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

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting Monday, March 8, 2021, at the Venetian Center. Mayor Christian called the meeting to order at 5:32 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

Mayor Christian gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

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

2. PROCLAMATIONS

None

3. PRESENTATIONS

A. Employee Service Award Recognition:

Five Years: Kandi Harper, Planning & Zoning; and Michael Todd, Police
Twenty Years: Angela Smith, Finance
Twenty-Five Years: Alden "Al" Purvis, Public Works
Thirty Years: Ronald Hancock, Electric; and Sandra Lovett, Electric

Human Resources Director Melissa Arriaga and CM Minner presented service recognition awards to City of Leesburg employees: Kandi Harper, Senior Planner for 5 years; Angie Smith, Utility Billing Supervisor for 20 years; Al Purvis, Chief Plant Operator for 25 years; and Ronald Hancock, Electric

Contract Supervisor for 30 years.

Michael Todd, Police; and Sandra Lovett, Electric were unable to attend.

Mayor Christian commented that everyone is appreciated for their longevity with the City of Leesburg.

B. Retirement Plaques:

Joyce Brown
Sabrina Hubbell

Neither retiree was able to attend.

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.

Lay Brother Steven Gerard, Tangerine Court, stated he attended the March for Life in January in Washington, DC, in honor of Nellie Gray. Ms. Gray was a Texas citizen who relocated to Washington, DC, was a conservative democratic, a catholic, and started the March for Life in Washington, DC back in 1973 or '74. He had the honor of meeting Ms. Gray before she passed away in 2012. She saw the Life/Peace Zone banner and was very pleased that citizens were coming forth with new constitutional opportunities and this is a constitutional opportunity for the City of Leesburg. He will continue to present the Life/Peace Zone concept to Leesburg and surrounding communities. He hopes to be in Fruitland Park on Thursday and Lady Lake next Monday to give them the same information about the possibilities. The first City in the country to pass a Sanctity of Life resolution was Roswell, New Mexico and he hopes that maybe this Commission would like to dive into that possibility. The resolution is effective, but it does not carry the strength and weight of an ordinance; however, it does set the tone that Leesburg would want to move in this type of direction. He mentioned that he interacts with churches within the community and if the Commission would like to do an upcoming resolution of appreciation, the Father's House will be celebrating their twenty-fifth anniversary at the end of the month.

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:
5.B.1.A = Professional Services Agreement with CPH, Inc., for the design of the Market Street Festival Street;
5.B.1.B = Professional Services Agreement with CPH, Inc., for the design of the South Canal Street & Dixie Entryway;
5.B.1.C = Professional Services Agreement with CPH, Inc., for the design of Pine Street Improvements conceptual and engineering services;

5.B.3 = Agreement with Guaranteed Maximum Price (GMP) with Evergreen Construction Management, Inc., for construction of the Leesburg Teen Center;
5.C.2 = Amendment to the Amended and Restated Ground Lease with Venetian Gardens Site Holdings, LLC; and
5.C.3 = Authorization of an Impact Fee Credit Agreement with Bentley Ridge Holdings, LLC.

Commissioner Pederson moved to adopt the Consent Agenda except for 5.B.1.A, 5.B.1.B, 5.B.1.C, 5.B.3, 5.C.2, and 5.C.3, and Commissioner Robuck 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 February 22, 2021

B. PURCHASING ITEMS:

2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a construction services agreement with Citrus Sandblast, LLC, for the recoating of the College Street Elevated Water Storage Tank for an amount of $187,000.00; and providing an effective date.

Resolution 10,814

1. Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a Warranty Deed from Speed Society, LLC, to the City of Leesburg, Florida, for property lying in the Official Plat of the City of Leesburg, Lake County, Florida; and providing an effective date.

Resolution 10,815

1. Award of Request for Qualifications 210013 and resolutions authorizing execution of professional services agreements with CPH, Inc. for design of three (3) elements of the downtown master plan improvements.

a. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a professional services agreement with CPH, Inc. for the design of the Market Street Festival Street as part of downtown improvements for an amount not to exceed $207,972.00; and providing an effective date.

ADOPTED RESOLUTION 10,816

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

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

Mayor Christian requested comments from the Commission and the audience.

