT:

THAT PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 795, PAGES 463 THROUGH 464, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE WESTERLY 200 FEET OF THE NORTH 1/4 OF THE SOUTHEAST 1/4 LYING EAST OF THE ABANDONED RAILROAD RIGHT OF WAY AS SHOWN ON ATLANTIC COASTLINE RAILROAD RIGHT OF WAY MAP DATED JUNE 30, 1917, AND THE SOUTH 1/2 OF THE NORTHEAST 1/4 LYING EAST OF SAID ABANDONED RAILROAD RIGHT OF WAY, ALL BEING IN SAID SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

ALSO, LESS AND EXCEPT:

THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 984, PAGES 2232 THROUGH 2233 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA BEING THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 12 AND RUN NORTH 00°31'02" EAST ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 A DISTANCE OF 28.5 FEET, MORE OR LESS, TO A 1/2" IRON PIN LOCATED ON THE NORTHERLY RIGHT OF WAY LINE OF C-450, SAID IRON PIN HAVING A CAP STAMPED

"R.L.S. 1916" AND BEING THE POINT OF BEGINNING (P.O.B.). FROM SAID P.O.B., CONTINUE NORTH 00°31'02" EAST ALONG THE AFORESAID WEST LINE 150.01 FEET; THENCE RUN NORTH 89°27'43" EAST PARALLEL WITH THE AFORESAID NORTHERLY RIGHT OF WAY LINE 656.55 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE AFORESAID SECTION 12; THENCE RUN SOUTH 00°20'44" WEST ALONG SAID EAST LINE 150.00 FEET TO A 4"X4" CONCRETE MONUMENT WITH A DISC IN THE TOP MARKED "R.L.S. 1916" SAID MONUMENT LOCATED ON THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF C-450; THENCE RUN SOUTH 89°27'43" WEST ALONG THE SAID NORTHERLY RIGHT OF WAY LINE 657.00 FEET TO THE POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

ALL THAT PORTION OF THE LANDS AS SHOWN ON THE PLAT OF COUNTRYSIDE VILLAS ON LAKE PEARL SECTION A, AS RECORDED IN PLAT BOOK 36, PAGES 46-47, LAKE COUNTY, FLORIDA, LYING IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

ALSO, LESS AND EXCEPT:

LOTS 1 THROUGH 4, AS SHOWN ON THE PLAT OF WEST WIND, AS RECORDED IN PLAT BOOK 49, PAGE 26, LAKE COUNTY, FLORIDA AND LYING IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 27 SOUTH.

CITY OF UMATILLA
STAFF REVIEW REPORT BY LPG URBAN & REGIONAL PLANNERS, INC.

VARIANCE

Owner: Carl Ludeckde, Evers Enterprises, LTD

General Location: 1000 N. Central Ave.

Number of Acres: 57.3 ±

Existing Zoning: Tourist Commercial (C-1)
 General Commercial (C-2) along SR 19

Existing Future Land Use: Commercial Tourism
 General Commercial along SR 19

Date: June 10, 2024

Description of Project

The applicant has submitted a request to amend the Olde Mill Stream Variance from 2016. The amendment is specifically for the percentage of guests to stay longer than six-months per year, from 15% (80 spaces) to 20% (107 spaces). The existing approved CUP allows for a maximum of 536 RV spaces.

	Surrounding Zoning	Surrounding Land Use
North	PUD	Multi-family
South	LM, C-2 and R-8	Industrial and Multi-family
East	R-8 and AR	SFMD
West	C-2	General Commercial

Assessment

Pursuant to Chapter 6.o)4)D the length of stay is limited to 180 days (6 months) out of 365 days; however, a variance was previously issued in 2004 (Resolution 2004-11) allowing 25% of the occupants to remain eight (8) months of the year rather than six (6) months.

