

**CARVER HIEGHTS / MONTCLAIR AREA CRA
AMENDED AGENDA
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, MARCH 13, 2023 5:01 PM**

1. CALL TO ORDER

INVOCATION

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

2. APPROVE MINUTES:

A. Regular meeting held February 27, 2023

3. RESOLUTIONS:

A. Resolution of the Carver Heights / Montclair Area Community Redevelopment Agency of the City of Leesburg, Florida as to the Food Pantry projects.

1. Resolution of the Carver Heights / Montclair Area Community Redevelopment Agency of the City of Leesburg, Florida authorizing the Chairperson and Secretary to execute a Declaration of Covenants and Restrictions as to the Feed the Need project in favor of Lake County; and providing an effective date.

4. DISCUSSION AND UPDATE ON CRA GOALS AND OBJECTIVES:

5. ROLL CALL:

6. 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.

**AGENDA MINUTES
CARVER HEIGHTS/MONTCLAIR AREA CRA MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, FEBRUARY 27, 2023 5:01 PM**

1. CALL TO ORDER

The Carver Heights/Montclair Area Community Redevelopment Agency held a regular meeting on Monday, February 27, 2023, at Leesburg City Hall. Chairperson Burry called the meeting to order at 5:01 p.m. with the following members present:

Commissioner Allyson Berry
Commissioner Jay Connell
Commissioner Mike Pederson
Commissioner Alan Reisman
Commissioner Erika Jasper
Chairperson Jimmy Burry

Commissioner Kevin Conner was absent. Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, City Attorney (CA) Grant Watson, the news media, and others.

INVOCATION

Chairperson Burry 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. APPROVE MINUTES:

A. Regular meeting held September 15, 2022

Commissioner Pederson made a motion to approve the regular meeting minutes of September 15, 2022 and Commissioner Reisman seconded the motion.

The roll call vote was:

Commissioner Jasper	Yes
Commissioner Connell	Yes
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Chairperson Burry	Yes

Six yeas, no nays, the Commission approved the meeting minutes.

3. RESOLUTIONS:

- A. Resolution of the Carver Heights / Montclair Area Community Redevelopment Agency (CHCRA) of the City of Leesburg, Florida providing funding for the Home Improvement Grant Program for projects located within the Carver Heights / Montclair Area Community Redevelopment Agency for Fiscal Year 2023; and providing an effective date. (HIG CHCRA)**

ADOPTED RESOLUTION 102

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

Commissioner Reisman made a motion to adopt the resolution and Commissioner Jasper seconded the motion.

Chairperson Burry requested comments from the Commission and the audience.

Commissioner Connell stated this will come up multiple times tonight between all three CRA's and twice on the regular agenda. However, he will go back to his previous comments all along on these programs where the city is giving money away with no strings attached to the ownership and how long the ownership has to be on the property. He does not think we should be using taxpayer money to fund improvements to properties for people to turn around and flip the property and keep the taxpayers' money. This should be for homeowners and there should be a length of time they have to stay in the home before they can sell it. **Commissioner Jasper** asked if the nineteen thousand dollars was coming from the CRA budget. She would like to look at amending the budget to add additional funds because there are a lot of people in need of funding to assist them with their housing. Some people may have roof and window issues, so she would like to see this increased because nineteen thousand dollars is not a lot of money for a lot of needy individuals in the community. **Commissioner Connell** pointed out that he is not fundamentally against these grants. His fundamental issue is that there are no strings attached to any length of time of ownership once the improvements are made. **Commissioner Berry** questioned the four individuals on the list. Have the applications already taken place? **PZD Miller** answered the applications have been brought into the planning and zoning office where this program is managed. These are the four that were received. They were reviewed at staff level, so they are now here for approval. If they are approved, then there are two options. The homeowner does the improvements using a licensed contractor which has to be approved through building inspections prior to issuance of the check. They have also worked directly with some contractors who will do the work up front once these are approved and once it is inspected the check will be issued directly to them. **Commissioner Berry** inquired if the information was available to everyone and if the information could be pulled from the website. **PZD Miller** replied that it is available to anyone. It is on our website and there are applications at the Chamber of Commerce and at the Leesburg Partnership. **Commissioner Berry** wanted to know about the applications. Were these the only ones approved or did we have any that were not fully completed? **PZD Miller** answered that these were the only ones received. **Commissioner Berry** then asked if they were ready to go with applications? **Commissioner Jasper** asked if the individual applications had any code violations, because she wanted to further understand how the city came about receiving these. She was not aware that the application process had begun. She knows there were some other residents within the community