Commissioner Connell stated he spoke with the City Manager earlier this afternoon on a few of the items pulled. With respect to items 5.B.1.A, 5.B.1.B, and 5.B.1.C he is not really familiar with what is being proposed and what the benefit "gain" to the City is for this kind of money being spent. It is a tremendous amount of money to just put a plan together. He would like to see more information on this; like what staff is thinking they would like to accomplish by doing this and what is the benefit to the City by spending close to five hundred thousand dollars for just putting a plan together because this does not even start to cover the cost of what the improvements would be once a plan is approved. If we are going to spend five hundred thousand dollars he wants much more information and wants to see what the benefits are for the City to make these types of improvements.
CM Minner commented he understands the Commissioner's concerns, but these are consulting fees; not a plan per say, it is for the conceptual design of the plans that was established in the master plan. Back in the the summer of 2019 the Commission worked on creating the downtown master plan, which was adopted in March 2020. That plan emphasized the Market Street Concept, which was the promenade going from the Library up to 7th Street. It also addressed the concept of a Gateway at Canal and Dixie, along with the concept of improving the Pine Street corridor. That plan also has other concepts like multi-use and promoting multi-use zoning issues within the downtown and bringing multi-family dimensions to the downtown along with others, but through that plan we staged an incremental financial approach. At that time, we picked out the top three big ticket items, the Market Street concept, the Pine Street concept, and the Dixie Entryway concept. That was to help make it easier on the budget; so we could keep our pay as you go fashion. We are now at the point of how to execute the plan and how to design these concepts. In this fiscal year's budget we put in half a million dollars in the CRA budget to cover the design and engineering of the plan. As we go through the process of designing and engineering the plan that could take several months and it could lead us into the fall, which at that time we would seek public input. We would have the ability to review and decide which designs best fit the budget. Market Street could run anywhere in the ballpark of two to four million dollars and the Dixie/Canal and Pine Street projects could both run around a million dollars each. The plan was to put together design concepts, to be funded this year, then as we dug deeper into the design we would have better budgeting numbers, could better prioritize these projects, and would know if we could do a pay as you go basis. With the pay as you go basis there is cash coming from either reserves that we have put together for capital improvement projects; some will come from the general fund cash, we have the fiber system sales (which we call the CIP war chest fund) where there is about three million dollars left and then the perpetual transfers from excess revenues, and the gas and solid waste funds. If the new commission members have issues or want to change direction now would be the time to do that. If they do not agree

on the downtown plan or want to push this off to provide more time and opportunity to look at downtown plans now would be the time. **Commissioner Connell** remarked that it is a lot of money to spend to just develop a plan without knowing if we will even execute that plan. With the lack of knowledge on what we are trying to accomplish he is having hard time supporting this. **Commissioner Pederson** stated he respects his fellow Commissioner's comments because he missed out on going through the plan, which they all went through and spent some time on about a year ago. This was put on hold because of Covid and he was actually curious when this was going to be resurrected again and it is nice to see it on the agenda. His reaction, is he supports the downtown and Pine Street, but put Canal Street/Dixie on hold. He does not understand why we would be doing that part now. To him we should be doing our downtown right and then come back and do more of the promotions. He heard we had a million dollars, so spread the money and get the downtown done along with Pine Street. He read in the contract that the concept there is similar to what we did on Main Street and 27, so why is it so expensive when we are basically duplicating what we did there. **CM Minner** replied the rough estimates are about the same, but that 27/441 project ran about seven hundred and fifty thousand to eight hundred thousand dollars. **Commissioner Pederson** commented that if we already paid for it there then to some degree we should be able to use that information at South Canal and Dixie to save some money. **CM Minner** pointed out that we would have to redo the design in a different location, which includes surveying, because you can not just transfer that information. **Commissioner Pederson** remarked that he would not mind putting the Canal Street/Dixie project on hold to focus on the downtown and Pine Street projects. We need to get those projects fixed first and then we can promote on the intersection to encourage more people to come downtown. **Commissioner Burry** stated when this was first brought up he was sitting on the opposite side of the table and it was a lot easier to look at from that side. With being the liaison to the partnership, the partnership consists of many business owners from the downtown area, and he knows that other areas of the city sometimes think they are a little under served when we are spending so much money concentrating in just the downtown area. He thinks that is something we need to think about in the future, but he does not have any strong negative impulses on this and we need to move forward with our downtown. We need to get something going at Lee School and it is a good time to make that investment and make it better. **Commissioner Robuck** agrees with Commissioner Pederson on the idea of tabling the Dixie/Canal Street project. He knows it is a project that will eventually need to be done, but we are talking about projects that total about seven million dollars. He is hesitant to design something with the idea that they may not even start it for four to five years. A new commission may not want what this current commission designs and we may be biting off too much at one time. He would like to see improvements made and in his ideal world it would be one project at a time. His ranking order would be the Pine Street project first because we have the pool and everything going on there and that is where we historically spend money; that area clearly needs the investment the most. Then Market Street, which is also an important project, second due to the total cost and last, would be the Canal Street project. If he had his preference he would only approve Pine Street, but he could go along with Market Street, but not the Canal Street project. **Mayor Christian** stated he agrees with what he is hearing. Commissioner Connell is right on point that this is a lot of money, and we still have to survey it, whether we do it today or tomorrow. He too will be expiring like Commissioner Robuck and does not want to approve something that might not be built. He would like to see this Commission approve at least two of these items. He is good with the Pine Street project and Market Street. He agrees we could wait on the Canal/Dixie project and that the next commission could pick that one up and run with it.