In 2016 a variance was issued that supersede Resolution 2004-11 and it allowed 15% (80 spaces) of the occupants to stay year-round and 85% (456 spaces) of the occupants would be limited to 6 months. The applicant is now requesting a new variance to allow 20% (107 spaces)

of the occupants to stay year-round and 80% (429 spaces) of the occupants would be limited to 6 months. The applicant's justification for the year round stay indicates that the proposed RVers will provide additional revenue to the City's merchants during the slow summer months.

Recommendation

Chapter 20, Section 1, f) identifies the review criteria in regards to variances as follows:

- 1) No diminution in value of surrounding properties would be suffered;

Granting of the variance should have no effect on the value of the adjacent properties.

- 2) Granting the permit would be of benefit to the public interest;

Granting a variance from the length of stay could be a benefit to the public by providing additional economic opportunities to the local merchants and community. Notwithstanding, granting the length of stay does have an increased demand on public infrastructure and services. An increased demand for utilities, e.g. water and sewer along with other public services such as police, fire and emergency medical services. It has yet to be determined, if by increasing the length of stay for additional units, will increase in property taxes needed to address the additional demand for said services.

- 3) Denial of the permit would result in unnecessary hardship to the owner seeking it;

The denial of the variance could be considered as a negative impact on Park when at its lowest occupancy during the summer months.

- 4) By granting the permit, substantial justice will be done; and

Granting of the variance from the length of stay requirements would provide the property owner additional income to more fully meet the needs of the RV community during the slower summer months, and provide an economic boost to the owner and community.

- 5) The use must not be contrary to the spirit of the ordinance.

The City's LDR's specifically address RV parks as transient in nature. Although an increase in the number of year-round spaces is contrary to the transient nature of the zoning definition, additional controls will be put in place to offset this conflict.

Should the City Council approve the variance, staff would recommend the following conditions:

- The number of RV spaces designated as greater than 6-months stays shall not exceed 107 (20%).
- The number of RV spaces designated as 6-month occupancy shall not exceed 344 (80%).
- Owner agrees to pay all impact fees associated RV spaces designated as greater than six months, within 14 business days upon execution of this Resolution.
- Based on the increase demand on city utilities, the Owner agrees to pay a rate of 0.50 ERU's for the purpose of calculating water and sewer impact fees on new lots designated as exceeding six month stays.
- Owners agrees to limit the Park Models to 35 maximum units.
- Owner agrees to provide the City with an annual report detailing the location, name and address of occupants of lots that exceed the 6-month designation. The report shall be a notarized affidavit executed by the owner in January of each year.

OLDE MILL STREAM RV PARK

MAXIMUM # OF RV LOTS AT BUILD OUT	CURRENT MAX. LENGTH OF STAY	PROPOSED MAX. LENGTH OF STAY	CURRENT LENGTH OF STAY PERCENTAGE & MAX # OF RV SPACES	PROPOSED LENGTH OF STAY PERCENTAGE & MAX # OF RV SPACES
536	12 MONTHS	12 MONTH	15% - 80	30% - 160
MAX # OF PROPOSED RV PARK MODEL LOTS UP TO AND INCLUDING NEXT PHASE				
499	22 LOTS	35 LOTS*		160 LOTS**
MAX # OF CURRENT LOTS				
486	12 MONTHS	12 MONTHS	15% - 73 LOTS	30% - 146

* Located within the 5.5 acre former rally site area

** Lots allowed anywhere within the RV park

At build out of the project the total number of RV lots is 536 of which 15% are allowed to stay 12 months. The proposed change would allow 160 RVs to stay 1 year.

At build out of the next phase the total number of RV lots is 499 of which 75 are allowed to stay 12 months. The proposed change would allow 150 RVs to stay 1 year.

In summary, the proposed change would increase the number of lots which allow an extended stay.

