

**AGENDA MINUTES
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, FEBRUARY 8, 2021 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting Monday, February 8, 2021, at the Venetian Center. Mayor Christian called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Jimmy Burry
Commissioner Jay Connell
Commissioner Dan Robuck
Commissioner Mike Pederson
Mayor John Christian

Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, City Attorney (CA) Fred Morrison, the news media, and others.

INVOCATION

Commissioner Jasper gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America at the Carver Heights/Montclair Area Community Development Agency meeting immediately prior to this meeting.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PROCLAMATIONS

A. None

3. PRESENTATIONS

A. None

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

There were no public comments.

5. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

Items pulled for discussion:

Commissioner Pederson moved to adopt the Consent Agenda except for items 5.B.2, 5.C.6, and 5.C.7 and Commissioner Burry seconded the motion.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Christian	Yes

Five yeas, no nays, the Commission adopted the Consent Agenda, as follows:
(Each item has its coordinating Resolution number listed below the header)

A. CITY COMMISSION MEETING MINUTES:

- 1. Regular meeting held January 25, 2021**
- 2. Regular meeting held January 11, 2021**

B. PURCHASING ITEMS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Fixed Unit Price Agreement with Otto Environmental North America, Inc. for the purchase of poly roll-out refuse containers on an as needed basis; and providing an effective date.**

Resolution 10,798

3. **Purchase request by the Information Technology Department for the purchase of additional battery cabinets/battery capacity at the data center located in the Leesburg Municipal Services Center building.**

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Natural Gas Service Agreement between the City of Leesburg, Florida, and Leesburg Development III, LLC; and providing an effective date.**

Resolution 10,799

2. **Resolution of the City Commission of the City of Leesburg, Florida authorizing a change of authorized Signatories on all bank accounts at SunTrust Bank N.A.; and providing an effective date.**

Resolution 10,800

3. **Resolution of the City Commission of the City of Leesburg, Florida authorizing a change of authorized Signatories on all bank accounts at TD Bank; and providing an effective date.**

Resolution 10,801

4. **City Commission approval of the budget calendar for Fiscal Year 2021-22, which includes dates for Commission workshops.**
5. **Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Spring Creek, a subdivision of the City of Leesburg, Florida, being a portion of Sections 13 and 14, Township 20 South, Range 24 East, City of Leesburg, Lake County, Florida, and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Spring Creek Plat)**

Resolution 10,802

2. **Purchase request by Public Works for repairs to the Venetian Gardens Ski Beach restroom by Johnson-Laux Construction for an amount not to exceed \$119,942.53.**

APPROVED ITEM 5.B.2

Commissioner Robuck introduced the purchase request to be read by title only. CC Purvis read the purchase request by title only.

Commissioner Robuck made motion to approve the purchase request and Commissioner Pederson seconded the motion.

Mayor Christian requested comments from the Commission and the audience.

Mayor Christian requested further explanation regarding the insurance portion. **CM Minner** stated the total cost for reconstruction to the restrooms is \$118,900.00 and it is all covered by insurance. **Mayor Christian** remarked that he just wanted that put on public record.

Commissioner Pederson inquired as to the cause of the fire. **CM Minner** remarked it was arson, there was a trash can someone lit on fire which spread through the porch area and back through the roof structure. **Commissioner Pederson** pointed out that there was another incident with the restrooms in Venetians Gardens and he thought the city built this one where nothing would burn. He inquired if there was a way to build them where nothing could catch on fire. **CM Minner** responded that was discussed when they built the restrooms and part of those discussions were to try and keep the restrooms attractive so that they did not do the modular type of things. They looked at metal and concrete structures and his recommendation at that time was to go with more attractive structures. Now he is not sure he would recommend that in the future, but at the end of the day, cost for cost, we get a nicer facility.

Commissioner Pederson commented that it is a nice looking building, but he thought the last one was concrete.

Mayor Christian asked if the city was going to install cameras at any of these locations. **CM Minner** answered that IT is currently working on that issue. **Mayor Christian** added that he thinks that would make everyone feel safer. He likes the fact if we are going to invest this kind of money at Ski Beach or anywhere in Leesburg, that we should install cameras and we should prosecute the people that do these types of things. It would help eliminate some of the vandalism and arson and it would teach people that if you destroy property there are consequences.

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Connell	Yes
Mayor Christian	Yes

Five yeas, no nays, the Commission approved the purchase request.

6. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the City Manager and City Clerk to execute a Lease Agreement between Bases Loaded Consultant Group and the City of Leesburg for office space at the Leesburg Business Incubator for a three-year term; and providing an effective date.**

TABLED RESOLUTION

Commissioner Robuck introduced the resolution to be read by title only. CC Purvis read the resolution by title only.

Commissioner Robuck made motion to approve the resolution and Commissioner Pederson seconded the motion.

Mayor Christian requested comments from the Commission and the audience.

Commissioner Robuck asked if they could get more information on the type of business moving in, what they do, or any background information on them. **CM Minner** stated that the Chamber of Commerce would have that information. **Commissioner Robuck** stated that he had contacted the Chamber and they said no. **CM Minner** replied he does not have that information, but he did receive the information from Danielle Parker at the Chamber and this is a standard lease. This item can be tabled and that information can be brought back next month. **Commissioner Robuck** remarked that he would like to know who is going in there before approving a lease. **Mayor Christian** added that he would like to see the applicant come to the meeting to represent themselves, especially if they will be leasing one of our facilities.

Commissioner Robuck made motion to table the resolution and Commissioner Pederson seconded the motion.

The roll call vote was:

Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Connell	Yes
Commissioner Robuck	Yes
Mayor Christian	Yes

Five yeas, no nays, the Commission tabled the resolution.

7. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Quitclaim Deed for 931 East Main Street and 933 East Main Street, lying in Section 26, Township 19 South, Range 24 East, Lake County, Florida to Habitat for Humanity of Lake-Sumter Florida, Inc.; and providing an effective date.**

Adopted Resolution 10,803

Commissioner Pederson introduced the resolution to be read by title only. CC Purvis read the resolution by title only.

Commissioner Pederson made motion to adopt the resolution and Commissioner Burry seconded the motion.

Mayor Christian requested comments from the Commission and the audience.

Commissioner Robuck stated he has to abstain because this applicant is a customer of RoMac.

Mayor Christian asked if they know what type of house they are building. **CM Minner** answered they are currently building fifteen to eighteen hundred square foot, three bedroom, two bath, Florida craftsman style homes and it will be close to that. **Commissioner Robuck** remarked that it would be similar to the style home they built on 12th Street.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Connell	Yes
Commissioner Burry	Yes
Commissioner Robuck	Abstain
Mayor Christian	Yes

Four yeas, one abstain, no nays, the Commission adopted the resolution.

**6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
COMPREHENSIVE PLAN INFORMATION SIGN-UP SHEET (YELLOW)
AVAILABLE**

A. SECOND READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida, rezoning approximately 14.09 acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) for a property generally located east of U.S. Highway 27, north of County Road 48 and south of Commander Road as legally described in Section 14, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Fox Pointe)**

ADOPTED ORDINANCE 21-09

Commissioner Robuck introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Robuck made motion to adopt the ordinance and Commissioner Pederson seconded the motion.

Mayor Christian requested comments from the Commission and the audience.

Commissioner Robuck commented that they were supposed to get some information on the proposed docks in terms of the limits and on how far they were allowed to extend. **Planning Manager (PM) Dan Miller** stated that they added that language into the PUD. It is reflected on Page 2, under Section 2.A.6, and states all docks shall be allowed to extend no further than twelve and a half feet into the river from the shoreline pending approval from FDEP. He had a conversation with Jay Baker from Bio Tech, the environmental expert on this project, and he agreed with this recommendation. **Commissioner Robuck** stated it is his understanding that FDEP may decide based on the specifics of each permit application that the dock needs to be less. **PM Miller** remarked that is the maximum, this allows the individual homeowner who has a lot on the water the opportunity to apply for a permit, but does not guarantee they

will get one. Those permits will have to go through FDEP or St. Johns and if it is under one thousand square feet, which is what the limit is on residential, it is not a guarantee but just allows them to move forward with a permit request.

Commissioner Burry said he read there was a five foot width maximum and asked what the one thousand foot was for. **PM Miller** replied that there was a five foot side setback for the docks from the property line. It is as if the property line projected out into the water, as if it were an accessory structure. **Commissioner Burry** said that he thought it referred to the width of the dock itself. **PM Miller** stated it is his understanding that for a residential dock it is a maximum of one thousand square feet before any additional permitting is required. They do not see anything over one thousand square feet in the office and properties of this width are not going to be able to get that much out there. **Commissioner Burry** asked if that would include the walkway. **PM Miller** agreed and said that would include everything.