The roll call vote was:

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

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

b. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a professional services agreement with CPH, Inc. for the design of the South Canal Street & Dixie Avenue Entryway as part of downtown improvements for an amount not to exceed $121,495.00; and providing an effective date.

DENIED RESOLUTION 10,817

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

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

Mayor Christian requested comments from the Commission and the audience. There were none.

The roll call vote was:

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

Zero yeas, Five nays, the Commission denied the resolution.

c. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a professional services agreement with CPH, Inc. for the design of the Pine Street Improvements conceptual and engineering services as part of downtown improvements for an amount not to exceed $85,100.00; and providing an effective date.

ADOPTED RESOLUTION 10,818

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

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

Mayor Christian requested comments from the Commission and the audience. There were none.

The roll call vote was:

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

Four yeas, one nay, the Commission adopted the resolution.

3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Construction Services Agreement with a Guaranteed Maximum Price (GMP) with Evergreen Construction Management, Inc., for construction of the Leesburg Teen Center in the amount of $2,406,500.00; and providing an effective date.

ADOPTED RESOLUTION 10,819

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 pulled this because Evergreen Construction is a customer of RoMac and he needs to abstain from voting.

Commissioner Pederson commented that this is a big number and he does not recall bidding this out and would like some clarification. **CM Minner** stated it was done through the Construction Manager at Risk (CMR) process and Evergreen won that RFQ. Staff set a target budget around three-million and this is about four thousand dollars under that estimated budget. **Commissioner Pederson** remarked that he is a big supporter of this but he is big-eyed at how this can cost two hundred and forty dollars a square foot and just wanted to make sure he got that on the record because this seems high. **Commissioner Robuck** pointed out that price is not high, it may have been high a few years ago, but not now. He does not know if you could even build a house for that price. **Commissioner Pederson** stated he understands construction materials are sky high when the economy is good.

The roll call vote was:

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

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

C. RESOLUTIONS:

2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Amendment to Amended and Restated Ground Lease between the City of Leesburg and the Venetian Gardens Site Holdings, LLC; and providing an effective date.

ADOPTED RESOLUTION 10,820

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

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

Mayor Christian requested comments from the Commission and the audience.