who were inquiring about this and they would like to submit their application as well. **PZD Miller** stated the information is mainly available on our website, but it is also available at the Leesburg Partnership and the Chamber of Commerce. He was not sure if everyone in Leesburg knew that these programs existed. **Commissioner Jasper** wondered if there was a deadline for submitting the applications. **PZD Miller** replied, yes there are deadlines. Normally, the window opens on October 1st and ends November 15th for applications. The staff processes and reviews the applications. They are then taken to the city manager for review, before coming to the CRA's for approval. **Commissioner Jasper** said she would like to amend the budget so they can increase this amount. **CM Minner** stated the funding for these is done every fiscal year. A certain amount of expenditure is planned for the Home Improvement Grant Program. The CRA then puts that into the budget. For this year, he could not remember how much was in there. There may not have been anything in there for this year because there were unspent funds from last year and we are trying to spend those funds. The typical cycle is October 1st, but the program was also written, such as if you fund it upon the budget, so if we do not have money or if we have extra money, they will do an extra cycle. Hence, why they are receiving these now. Pending approval from the CRA budget, it was twenty five thousand dollars for the Home Program and fifty thousand for the FSL Program. If they want to run another cycle on that this fiscal year, they probably could. They could do some advertising with Lakefront TV on the FSL Grant and Home Grant programs; it would be a good thing. That way they could get more word out. This program has been running about five years, so it would be a good thing to freshen it up to make sure we can get more participation. He suggested spending this allocation because they have it and they still have twenty-five and fifty thousand dollars separately for this year. He would spend that before making a new allocation. Also, around the corner, they will be having a discussion on the larger goals. Then they will be looking at the budget process behind that. If they want to make an additional appropriation besides what is remaining after tonight, they have three hundred and sixty thousand dollars that were not allocated in FY 22, so that could be moved over into the facade sign program or the home grant program. However, he would wait until they have further discussions on that. **Chairperson Burry** remarked that there were four applications. Are they just qualified or did we only receive four applications? **PZD Miller** replied there were only four applicants and they were all qualified. **Commissioner Berry** questioned the criteria. Could that be from anyone? **PZD Miller** answered it would have to be within the specific CRA boundaries. It also includes parts of South Street and East and West Main Street.

Carol Nichols, 2061 Montclair Road, stated she lives in Oakridge Condominiums, which is like a mobile home park but you own your own land. It says that this is the Montclair Area Redevelopment. Does that include her condominiums? **Commissioner Jasper** said she believes so, but they would have to verify the zoning map. **Ms. Nichols** asked if they could make a pathway from the park behind their condominiums to the apartments so people would stop cutting through their fences. They are breaking our fences and making them call the police. They re-dug the ditch next to their fence last year to get rid of rats and stuff, but that took away their path and now they are cutting through their land. She wanted to know if any money could go into fixing up the Montclair area where she lives. **CM Minner** remarked that he had spoken with her on the phone. Ms. Nichols has an operational issue and staff will work with her on this. Essentially, when the city built the fence around Berry Park and did some other things, it changed the pattern of the homeless folks in the area, so now more homeless folks are coming onto their property. They will work with her outside CRA or we may need to grab some CRA funds, but she has an operational issue. Chief Hicks spoke with her along with the Director of Public Works. **Ms. Nichols** said they are just asking for a path on the other side of their fence. It used to be there and it was taken away.