Commissioner Connell remarked that when it gets to the state agency for permitting, it would be over one thousand square feet and that is square footage; not projection. The question he had at the last meeting was with the maximum projection out in to the river and with the width of the river. It is only maybe fifty foot and he wanted to make sure they could limit the projection out into the water because during the dry season you have to trim your motor up to get through there. Realistically, with a twelve and a half foot dock that dock could be out of the water during the dry season. He spoke with Dan Miller earlier last week on the PUD and the PUD was limited to twelve and a half feet and he does not think that alludes to the square foot; it was more to the projection concern that the Commission had.

Mark Provis, Hawthorne resident, stated their community has approximately two thousand people and borders the Palatlahaha river. He was here to ask the Commission to reject the current plan for the Fox Pointe development. He wanted to argue and persuade the Commission that the inclusion of language in the current plan that allows sixteen boat docks is a bad idea. It does not serve the public interest and the Commission can vote to reject this proposal to allow the sixteen boat docks. It will choke this narrow waterway and negatively effect all who enjoy it, now and in the future. He stated that he provided the Mayor and the Commissioners with extensive photos that illustrate exactly how narrow this waterway is and included in that packet was a petition asking that they reject the current plan, which was signed by sixty plus residents. He mailed the illustrations and hand delivered a copy of that packet to the City Managers office and stated he was assured it would be delivered to the Commission last week. Given the facts, he believes that allowing up to sixteen boat docks at this location is short sided, inconsiderate, and will result in extensive long term damage to the waterway and their community. The city may wish to excuse themselves from addressing this because the construction of boat docks on the waterway is not within the city's jurisdiction, but he would argue that the city is directly responsible for what happens to the environment and the wellbeing of the citizens of Leesburg. This is a simple and straightforward matter and you can choose to listen to the concerned citizens in the community who will be negatively impacted and influenced by the facts at hand or be persuaded by the developer who stands to make a profit at the citizens expense.

Commissioner Connell asked if there were any private boat docks on the Palatlahaha River within Hawthorne or if they were all public docks. **Mr. Provis** replied that Hawthorne has a marina on the river, but, there was one private boat dock built last year that is exactly one thousand square feet. It is an enormous dock that is an impediment to navigation. **Commissioner Connell** asked if that was done through the county. **Mr. Provis** answered he was unsure. **Commissioner Burry** wanted to clarify that they only have one privately owned dock in their subdivision. **Mr. Provis** replied that they may have two or three, but they are older and are not at this location. **Commissioner Robuck** stated if looking at the lot sizes they are only fifty feet so if you took out the setback and started the dock on the shore and went out twelve and a half feet, which no one ever will because the biggest you could have is five hundred, in reality it would be two or three hundred square foot docks. It would be impossible to build a thousand

square foot dock based on these setbacks.

Bill Connelly, Papaya Cove, Hawthorne current Board of Director member asked what the question was again with the private boat docks in Hawthorne. **Commissioner Connell** asked if there are properties on the river in the Hawthorne community, outside of the marina, where individuals have their own private docks. **Mr. Connelly** replied no, there are no private docks. The only docks are part of the marina. **Commissioner Connell** inquired as to what dock Mr. Provis referred to having just been built that was a thousand square feet. **Mr. Connelly** answered that dock was constructed across the river and it is not part of their community. There are other docks that go out towards the river that were allowed, but those have nothing to do with Hawthorne. Those are beyond their property lines. **Commissioner Connell** thanked him for clearing that up. **Mr. Connelly** continued to say he supports removing the language in the PUD with regards to the boat docks because some of the stuff you have to see for yourself. The water is very shallow at the shoreline and some times it may be two or three feet in the high water. That is where they would put in the boat dock so they would need a really big ramp. That boat dock would have to be away from that bank so they would not be able to get down to the boat unless they used ropes and ladders because it is pretty steep there. Then what would happen if they had a big boat and he did not get clarification on this, but would they be allowed to put the boats on the sides of the dock or would they will come in from one of the ends. **Commissioner Pederson** asked PM Miller if the docks go out twelve and a half feet can they tie their boats up outside of that dock. **PM Miller** answered from a city regulation side of this there is nothing he is aware of, but from St. John or FDEP he is sure there would be some significant concerns. They could also write something into the covenants and restrictions so that boats have to be tied up on the inside of the dock. **Commissioner Pederson** remarked that he is not trying to mandate a lot of rules, he just wants to keep the residents happy while keeping the river navigable. **PM Miller** pointed out that if you take the width of the lot at fifty feet and take away the five foot setback on each side you have forty feet remaining.