Mayor Christian stated after reading through the correspondence on this his concern is what happens when we get to September and nothing has been done; would be like we just wasted five to six months. He wonders if there is anything the City can do in the interim to assist this applicant so we do not lose another five or six months. **CM Minner** commented it is a gamble that comes with the decision on whether we stay with Mr. Boyd and his group or if we cut bait. If we cut bait, we would be looking at at least two to three years from today to be at a ground breaking because we would have to go through another RFQ to find a partner. We would have to first negotiate that contract, look at their designs, and then go to permitting so reasonably we would be looking at another twenty four to thirty months before we would even get to construction. Then construction alone you would have nine months so we would be looking at 2024 or 2025 before we would have a restaurant on the basin. With Mr. Boyd there were some legitimate delays with Covid and there were some issues with the partnership, but Mr. Boyd has straightened all that out. Basically, we are looking at a ten month delay with the contract and construction where it should have started in November. We should see it started by September, but Mr. Boyd hopes to get started by June. There are risks, but we need to take this or we will be sitting here two years from now with nothing going on. **Mayor Christian** asked if there was anything we could do as a City to assist the applicant and ensure that this gets done. **CM Minner** answered that the most we could do at this stage is help get them through the permit process and assist them with the utility relocates and site preps. They are ready to start, their permits are ready to be approved and Mr. Boyd is in the audience and would be happy to answer any questions. They are ready to put the shovel in the ground, they just need a few weeks to get it started. They are very optimistic at this stage and they are ready to go. **Commissioner Pederson** remarked that it is reasonable with Covid and the impact it has had on restaurants. Being a former banker he understands the difficulties and it has probably been nearly impossible to get a loan for a restaurant in the last six to nine months. **Commissioner Robuck** pointed out that he is okay with this, but suggested if they do not break ground by August 1st that we get that RFP ready so we do not loose anytime by September 1st. He hopes that does not come into play because he would really love to see this come through. **CM Minner** replied that the RFP needs a little dusting off.

Thad Boyd, SE 16th Avenue, Ocala stated that they currently have their swift mud permit along with their environmental studies done. They have their dewatering permit and ACR agreement in the works and the permits are on the desks at the City level. They have spent well over two hundred and fifty thousand dollars at this point and all their civil stuff is complete. They were literally thirty days away from breaking ground when Covid hit, their loans were already approved, then they were pulled and that sent them back to the drawing board on financing. They are spending approximately four point seven million dollars on this restaurant, which is a huge number for a restaurant. It is a huge investment and with Covid going on it has been tough, but they are back on track now. They are appreciative that the City is working with them and allowing them more time to make this happen.

Commissioner Pederson inquired piggy backing off this, if they do not follow through on this with all the work the applicant has done, with the site work and the permitting, it would have absolutely no value to them. Could a clause be added in the extension where all the work product must be provided to the City if they fail to complete the project. **CM Minner** stated they would want to make that an amendment to the motion because that clause is not in the amendment so they would want to make that their work and design is proprietary and the City Attorney could add that in.

Commissioner Pederson made motion to amend to the addendum or extension of the lease that the tenant will provide the City with all the work product if they terminate the lease and Commissioner Robuck seconded the motion.

The roll call vote on the amendment was:

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

Five yeas, no nays, the Commission amended to the addendum or extension of the lease so that the tenant will provide the City with all work product should they terminate the lease.

The roll call vote as amended was:

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

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

3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Impact Fee Credit Agreement between the City of Leesburg and Bentley Ridge Holdings, LLC; 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 Pederson made motion to adopt the resolution and Commissioner Robuck seconded the motion.

Mayor Christian requested comments from the Commission and the audience.