OLDE MILL STREAM RV PARK

	CURRENT	PROPOSED
Number of total approved lots	536	536
Percentage of total allow to stay past 6 months	15% up to 12 months	30% up to 12 months
Maximum number of units staying over 6 months	80	160
Maximum number of RV Park Models	33	160

RULES and INFORMATION
All Visitors MUST REGISTER at Office

DO NOT Give Gate Codes to Anyone

GENERAL POLICIES:

Management is available 24 hours a day-Night Hosts will answer phones & offer assistance when office is closed. Emergency messages will be delivered immediately—all others will be placed in your mailbox. Check out time is 11:00 am. Quiet time is from 10 pm until 8 am. Park speed limit is 10 mph. Pedestrians ALWAYS have the right of way. Only one camping unit and two vehicles allowed per site. Put all trash in compactor, trash will not be picked up. Florida law requires sewer rings. One RV wash on site per season. Self contained units ONLY. No tent camping. Campfires are not permitted on site. Campfire ring is located in front of the Billiard Room. Do not walk or drive through sites other than your own. Hand watering lawns only, no sprinklers. Spray painting or mechanical work is not permitted on site. A service fee (\$40.00 per hour, minimum one hour) will be charged to repair any damage caused by negligence. Management reserves the right to refuse accommodations to anyone at anytime.

PETS:

Pets under 40 pounds are welcome-Limit two pets per RV. Pets must be on a non-retractable leash (6 ft. maximum) at all times. Pets are to be walked in the pet areas only. Pets must be kept under control at all times. Do not allow pets on other sites or around other vehicles. YOU are responsible for cleaning up after your pet. Do not leave pets unattended at any time outside of unit. All dog owners (including visitors) MUST register their dog(s) at the office with a copy of current vaccination papers & insurance (or signed waiver of liability).

POOL RULES:

Wet bathing suits or bare feet are not permitted in Rec Hall. Glass containers and food are not permitted in pool area. Pool closes at dusk. No lifeguard on duty-You assume all risk.

CHILDREN:

Children must be accompanied by an adult at all times. Visits are limited to a 2 week maximum stay. Children may swim from 1 pm to 5 pm and must be accompanied by an adult at all times.

Laundry Room Code
 (for access when Rec Hall is closed)

Bathroom Code
 (for back entrance when Rec Hall is closed)