Mayor Christian asked who polices the rivers and lakes in Lake County. **PM Miller** answered he believes it is the Fish and Wildlife Commission. **Mayor Christian** then questioned if a boat is tied on the outside it would be the FWC's responsibility to go and police that boatowner to say your boat should not be like that because it is a dangerous situation. **PM Miller** responded that it would be wise for the HOA to place some rules on any type of dock and typically in a place like this so that they cannot overnight their boats. It would be strictly something where they can tie it up for a visit or to pick up the kids. There are many ways to work the covenants and restrictions document to help ease that concern.

Mr. Connelly continued to say that this past weekend there was a fishing tournament where he watched two boats pass each other. Both boats had twenty five horse power engines and were going along one of the areas where one of these docks would be and these boats passed each other with maybe three feet between them. They were not speeding, but they were not going slow by any means and when they passed each other it sent waves up both sides of the river. Boats are necessary, but when you start putting boat docks out there you are going to have a traffic jam in the river. They are going to force the boats right up on the shoreline. In a very short time they are going to be preparing for their fiftieth year in Hawthorne along that riverbank and they have taken a lot of time and energy to protect that and to keep it going to protect that shoreline. He has watched the critters and snakes that go through there. He urged the Commission to look at this. When he was here the last time he extended an offer to the Commission to come out and meet with him at Hawthorne and nobody came out and he remembers someone saying if you just give up some of those boat slips it would solve the problem. He feels like there may be a problem between the Commission and Hawthorne so he wanted to reach out so there is no issue.

George Wolf, Hawthorne resident, stated he has lived there for twenty five years and previously served on the board of directors. He remembers going through a Fox Pointe issue about five to ten years ago,

the same plan, but the part that is especially disturbing to him is the sixteen boat docks. Hawthorne has a marina with one hundred and twenty boat slips. When that was built special permission was granted from St. Johns water to dig out their marina. That marina is not in the river at all, the river goes right by, the boats go by, and their boats are in the marina. That is the only access for the people of Hawthorne where they have one thousand two hundred homes with one hundred and twenty boat slips. He asked that this plan be rejected and rewritten without the boat slips. He does not think it is wise to move forward with this as it is. He is a former kayaker, now eighty six years old, and has been up and down the Palatlakaha river and has been up to where the dam is located. He knows how deep it is because he has wadded in the water along the pathway and it is not that deep. He encouraged the Commission to give this serious consideration.

Commissioner Pederson stated he hears the concerns of the river being navigable and thinks the city has done their best at limiting them to twelve and a half feet. They also have the State of Florida, FDEP and St. Johns and we need to allow those other regulatory agencies the opportunity to get involved with this.

Commissioner Burry commented that this development is going to be closer to the dam than it is the lake so none of these docks are going to impede the marina traffic and those homeowners should have a right to have a dock if they so choose.

Commissioner Robuck stated he was the one that made the comment about the marina traffic and that was really in response to the idea that there being too many boats on the river. He is very familiar with the river since he grew up spending a lot of time on it. The fact of the matter is that with the restrictions in place on a twelve and a half foot dock you cannot put a real boat slip in there. If someone wants to have a small dock for chairs where they can enjoy the river just like the residents of Hawthorne or kayak that should be allowed. Now giving the challenges of the embankment and the costs of building those docks along with the lot sizes, he would be shocked if all sixteen docks were built because it would be cost prohibited, but if someone wants to build a dock they should have that right.

The roll call vote was:

Commissioner Connell	No
Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Christian	Yes

Four yeas, one nays, the Commission adopted the ordinance.

2. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 20.63 +/- acres from C-3 (General Commercial) and R-2 (Medium Density Residential) to PUD (Planned Unit Development) to allow for mixed use development for a property generally located west of U.S. Highway 27 and north of County Road 25A, as legally described in Section 34, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Manuella Apts.)**

TABLED ORDINANCE

Commissioner Pederson introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Robuck made motion to approve the ordinance and Commissioner Pederson seconded the motion.

Mayor Christian asked if the applicant provided any additional elevations. **PM Miller** responded that the applicant is still working on the elevations; however, they did make the changes to the fence and the landscaping. **Mayor Christian** questioned how long it would take to get the other elevations. **PM Miller** replied that he has been in conversations with the applicant and they will be mailing those. They have been sent the architectural standards and when it was originally brought to them it was noted on the conceptual plans that revisions would be required. This item can be held for a later meeting since they have not had time to put together the full set of architectural standards. **Commissioner Robuck** remarked that he is not comfortable with moving forward until they have reviewed the plans, especially since this is multi-family. He knows we need multi-family, but we need to be careful about the quality we review.