Commissioner Robuck stated he pulled this because he does not think we should be giving this impact fee credit. This project was not contingent on this and they are now coming back in the middle of the project asking for it. He knows we can give it to them, but we are talking about one hundred and ninety thousand dollars. We should not be just giving away that kind of money for no reason and on top of that, this particular developer has stiffed a bunch of local subcontractors on this job along with some others, so he is not looking to do them any favors. Quite frankly, he would not look at doing anyone any favors in the middle of a project because they already have an existing agreement and to come back in the middle of a project and say hey give us this just does not set well. **Commissioner Burry** pointed out that the way it looked to him is that the City would have to upgrades to the lift station if the developer did not do the upgrades. **CM Minner** responded eventually yes, the city does anticipate growth in that Newall Hill/Bentley area and if that growth comes the lift station will need to be upgraded. The existing lift station can handle the current flow. What happened with this project was the city laid out to the former Bentley Ridge developers the requirements to build the extra capacity and upgrade the lift station. They got half way through that process and stopped all the work. The new owners came to the city and asked for help to get that moving again and to help encourage that restart of the abandoned development, staff said we would recommend it to the commission. Yes, we would be giving up about two hundred thousand dollars, but what justifies that is potentially we would be encouraging the redevelopment of a stalled out subdivision and it would save us from a potential couple hundred thousand dollar repair. It would show that we shifted it to the development, it would show that we did not have to make those repairs ourselves, and it would help get that stalled development moving again. **Commissioner Pederson** stated he remembers having a big discussion on impact fees about twelve to eighteen months ago with the development across the street from the hospital and he remembers after that discussion the commission voted it was not binding. However, he thought there was a vote by the commission to no longer do these and to set a precedent to no longer do impact fee credits and to stop these requests. **CM Minner** answered that they did and that they said they do not ever want to waive impact fees and that is different from the impact credit. When that developer came before them that was for something significantly different because that developer, who asked for the two million in impact fee credit, wanted a credit and during staff discussions and commission debate we came to the conclusion that we offer developers this type of deal where they make an improvement because generally the city would have to make these types of improvements. **Commissioner Pederson** said that the reason he brought this up is because it is not binding. We could vote to do this, but the big debate at that time was if we do it once the requests are going to start coming in the door over and over again. That is the discussion he remembers on the subject. **CM Minner** replied that it was about balancing the waiver versus the credit and the spur of the development. Remember there is no waiver and if you use a waiver as an incentive the general fund needs to pay that. In this case it is a credit and that developer is making a public improvement that we will be taking over as the payment. **Commissioner Burry** pointed out that was going to be his question, once this project is completed who actually owns the lift station. **CM Minner** answered it would be the city. Sometimes you get these deals where it is a wink-wink public improvement, but this is a bona fide public improvement. **Commissioner Burry** added that he would want to be assured that the improvements to the lift station meet all standards of what the city would do if we were to improve it ourselves. **CM Minner** remarked that before they do the work they would have to apply for permits, they would have inspections as well, so we would know what type of work has been done. **Commissioner Robuck** questioned if do they not have to do this whether we give them the credit or not, if they want to build their project. **CM Minner** confirmed, yes. **Commissioner Robuck** stated that is what we are missing, is that they have to do this whether or not we give them the credit if they want to build their project. The old developer agreed to it, they agreed to it, so it is not like do not give them the money and then we get something less; they have to build it no matter what. He is about as pro-development as anyone, but right now we do not need to be giving away things to developers. He already has severe doubts that this project will get done given this developers track record, but this is just a handout. **Commissioner Pederson** agreed with Commissioner Robuck and said what got his attention was the possibly of saving the city some money, but that is not black and white in this case either. **Commissioner Connell** commented that he had a conversation with the city manager and his understanding was that if they do not put this in, the city would be looking at four hundred and fifty thousand to five hundred and fifty thousand dollars to improve the existing lift station. If they put this in at the one hundred and ninety thousand dollars and we waived the impact fees, we would not have to come out of pocket to improve the existing lift station. The station they are putting in would cover that so if that holds true we would give away one hundred and ninety thousand dollars, but we could save potentially two hundred and fifty to three hundred thousand dollars by making this agreement. **CM Minner** said it is semantical that we would be giving up one hundred and ninety thousand dollars and it would be questionable on who would be making the improvements in the future. We would try to spin it so the developer would, but that is not guaranteed. The win would be that we say no and the developer completes and absorbs the costs, they fix the lift station and spend the four hundred thousand dollars and we get to keep the impact fees. The middle ground is we want to make sure they improve and do the development because it has been stalled, so we would give up the one hundred and ninety thousand dollars, but we would be assured that we would never have to build a lift station. The worse case scenario would be they default, they do nothing, this puts them over the edge and the development just sits around with nothing happening until another developer comes in to start. Everyone is right in what they have said, it is just what do you want to gamble. **Commissioner Burry** asked if the developer is required to this. **CM Minner** replied yes, when he purchased the development, the development improvements came with it; including the oversizing and improvements to the existing lift station because the existing lift station cannot significantly absorb more capacity. **Commissioner Burry** stated that changes things a bit, if he knew he was required to do this then he does not see why we would be waiving or crediting any impact fees. **Commissioner Robuck** said Commissioner Connell brought up a good point, what if they do not do this project, is the city going to have to update that lift station. **CM Minner** responded yes at some point, but the current lift station is at a capacity where it can sit still pump the existing flow. **Public Works Director (PWD) Cliff Kelsey** stated that lift station is one of the oldest in the city and is due for updating. **CM Minner** asked how much that would cost. **PWD Kelsey** answered it would cost approximately four hundred and fifty thousand dollars. **CM Minner** said that if this project does not go we are going to have to spend four hundred and fifty thousand dollars to update that lift station. He asked that this item be tabled for further review because where we are heading is a deviation between upgrading it to assume capacity and upgrading to a capacity to just get us by to where development comes in, which may not be the four hundred thousand dollars for the city. We maybe only talking one hundred thousand dollars to change out the pumps and to keep the existing flow going and then we can shift the burden of that development to someone else. **PWD Kelsey** commented that this will need to be done at its current capacity. **CM Minner** stated that is where they disagree because at the current capacity it may not need the full four hundred thousand dollars worth of upgrades.