OLDE MILL STREAM RV RESORT

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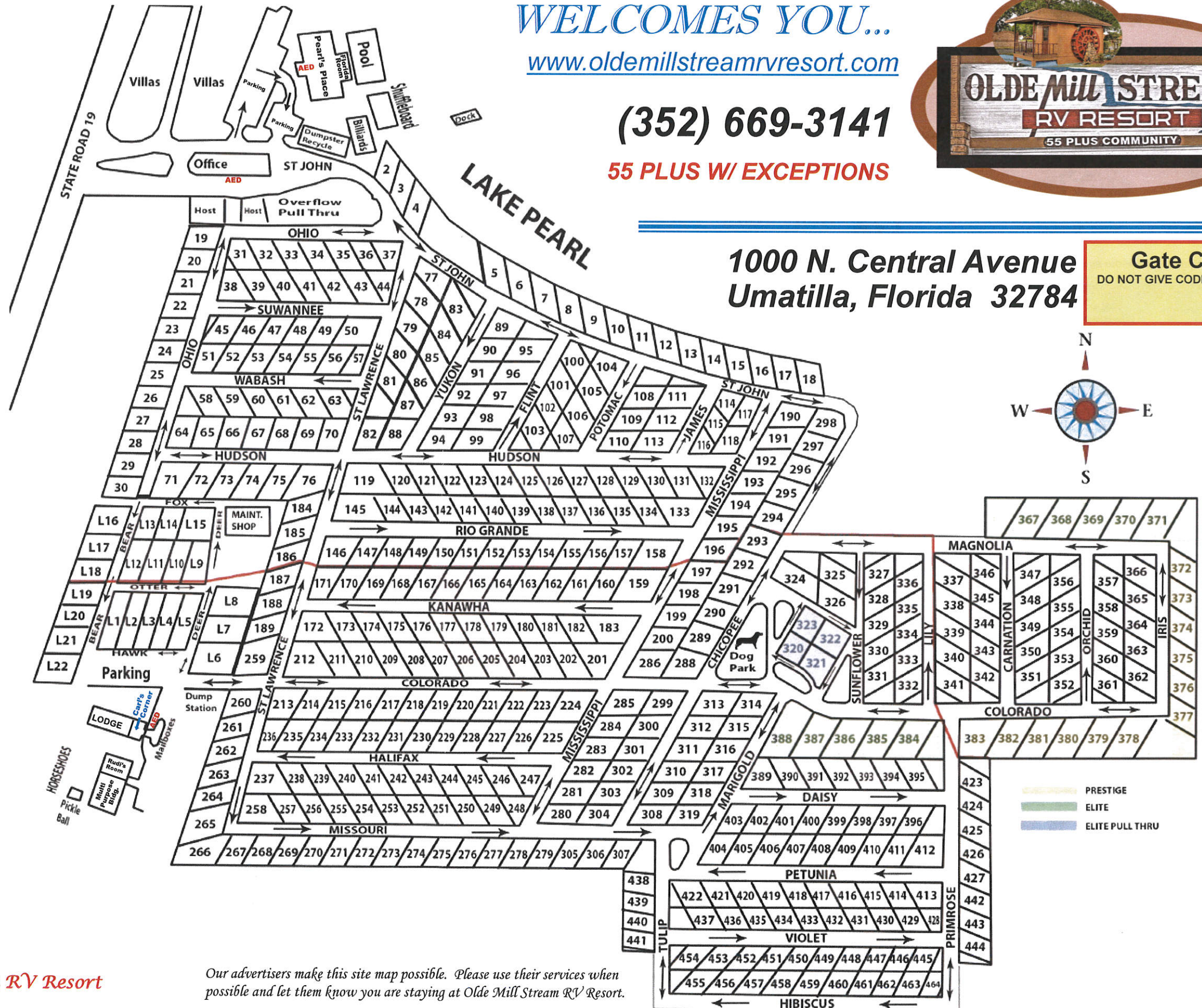
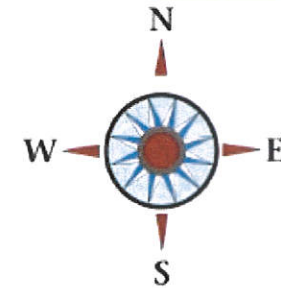
(352) 669-3141