Commissioner Burry made motion to table the ordinance and Commissioner Robuck seconded the motion.

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Connell	Yes
Mayor Christian	Yes

Five yeas, no nays, the Commission tabled the ordinance.

B. FIRST READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida changing the zoning on approximately 31 +/- acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) to allow for multi-family apartments for a property generally located south of east Dixie Avenue and West of South Lake Street, as legally described in Section 25, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lakes at Royal Palm)**

Commissioner Pederson introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Mayor Christian requested comments from the Commission and the audience.

Commissioner Robuck asked if all they are doing is adding an additional story. **PM Miller** answered yes; all they are doing is adding a story and making the minimum home size within the units an average of eight hundred square feet. With them going from three stories to four, it adds a little flexibility in green space. This is an existing PUD that was approved in 2005/2006. The recession caught it so now we have someone who is interested in potentially moving forward if the funding goes through.

Commissioner Robuck inquired as to the what the old minimum square footage was. **PM Miller** replied

it was closer to a thousand square feet. **Commissioner Robuck** then asked if this one was tied to the number of bedrooms or could they have a three bedroom eight hundred square foot apartment. **PM Miller** answered that whatever they could fit into a eight hundred square foot apartment would work as long as it meet codes. **Commissioner Robuck** said he does not have a problem with the eight hundred square feet for a one bedroom apartment, but does for anything more than that. He wonders if they could tie the minimum square footage into the amount of bedrooms where the square footage increases when the number of bedrooms increases. **PM Miller** asked if they would like to provide any specifics that would make them more comfortable for him to come back with. **Commissioner Robuck** remarked that he would like to know what their intentions are. **Commissioner Burry** wanted to clarify that the average apartment was eight hundred square feet. **PM Miller** responded that would be the smaller one bedroom and it would go up from there. He does not have a firm number just an average, but he will bring back more specifics.

Commissioner Pederson asked if these are subsidized or market driven apartments. **PM Miller** answered he does not know, but will bring that information back as well. **Commissioner Pederson** remarked that if they are market driven that would make him feel more comfortable because then they would have to build them as the market would rent them. **PM Miller** stated he will bring back more specific numbers and sizes. **Commissioner Robuck** commented that he would be okay with it as long as it was market driven and he would like to see that incorporated into the PUD.

Mayor Christian asked if they could show the location along with the design. **PM Miller** stated that if they go to four stories it allows for additional green space. This is thirty-one acres and will have two hundred and forty eight units. They have a pretty expansive green space as is and a portion of that is wetlands, which has to be protected.

Commissioner Burry asked if there will be a phase two with this development. **PM Miller** answered that phase one is eighty eight units and the remainder would be in other phases.

C. NON-ROUTINE ITEMS

1. Initial Review - Proposed Five (5) Single Member Commission Districts

CM Minner referring to slides, stated in 1984 the city went into its current three single member districts, with two at-large seats. We have district one to far to the east, district two in the middle and district three that encompasses south Leesburg. When each district was created we wanted to compact and represent the community the best we could. In 1984, when these districts were created, we had about thirteen thousand people and each district had about four thousand one hundred people. Today those districts are starting to get skewed and that is from the impact of time, annexation and people coming in and out. In November 2020, due to growth and additional growth we expect to see from The Villages along with other parts of the community, the Commission passed Ordinance 20-25, which now allows us to have five single member districts and that referendum passed by 68% of the voters.

In preparing to help draw the new districts in pursuant to the referendum, staff put together some concepts. A key principal when drawing districts is to remember "One Person, One Vote", so they do not dilute the population and spread them out; we want them to be as representative as we can. Drawing districts can be controversial and there is a lot of case law in how we do that; the 14th and 15th amendments, the Voting Rights Act of 1965, and there is a slew of other court cases, and of course the case of 1983. At the end of the day we want to draw up districts that are reflective of the community and