Commissioner Reisman asked if we could modify the application to state that they have to live at the residence or that the business has to be there for so long? **CM Minner** replied yes, they could modify the program by either resolution or ordinance; however, they originally adopted the program. If that is something the commission wants to do, they could do that. If they want that discussion now in the CRA

capacity or do that in the commission capacity, it would be something they agendaized to modify. **Commissioner Reisman** asked if they could do that at the next commission meeting. **CM Minner** answered or they could talk about it this evening. **Commissioner Jasper** added that a lot of homeowners who live here own the property. They are not renters or investors. They own the property and they have been living in these houses for a while. **CM Minner** stated there is a difference that the FSL Program typically deals with commercial bases. We do not have it where they cannot sell the property clause in there, similar to the downtown renovation program. The home grant program says they have to be a homeowner. At this stage, you have to be a homeowner to be eligible. So, John Doe would need to live on 1 Maple Street to be eligible for money to fix his home. However, it does not say he cannot sell his home after receiving those monies in the grant program. If they want to modify the program, it would need to be done across the board by like action. **Commissioner Pederson** mentioned that this was a matching grant too. **CM Minner** said the home grants are not matching. They are up to five thousand dollars and the sign grant is 80/20, up to twenty grand. If it is twenty grand, ten grand has to go in by the company to make thirty.

The roll call vote was:

Commissioner Connell	No
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Jasper	Yes
Chairperson Burry	Yes

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

4. ROLL CALL:

Commissioner Connell had no comment.

Commissioner Reisman had no comment.

Commissioner Jasper had no comment tonight.

Commissioner Pederson had no comment.

Commissioner Berry had no comment tonight.

Chairperson Burry had no further comment.

5. 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.

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appeal is to be based." The City of Leesburg does not provide this verbatim record.

The meeting adjourned at 5:16 p.m.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 3.A.

Meeting Date: March 13, 2023

From: Al Minner, (City Manager)

Subject: Resolution of the Carver Heights / Montclair Area Community Redevelopment Agency of the City of Leesburg, Florida as to the Food Pantry projects.

Staff Recommendation:

Approve CDBG grant agreement.

Analysis:

These two actions approve the Food Pantry project, while also accepting CDBG funding to renovate the City-owned building where the food pantry will be located.

Procurement Analysis:

N/A

Options:

1. Approve Resolutions as presented; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Budgeted Item

RESOLUTION NO. _____

**RESOLUTION OF THE CARVER HEIGHTS / MONTCLAIR AREA
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE CHAIRPERSON AND SECRETARY TO
EXECUTE A DECLARATION OF COVENANTS AND RESTRICTIONS AS TO
THE FEED THE NEED PROJECT IN FAVOR OF LAKE COUNTY; AND
PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CARVER HEIGHTS / MONTCLAIR AREA COMMUNITY
REDEVELOPMENT AGENCY OF THE CITY OF LEESBURG, FLORIDA:**

THAT the Chairperson and Secretary are hereby authorized to execute a Declaration of Covenants and Restrictions in favor of Lake County for the future Feed the Need (food pantry) project location.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the Carver Heights / Montclair Area Community Redevelopment Agency of the City of Leesburg, Florida, at a regular meeting held on the 13th day of March 2023.

Mayor

ATTEST:

City Clerk

Prepared by and return to:
Melanie Marsh, County Attorney (mw)
Lake County Attorney's Office
P. O. Box 7800
Tavares, Florida 32778

DECLARATION OF COVENANTS AND RESTRICTIONS

THIS Declaration of Covenants and Restrictions (the "Declaration") is dated _____, 2022, and is made by the **Community Redevelopment Agency for the Carver Heights/Montclair Area** (the "Owner" or "Sub-Recipient"), whose address is 501 W. Meadow Street, Post Office Box 490630, Leesburg, Florida 34749, **in favor of Lake County**, a political subdivision of the State of Florida (the "County"), whose address is Post Office Box 7800, 315 W. Main Street, Tavares, Florida 32778.

RECITALS:

I. The Owner owns real property located at 701 McCormack Street, Leesburg, Florida 34748, described in **Exhibit A**, attached hereto and made a part hereof (the "Property").

II. The County entered into a Community Development Block Grant Program Sub-Recipient Contract with Owner to assist in improvements to a future Feed the Need location located on the Property pursuant to that certain Sub-Recipient Contract between the County and the Owner (the "CDBG Partnership Agreement").

III. As a condition of the County's award of grant funds to the Owner, Owner has agreed to cause certain covenants and restrictions to be placed on the Property pursuant to the CDBG Partnership Agreement.