55 PLUS W/ EXCEPTIONS



1000 N. Central Avenue
Umatilla, Florida 32784

Gate Code
 DO NOT GIVE CODE TO ANYONE

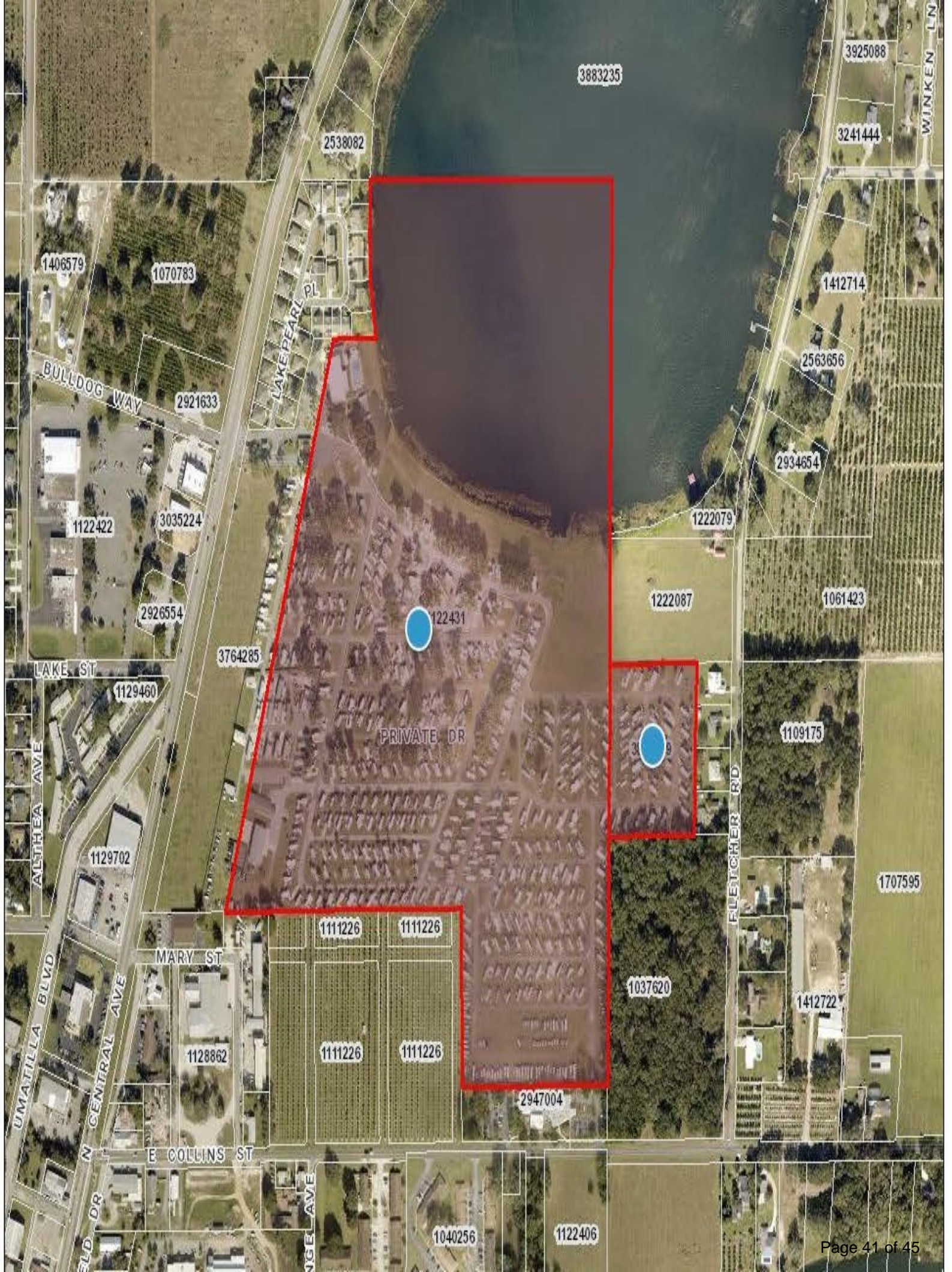


PRESTIGE
 ELITE
 ELITE PULL THRU

Satellite Information
 Dish: Azim—242°
 Elev—47°
 DSS: Azim—219°
 Elev—50.2°

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1111226

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1406579

1070783

2921633

BULLDOG WAY

LAKE PEARL PL

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3035224

2926554

LAKE ST

1129460

3764285

ALTHEA AVE

1129702

UMATILLA BLVD

N CENTRAL AVE

1128862

1040256

1122406



Umatilla Public Library FY 23-24



June 2024

	Q 1	Q 2	June 2024	Q3	FY 23-24
Visits (<i>door count halved</i>)	12,646	14,651	3,420	13,342	40,638
Checkouts	9,301	9,774	3,303	9,845	28,920
E-Books (digital)	1,336	1,270	527	1,154	3,760
Total Circulation	10,637	11,044	3,830	10,999	32,680
New Patrons	88	112	45	123	323
Patron Computer Sessions	908	1,111	362	1,217	3,236
Wi-Fi Clients Served	1,915	1,920	426	1,640	5,475
Adult Volunteer Hours	125.50	162.25	30.25	128.00	415.75
Attendance Family Programs	1,148	306	214	893	2,347
Attendance Adult Programs	311	315	165	252	878
Attendance Teen Programs	203	202	23	130	535
Attendance Juvenile Programs	500	460	418	605	1,565
Total # of Programs	135	127	32	89	351
Meeting room Rental	-	-	-	-	-
Fines and Fees (Income to City)	\$ 1,838.34	\$ 3,838.08	\$ 425.56	\$2,293.64	\$7,970.06