they need to be adjusted regularly. Some common principals that come up with this are we need the districts equal in population, we need to follow the census blocks as much as possible, keep significant boundaries, lakes, rivers, streams and major roads, need to be contiguous as possible and we should be as compact as possible. We need to have districts that reflect each individual community's interest, so as the community changes there are different interests in there. It is okay to cluster the districts with that in mind. We do not want to dilute the minority voting strength and we do want to protect incumbent districts. When drawing lines we do not want to get bizarre and have bizarre looking districts. Having said that we know nothing can be perfect. We know achieving all those goals is extremely difficult and there are some rules of thumb. Good districts have a population variance of plus or minus of three percent. In Leesburg's case it would be 24,942 divided by five plus or minus three percent; so we would have extreme district, one on one side and one on the other and we do not want that population deviation to add up to more than ten because it would be greater than that ten percent. If you have a district that is plus four and minus four of the standard deviation of the district that would be a separation of eight and that would be good, but if it starts getting higher than that you would starting having unbalanced districts. In doing this there are variances and it is tough to get it perfect. There are some exceptions and if you deviate from being within those guidelines there are reasons for deviation. We can create minority influence or minority majority. If we have areas where we think there will be substantial growth we can under populate a district, but again these need to be within standards. Also, we do not want to pack or crack districts. If we have a cluster of minorities we do not want to put a box around them and dilute that voting strength. If minorities are spread out we do not want to draw big long districts. We do not want to take portions of that out or force them together.

Referring to a census map the first thing the city did was go to the GIS department and he gave a shout out to Patrick Murray and Mike Andrews because they were very helpful with the layout of the maps. They took the city limits map and put the census tracks on it. He provided a brief synopses of the areas and the number of people that live in those areas. For each of those census tracks, they broke down the population by demographics and they came up with a percentage in each of the census tracks and the city as a whole. There are 24,942 people in the city; 65.13% white, 25.54% African American, 0.29% Native American, 1.62% Asian, 0.16% Pacific Islander, 4.34% other, 2.93% two or more, and 11.14% Hispanic, and if we had five perfect districts each one would have 4,888 people with that same percentage.

Step three, they used the steps outlined and created five proposed districts. **District One** would be northwest Leesburg, **District Two** would be west central Leesburg, **District Three** would be south Leesburg, but note on south Leesburg it comes up and grabs a part of Loves Point. The reason for that is on the census tracks there is an area where Loves Point, Stock subdivision and Coachwood all met along the bend at Dixie and with the census tracks Loves Point was the smallest and that one balanced out the numbers best. **District Four** would be central Leesburg from Beverly Shores straight south to Palmora Park and **District Five** would be east Leesburg.

With the demographics of each district he stated that District One has 4,800 and that would be classified as a minority district. Its minority composition is 54% African American and 34% white. District Two is comprised of 5,000 people and it is 67% white and 22% African American, .36% Native American and 14% Hispanic. District Three is opposite district one for the same reasons and its majority minority is primarily white retirees so that district does not balance the demographics. In District One they have a community of interest and a majority minority. In District Three they have a community of interest of 5,000 people. District Four has 4,800 people and it is well balanced in its demographics. District Five has 5,200 people and its not quite as balanced as Districts Two and Four, but its better than Districts One and Three with reasonable apportionment deviation and they range from -4 to +4. The average of apportionment deviation is spot on with 4,988. The largest deviation percentage point is eight and that is less than the recommended population deviation. With Districts One and Three, those were not balanced

and the reason for that was those are growth areas and District One is a minority majority district. We have good population and deviation in Districts Two, Four and Five. We created a minority district where the incumbent is termed out and in that case that would be set up where District One would continue to be a minority district and we are also protecting incumbency. If the Commission likes these districts, the next step would be to draw up the ordinance. That ordinance would recommend that for the 2022 Election, Districts One, Two, and Four would be up for election and then at the organizational meeting in 2023 the commission would appoint who to what seat. Then for the 2024 Election, Districts Three and Five would be up for election. It would create a nice flow and continued representation for the city.

Continuing CM Minner stated that Commissioner Connell contacted him and they discussed an issue with the redistricting map and they came up with another rendering of how to handle The Villages growth. Currently there are only six people living there, but in 2024 that could more like 3,000 people and the issue is we cannot assume or make a district with six people for the next two to four years. That would go into the philosophy of why we programmed it with the 24,982, which is the 2019 census number. The original proposal had the six people lumped into District Three and from Commissioner Connell's angle this would put those six people into District Two. We do not know what is going to happen with the growth in The Villages, but putting them in District Two preserves Districts Three and Five. It will also protect the incumbency in District Four. However, whoever runs in District Two will have to deal with The Villages issues. If we are going to have a good compromise, this would be a good one. Moving that census block into District Two basically does nothing to the demographics because we are only moving six people. In 2022 or 2024 if that builds up the way we expect it to, we will be back here redistricting because District Two and District Three will be unbalanced. He believes that Commissioner Connell's compromise is a good one. The ordinance passed in November; however, they waited until the new Commission came on board to act on this. His recommendation would be to settle on the districts, get them approved by ordinance, and advertise so whoever runs in 2022 will know what the new districts look like.