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

The roll call vote was:

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

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

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

AVAILABLE

A. SECOND READING OF ORDINANCES

1. None

B. FIRST READING OF ORDINANCES

1. An Ordinance of the City of Leesburg, Florida, vacating 212.38 +/- feet of right of way and consisting of approximately 4,884 square feet, and generally located on the east side of Barrett Avenue, west of Lots 15, 16, and 17 of the Harlem Subdivision, of Leesburg, Florida; and providing an effective date.

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.

Mayor Christian pointed out that this property is owned by the CDC and the right-of-way goes right between two houses. One of the residents is having some major problems with people parking beside her bedroom; she calls the police and she gets cursed out. So, the CDC has asked that the city put a variance in place where she can put up a fence to be able to live and sleep in peace. He wished this was a one step reading process, but we will come back and take care of this for her. This is located on the west side of her property and people are using it as a cut through to get to the retention pond and over to the church. The police try to uphold the law, but the traffic going through there is mostly legal. The tenant is an older lady and they have put up logs and those people come along, move the logs, and there is nothing this lady can do right now so that is the purpose of this vacation.

2. An Ordinance of the City of Leesburg, Florida, modifying the conditions of approval for a SPUD (Small Planned Unit Development) zoning on approximately 0.21 acres for property generally located south of West Main Street and east of south Moss Street, as legally described in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date.

Commissioner Burry 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 questioned with this being multi-family and that the parcel seems awfully small, what type multi-family dwelling would go here. **Timothy Sennett** stated they would be looking at a duplex for this size lot; similar to what is on Main Street. **Commissioner Robuck** thanked him and said he was just curious and does not have a problem with a duplex. **Mr. Sennett** said it is zoned R-2, which would allow for that and they are trying to get that area cleaned up.

3. **An Ordinance of the City of Leesburg, Florida, modifying the conditions of approval for a SPUD (Small Planned Unit Development) on approximately 0.43 acres, for property generally located south of West Main Street and west of Oakland Street, as legally described in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date.**

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. There were none.

4. **An Ordinance of the City of Leesburg, Florida, rezoning approximately 0.28 acres from C-1 (Neighborhood Commercial) to SPUD (Small Planned Unit Development) to allow for a mechanic shop for a property generally located north of West Main Street and west of Lone Oak Drive as Legally described in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date.**

Commissioner Robuck 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 why we were doing a PUD to allow a mechanic shop in neighborhood commercial. **Planning Manager (PM) Dan Miller** stated under the current C-1 zoning, a mechanic shop would not be allowed. In this particular instance they did a PUD and the only use would be for the mechanic shop and the single family; limited to those uses only. There are not a lot of other ways to do this and this is a one man operation. **Commissioner Robuck** said it seemed like such a minor change to have to go through this whole process. **PM Miller** added under the C-1 zoning it does not really work there, but given the specifics of this location, it is a hundred feet from west side and a hundred feet from main road. There is a cemetery located on the north side and it seems like it would work fine because it is such a small operation. **Mayor Christian** stated he has an issue with it being right next to a school and the only thing that separates them is a PVC fence. If he is working on a motorcycle and revving up a motor while kids are trying to learn math that could be a distraction. He knows the church had a long petition, but he is concerned about a motorcycle shop along side a school. **PM Miller** stated staff asked that same question when the applicant came in and he said that he works on motorcycles now for his friends so that is the reason why staff felt they could bring this forward. Obviously the Commission has the final decision so if there are some concerns about noise those could be addressed. The applicant is a one man shop, only works on one motorcycle at a time, and there could be something put in about that. **Mayor Christian** wanted to know if staff could write something in to stop him from turning this into a four man team so we do not have situation where he has twelve motorcycles being worked on at the same time because then we would have all kinds of complaints from the school and the community saying we approved a one man shop and now it is more. He knows the pastor and the church members have a lengthy objection and now there is another church being constructed right behind it, so there will be two churches with a lot of people and the school. He has not had the chance to talk to them and work this out, but he feels like this is going to be a major conflict.