Highlights

Summer Reading: Teens enjoyed a Murdery Mystery Experience in the Caboose. Set-up similarly to an escape room, the participants hunted for hidden clues to solve the puzzle. Seventy-four people attended our “Meet Beautiful Horses” event. The adult summer reading program has an all-time high participation with 77 unique individuals registered via the Beanstack App; this is a 35% increase over last year when we introduced the online BINGO game. Summer reading finishes mid-July.



Ralph Howard and Nigel, the Tiger, help Ashley Williams and a TAB Teen Volunteer read a book to the storytime crowd.



Adventure Begins @ Your Library Display

UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF
June 25, 2024 through July 1, 2024

ARRESTS

6/26/2024	12:05 a.m.	Sylvain, Eblair Umatilla	Loitering and Prowling.
6/26/2024	10:15 p.m.	Hewitt, Robert Homeless	Trespass after warning; Resisting without violence.
7/01/2024	12:40 a.m.	Campbell, Prestina Eustis	Fleeing and Eluding; Driving while license suspended with knowledge.

CRIMINAL CITATIONS REQUIRING COURT APPEARANCE

7/01/2024	11:41 p.m.	McDowell, Bradley Eustis	No drivers license never had one.
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REPORTS FILED

6/25/2024	1:33 a.m.	Officers responded to the Circle K located at 391 North Central Avenue a person was trespassed.	
6/25/2024	6:44 p.m.	Officers responded to Kentucky Fried Chicken located at 939 North Central Avenue. A person was trespassed.	
6/27/2024	7:17 a.m.	Officers responded to a call for a person in the area of North Central Avenue in need of medical attention. Person was gone on arrival.	
6/27/2024	5:39 p.m.	Officers responded to the Circle K located at 42404 State Road 19 reference a person needing medical attention. Person met Baker Act criteria and was taken to Lifestreams Behavioral Center for treatment.	
6/28/2024	5:39 a.m.	Officers assisted the Lake County Sheriffs office in the area of East Altoona Road a person was trespassed.	
6/29/2024	5:19 p.m.	Officers were called to the Dollar General located at 607 North Central Avenue reference a theft. A report was taken.	
6/30/2024	10:23 a.m.	Officers responded to a residence in the area of Twin Lake Circle reference a disturbance. The dispute was verbal only.	

UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF
June 25, 2024 through July 1, 2024

ARRESTS

7/01/2024

2:11
p.m.

Abandoned property was brought into the Umatilla Police Department. After not being able to reach owner property was placed in to safekeeping.

ARRESTS

4

DISPATCHED CALLS

104

TRAFFIC STOPS

32

TRAFFIC CITATIONS ISSUED

3

UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF
July 2, 2024 through July 8, 2024

ARRESTS

7/5/2024	7:23 pm	Roman Pilar Pena Winter Garden	Refusal to submit to BAL test and DUI.
7/6/2024	7:41 am	Anthony Jordan Short Umatilla	Warrant out of Lake County for battery.

CRIMINAL CITATIONS REQUIRING COURT APPEARANCE

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REPORTS FILED

7/8/2024	12:00 pm	Officers took a report from a resident in reference to threats being made by a neighbor.	

ARRESTS	2
DISPATCHED CALLS	138
TRAFFIC STOPS	51
TRAFFIC CITATIONS ISSUED	4