Commissioner Robuck commented that he likes the Connell compromise. He thinks it makes a lot of sense because otherwise we would have a major shift in 2024 and this makes it less disruptive in 2024. With those six people going in District Two and all the growth that is happening on both 48 and south 27, things are going to keep getting bigger so putting that in District Three is not going to work. Moving those six people now is best or we would have a weird situation in 2024 and a massive district.

Mayor Christian inquired where Tara Oaks was because his concern is there are fifty-eight people in the census track and with District One being a minority majority by a very slim margin of 54% if six or eight hundred people move into Tara Oaks, and only fifty of them are African American, that district is no longer a minority majority. Similar to what Commissioner Connell is talking about, we do not want any federal law suits. His concern is once construction starts and that 54% turns to less than 50% who is going to monitor that. He may not always be on this side of the table, but he wants to make sure that is being watched because the mandate says there has to be a majority African American district. If six hundred houses are built in Tara Oaks that could change that majority, which would put us out of federal compliance. Looking at the map now in District Two the maps are skewed and that is simply because we tried to keep that 50% majority. That is probably the biggest growth that is going to take place in the next year and he does not know how we are going to monitor that before we get to 2022 or 2024. **CM Minner** stated that is why he brought this to the Commission in this format so these issues could be brought up. District One is a majority minority district because a large percentage of minority folks reside in that district. When looking at Tara Oaks, and that it is in the Carver Heights CRA, and under the TIF thought it should be in that district. He understands when it develops, if it is no longer a minority district, we would have an issue and we would have to redraw the districts, probably in 2024. There is a small area in District One across the highway where The Villages was talking about putting apartments and

if that takes off the numbers could go up. There are a number of developments going in off U.S. 27 and there is the Orange Bend off CR-44, which has another huge run of developments as well. There are places within the community we have to watch. **Mayor Christian** agreed, but stated he would be remiss if he did not stand for the reason of the 1983 lawsuit between the NAACP and the City of Leesburg where it was impossible to elect not just minorities, but African American, he thinks called black in 1983, to the City Commission and that is why District Two was drawn; to ensure that an African American had a fighting chance to become a City Commissioner. Between 2021 and 2022, if Tara Oaks develops and they get a hundred homes times two is 200 people that could turn that district from a minority majority.

Then a minority may not be elected or have a chance to be elected to the City Commission. He knows its very difficult and we have to have these exercises to discuss how to redraw these lines. When looking at the map, it looks like District Two goes right through the core of Leesburg and when trying to capture the African-American people, when we move, demographics change, and it makes it very difficult. In 2022 it may be too late, we will have had an election, the city will have grown by six hundred people and the number will have been skewed. We are only working with a 4% margin and he would hate to see the city challenged because we did not do our due diligence.

Commissioner Burry questioned with Park Holland what is the breakdown in District Four at the north end where it butts up to District One. **CM Minner** answered in District One, the variance there is about one thousand more African Americans than white for a fifty four to thirty four percentage. In District Four, there is sixty eight percent white to twenty three percent African American.

Commissioner Robuck pointed out that Tara Oaks could not be built out by 2022. **CM Minner** added that they would not have that demographic issue then but by the time the District Ones new term would expire in 2026, yes you might have that issue. They may have that issue from Tara Oaks impact and The Villages impact to the south, but to the Mayor's point in the court case it says you cannot regress. Meaning before 1984 we had regressive districts, demographic numbers were horrible, and minorities voices were not counted, so we created that and the district did not say you had to have a minority district, it said you cannot regress. That lawsuit provided all the bullet points on how to create a district and if you follow that, you will end up with a minority majority. Even though with Tara Oaks this was the best shot we had and it aligned all the districts pretty equally, knowing that within the next six years we would be right back here redrawing districts. Plus, the case says you cannot regress so if that happens because of Tara Oaks we will be right back here redrawing the districts. He then said if everyone is happy with the plan he would sit down with the city attorney and draw up the ordinance. **Commissioner Pederson** asked if the numbers were based on the 2019 Census. **CM Minner** responded yes. **Mayor Christian** stated that this was a very difficult process with equalizing the equality and staff worked hard to get this as close as they could. **Commissioner Pederson** remarked that he respects the mayor's comments and he understands the lawsuit, but that we need to monitor the numbers at the end of every year.