C. NON-ROUTINE ITEMS

1. None

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

A. None

8. CITY ATTORNEY ITEMS:

CA Morrison had nothing this evening.

9. CITY MANAGER ITEMS:

CM Minner stated regarding the redistricting at the last meeting he tried to get it into the packet before it was distributed, but it had been in flux so at the last meeting they quasi approved the map that was before them; however, he pulled up the wrong map at the last second so what they actually said they liked was the one that had the Villages in district two. Basically it is the same composition, it has the demographics attached to it, and it is reasonably based on population. At that meeting, the Mayor brought up a concern with population and the disparity in the number of voters because those demographics did not show that. So, the charge was not to approve the districts and set the public hearing for March 22nd to allow time to put together a new map. He has brought that new proposal at the request of the Mayor and it focuses on trying to create that majority minority district in pursuant with the lawsuit. In doing that they had to make that districts look like they do now because essentially the highest percentage of African Americans live in two census blocks; Carver Heights and the Pine Street corridor. Those two census blocks are about eighty eight percent African American and around those blocks the numbers drop to around forty four percent, twenty four percent and then we have districts where there are none. So to get a majority minority district we had to link those two areas and that is what this current map does. While district one would be the majority minority district it is reasonably compact and contiguous. The problem came with districts four and five and how you split the remaining votes, he recalled the Shoreline Drive and Beverly Shores area, so to make that work they had to snake around the Newall Hill area. They had to split that area so those areas look like funny districts and that is why the map looks kind of ugly, but it is challengeable. The other map was more compact and contiguous and it fit the redistricting plans a little better, but in order to serve the purpose of creating that majority minority district and because of the lawsuit, this one becomes defensible and politically acceptable. Not only does it get the majority minority district, it pretty much stays with the principles of the districts. Also, Commissioner Connell would stay in district three, the Villages would go in the "new" district two, Commissioner Burry would stay in district five and Commissioner Pederson would be in district four. Then when the election comes around we would have the vacated district one seat from the termed out Mayor Christian and district two would be a new seat from Commissioner Robuck. It basically does the same thing as the charts, but instead of going by population, it simply shows those who are eligible to vote. They broke the districts down by that number and what they found is they could make it spot on with that criteria while making sure we did not go plus or minus the average in any district. We took the number of people over eighteen in the city with the population of twenty thousand and eighty two and divided that by five so each district would have approximately four thousand and sixteen people. The proposal tonight is in (district one) they have 3,939 people, (district two) is 4,036 people, (district three) is 4,025 people, (district four) has 4,035 eligible people and in (district five) 4,047 people, so in all districts those numbers are pretty tight. The range of discrepancy should not be plus or minus three percent of four thousand and sixteen and our range is negative 1.93. The biggest range was in district one of a little bit under four thousand and sixteen at three thousand nine hundred and thirty nine and the worst high range is .76% in district five, which is four thousand and forty seven versus four thousand and sixteen. The next barometer is the range of disparity; it should not be greater than 8-10% and our range of -1.3 to 1.76% and it is actually 2.7%. When you break the districts down based on the demographics of eligible voters eighteen and over we accomplish what you wanted, but we do get some sneaky districts which are defendable. **Mayor Christian** commented that we have four thousand people in each district or close to it, which is good.