NOW, THEREFORE, Owner, in consideration of the premises and the sum of ten dollars and other good and valuable consideration, receipt and legal sufficiency of which is acknowledged by Owner, agrees as follows:

1. The foregoing recitals are true and correct and incorporated herein.
2. The following requirements required by the CDBG Partnership Agreement shall be covenants that shall touch and concern the Property and shall be deemed covenants running with the land:
 - a. The standards described in this section apply to real property within the Owner's control which was acquired or improved in whole or in part using CDBG funds in excess of \$25,000. These standards shall apply from the date CDBG funds are first spent for the property until fifteen (15) years after closeout of an entitlement Owner's participation in the entitlement CDBG program or, with respect to other Owners, until fifteen (15) years after the close out of the grant from which the assistance to the Property was provided.
 - b. The Owner may not change the use or planned use of any such Property (including the beneficiaries of such use) from that for which the funds were made unless the Owner provides affected citizens with reasonable notice of, and opportunity to comment on, any proposed change,

DECLARATION OF COVENANTS AND RESTRICTIONS

and the new use of such Property qualifies as meeting one of the national objectives in §570.208 (formerly §570.901) and is not a building for the general conduct of government.

c. If the Owner determines, after consultation with affected citizens, that it is appropriate to change the use of the Property to a use which does not qualify under paragraph (a)(1) of this section, it may retain or dispose of the Property for the changed use if the Owner's CDBG program is reimbursed in the amount of the current fair market value of the Property, less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, and improvements to, the Property.

d. If the change of use occurs after closeout, the provisions governing income from the disposition of the real property in §570.504(b)(4) or (5), as applicable, shall apply to the use of funds reimbursed.

e. Following the reimbursement of the CDBG program in accordance with paragraph (b) of this section, the Property no longer will be subject to any CDBG requirements.

3. This requirement shall remain in effect for the term stated herein irrespective of the sale, conveyance, or other transfer of the Property, and irrespective of the termination, satisfaction, release, or other discharge of any CDBG-related mortgage or the lien thereof upon the Property, and shall be binding upon the Owner, its successors, assigns and transferees, and all parties having any right, title or interest in the Property for a period not less than fifteen (15) years from the date of this executed agreement. Notwithstanding the foregoing, however, upon foreclosure by a lender or other transfer in lieu of foreclosure, the affordability period shall be terminated if such foreclosure or other transfer recognizes any contractual or legal rights of public agencies, non-profit sponsors, or others to take actions that would avoid the termination of low-income affordability; and further provided that the affordability restrictions shall be revived according to the terms hereof if, during the original affordability period, the Owner of record before the foreclosure or other transfer, or any entity that includes such former owner or those with whom such former owner has or had family or business ties, obtains an ownership interest in any of the Property.

IN WITNESS WHEREOF, the parties hereto duly execute this Agreement as of the day and year first written above.

OWNER:

**COMMUNITY REDEVELOPMENT AGENCY
FOR THE CARVER HEIGHTS/MONTCLAIR AREA**

ATTEST:

Signature

Print Name

Signature

Print Name

BY:_____

PRINT NAME:_____

ITS:_____

This ____ day of _____, 2022.

DECLARATION OF COVENANTS AND RESTRICTIONS

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ___ physical presence or ___ online notarization, this _____ day of _____, 2022, by _____ on behalf of **Community Redevelopment Agency for the Carver Heights/Montclair Area**, as its _____, who is personally known to me or has produced _____ as identification.

(SEAL)

Notary Public (Signature)
Print Name:

DECLARATION OF COVENANTS AND RESTRICTIONS

EXHIBIT A

LEESBURG, W C WILKINS NO 6 SUB LOT 3, BEG AT SE COR OF LOT 2, RUN N 0DEG 26MIN 53SEC E ALONG E LINE OF LOT 2 10 FT TO PT A, BEG AGAIN POB, RUN N 89DEG 48MIN 37SEC W ALONG S LINE OF LOT 2 146.29 FT, N 0DEG 26MIN 08SEC E ALONG W LINE OF LOT 2 A DIST OF 22 FT, S 85DEG 07MIN 08SEC E 146.72 FT TO INTERSECT PT A, BLK C PB 9 PG 67 ORB 5559 PG 1187

Alternate Key 1267358

Parcel ID 22-19-24-1000-00C-00200

Address: 701 McCormack Street, Leesburg, FL 34748