A gentleman in the audience questioned if this information would be available on the city's website. **CM Minner** responded at this point we would bring the ordinance forward, advertised it, and a copy of the map would be available by contacting his office.

7. INFORMATIONAL REPORTS:

The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required.

A. Financial Reports as of December 2020

8. CITY ATTORNEY ITEMS:

CA Morrison had nothing this evening.

9. CITY MANAGER ITEMS:

CM Minner stated with the lot next to the pool, a contract was drafted, but it was not included in tonight's packet. The owner of the parcel agreed to sell it for \$50,000. If the Commission gives the okay to execute the contract, his recommendation would be that the \$50,000 be derived from the interest earnings account, under the capital projects fund account. If the Commission decides to purchase that parcel the city attorney has attentively scheduled April 6th for that closing. He is looking for direction from the Commission on whether they would like the city to purchase the lot.

Commissioner Pederson made motion to purchase the lot for \$50,000 since the city attorney has already drafted the contract and the parties are in agreement and it is satisfactory to the city attorney and Commissioner Robuck seconded the motion.

Commissioner Pederson remarked that we are overpaying for this piece of property. We could go through condemnation and make it a lose/lose situation because it is not worth half of what we are paying for it. However, when we are spending what we are spending on the pool, it is just not right to have this little notch, and it needs to be corrected. It may be worth \$20,000 to \$25,000. He would like to wrap this up, square off this property and get this beautiful pool done correctly. He just wants to make note that the city was overpaying for this parcel.

Commissioner Robuck remarked that if we waited long enough the owner would have to sell because it is not a usable lot; there is no parking and it would be surrounded by the city pool. He does not see what use that property would have and at some point he will get tired of maintaining it.

Commissioner Connell commented that if Pine Street is widen at some point, as was discussed prior, that would also solve this problem.

Mayor Christian said that unfortunately he does not know how frequent people visit Pine Street, but it has not been maintained; that property has not been cut at all during the winter months. The city put a fence up around the property because we were going to work on the property. Then someone called and said we could not put that fence around someone else's property so we had that fence removed. He does not think this guy is hurting for money, so he may hold on to this property for ten years or longer. If we do condemnation we could spend more on legal fees and to him it makes good sense for the city to eliminate the eyesore.

CM Minner agreed with Commissioner Pederson that the city needs to purchase the lot with how the construction process has gone so far with the fencing and with them not maintaining that lot.

The roll call vote was:

Commissioner Burry	No
Commissioner Pederson	Yes
Commissioner Connell	No
Commissioner Robuck	Yes
Mayor Christian	Yes

Three yeas, two nays, the Commission adopted the motion.

CM Minner stated the only other thing he had is an update from the Partnership, they had about five items they were working with the summer games.

Mayor Christian asked if the representative from the Partnership would come forward to speak.

Joannie Smalley, Leesburg Partnership, stated a new business has opened on Main Street, Mystic Ice Cream and Frank's opened back up this past month. They started a campaign for all the vacancies downtown and that will be coming out in the Star Magazine later this month. They are working with business owners on Main Street where they will be talking about how their dreams came true opening their business and how others could open their own businesses. They are working on the softball leagues along with the county and on the fishing tournaments to help promote downtown. They just received their accreditation from the State of Florida for their National Main Street. Lastly, she stated they are working on the events for Mardi Gras which is coming up this Saturday and she hopes to see everyone there.

10. ROLL CALL:

Commissioner Burry complimented the City and the Public Works Department; the city is looking wonderful. He said it was looking a little rundown there for a while, but they have cleaned it up and it looks great.

Commissioner Pederson had nothing.

Commissioner Connell had nothing.

Commissioner Robuck had nothing.

Mayor Christian stated he is excited to see all the positive things happening in Leesburg. He is excited to see Joannie in her new position with the Partnership; he thinks she will bring a breath of fresh air to the City and the downtown area. With the growth happening and the changes we are seeing in the City, much of what is happening is because of the work from the City Manager and his staff. We need to continue the work because it is only going to make this city better. He is happy to see that we were able to purchase that lot on Pine Street because it is going to look so much better.

11. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they 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." The City of Leesburg does not provide this verbatim record.

The meeting adjourned at 6:55 p.m.