CM Minner added that they could probably tweak district one again, because right now it appears to have a leg in it. We could possibly sneak a couple more people in there and punch across the boulevard to get that triangle where Holiday Marina is over to where Bentley Boulevard hits 441. We could probably grab a couple more houses in that area, but the reason we trimmed it back was to give district four a little more diversity. He did not want to pinch districts four and five too much more so he peeled a couple houses off. However, he does not think the city attorney would squawk too much about whether that orange bump comes out more if the Commission decides to put in a couple more houses there. He pointed out that we do need to be careful because district one is right at fifty percent and we do not want to change that number. We would absolutely have to go out and verify if an African American family resided in these homes before moving forward or chopping through more neighborhoods. Even though they had snaked it through there they still divided neighborhoods reasonably nicely. **Commissioner Robuck** asked, because it may become an issue with growth, when it comes to the consent decree is it majority African American or majority minority. **CM Minner** replied it is majority minority in the consent and it recognizes that the old way of doing business with the districts blocked out African American voter concentration and that five districts did not help represent the minority African American issues, which is what it specifically said. What the consent decree goes on to say is that you can not digress from that; it does not say you have to have a minority majority district, it says you have to constantly watch your districts and you have to constantly have a district where the African American vote is not diluted. That does not necessarily mean do a minority majority. He thinks the decree says it without saying it, but he would have to turn to the city attorney to move forward. If we create a district that does not have a majority minority in it; it needs to reflect that in the districts as a whole in the city wide demographics. However, we would also teeter with the challenges from that, it does not say it, but we are better off doing it. Once the Villages start developing we will always be able to develop a minority majority district and as they come in it will become easier. **Commissioner Robuck** agreed and said this was the spirit of it whether it says it or not; the intent was to create that district, but as the city grows and these districts get bigger how are we going to deal with that. **CM Minner** said as the city grows what happens is there will be more districts in the south that are smaller and the districts in the core of Leesburg will get bigger land wise. If everyone is good we can nip and tuck it some more and get this up on the city website and have it available for the public to see and review. He will have a PowerPoint presentation at the March 22nd meeting, which will include the map, and if the public has any questions regarding the redistricting plan they can contact his office.

10. ROLL CALL:

Commissioner Burry inquired as to the façade grants. **CM Minner** replied the façade grants got sideways because we did not put a lot of money into them for 2020 and then Covid hit. Staff was halfway through the review process internally and then the world stopped and now we are getting back to it. He spoke with Dan Miller about a week ago and the new planner has helped tremendously with a couple other things, so they are shifting this to her. They are hoping at the first meeting in April to have some recommendations. There is about fifty thousand dollars in each of the three CRA's to fund projects, but the big one was the downtown CRA; it has the most projects that will not get funding, but his goal is to bring it forward in April.

Commissioner Pederson commented that he attended the Big Ten NCAA Division One Softball Tournament a week ago on Sunday. He was out there in the afternoon, it was a beautiful day, he was talking with Alison Strange, she was the one that put this event on, she was extremely happy and pleased with the feedback she was receiving from the people participating in the event. He complimented the Recreation department; the facilities are great. He also complimented the Public Works department for fixing up the road leading in there and the Center for the Arts along with the Partnership for the food truck vendors at the event. It was a nice event, unfortunately they did not get to promote much due to the Covid restrictions because the crowds were small, but it was a great event and it was good for the City of Leesburg.

Commissioner Connell had nothing.

Commissioner Robuck had nothing.

Mayor Christian requested for future meetings, if when someone comes in asking for a hundred and ninety thousand dollars in credit that they be in attendance. **CM Minner** stated they were present tonight. **Mayor Christian** continued to say that on Friday they held the black tie gala and he wanted to thank the City of Leesburg and the sponsors who supported that event because it was a great event. The City Manager, the Chief and himself honored some great people in the City of Leesburg. The event was nice and everyone felt really comfortable. He was not sure if everyone was just excited to get out of the house and get around people, but it was done in a very safe manner. There was social distancing, people had their masks on, and everyone just felt very comfortable. The festival itself has been postponed until March 20th due to weather and he expects the same type of excitement along with safe social distancing for that event. He mentioned that it is his understanding that more Covid shots are available. The CDC met with hospital personnel and they are working really hard trying to get more people in Leesburg vaccinated. The hospital is working to make sure we are able to vaccinate as many people that would like to be vaccinated here in the City of Leesburg. He stated to be on the lookout for more press releases and if anyone wants their shots they need to contact their county commissioner and the hospital to let them know because the more people we have showing interest the harder they will push for them. He asked everyone to stay safe.

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 6:41 p.m.