AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, AUGUST 28, 2023 5:30 PM

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, August 28, 2023, at Leesburg City Hall. Mayor Burry called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Allyson Berry
Commissioner Jay Connell
Commissioner Mike Pederson
Commissioner Alan Reisman
Mayor Jimmy Burry

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

Mayor 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. PROCLAMATIONS:

A. None

3. PRESENTATIONS:

A. Special Events

CM Minner stated the purpose of this presentation is for the commission to consider whether or not the city should take over special events. There has been a lot of discussion about special events over the past thirty to forty-five days. At the last meeting, he was asked to bring this back to discuss how the City of Leesburg wants to promote special events. The City of Leesburg wants to ensure that we have quality events that make Leesburg a great place to live, work, and play. The city needs to compete with surrounding communities and events are something that people and businesses measure the community by. Special events are a fabric of our environment. The City of Leesburg is special for how we have promulgated events. A long time ago, we joined forces with the Leesburg Partnership. The Leesburg

Partnership formed about twenty-eight years ago. They formed for several reasons, but ultimately, that organization turned into a lobbying branch and a mainstreet organization that promulgated the benefits of the downtown. They also became the events arm for the city. At that time, the philosophy was that if we partnered with the Leesburg Partnership by helping to support the Leesburg Bikefest and Mardi Gras, enough revenue would be generated from those events to support the Partnership's secondary events. Instead of the city having that expense and city staff handling the events, the Leesburg Partnership would do them with the revenues generated from Bikefest and Mardi Gras. Some of the revenue from these events also went to other not-for-profit organizations like the Lions Club, Rotary Club and other groups that assisted them during those events. Their volunteer efforts and the residual monies funded other special events like the Beast Feast, the Fourth of July, the Christmas Stroll, and the Beer Craft. Some of those are ticketed events. However, for many years, the city saw value through that partnership and that partnership saved the city money by not having to be the producer of the events. That formula worked for many years, but for a number of reasons, the engine does not work anymore. In short, it was a product of its own success. However, there has been a decline in the number of folks who come to Bikefest and essentially there has been a decline in the profits. There is no seed money after Bikefest to support other special events. Based on their performance, it was not a bad event. However, based on the performance of the last Bikefest, their revenues were thirty to forty thousand dollars net and that is not enough to sustain the Leesburg Partnership in future years. Covid also had an impact on the events, but there were a number of things that impacted this event. The realization came about a month ago and the Leesburg Partnership board addressed this body asking for funding of $450,000. The commission did not say yes or no, but it was fair to say that the commission warmly welcomed the consideration of funding the Leesburg Partnership and the Leesburg Partnership took that as a positive thing. They went back and talked to some of their folks and at the end of the day they decided that maybe at this stage it was not the best avenue for the Partnership to do events anymore. Subsequent to the preliminary consideration of $450,000, the Partnership came back to the city, at staff level, and asked about the city taking over the special events.

Now, what would it look like if the city took over and managed the events and how would that be done? First, they looked at what other communities do. They looked at three major communities in this region which are the city's biggest competitors; Clermont, Tavares, and Mount Dora. Staff looked at how much they spent on the events and their staffing levels. The City of Clermont spends about $372,500 on special events and Mount Dora spends about $410,900 annually on their events. The City of Leesburg right now spends $38,400 on events with the Leesburg Partnership through the civic funding deriviate, and that is not a general fund impact. The City of Tavares is the interesting one because that would be the model he would use if the city took over the special events. The City of Tavares spends about $451,600 on special events, but those numbers do not include staff. The City of Tavares does theirs through two different avenues. First, they have what they call economic development events, which are the big named events; the planes and trains and BBQ festival, the Rocktoberfest and the Rythm on Ruby, which are all annual events. Those are the marque events for Tavares. Those events are funded through their downtown Tavares CRA and that is important to remember. They also have some underlying events, which are paid for through their general fund. That is the mechanism we need to look at, because based on the location of the CRA's, the residual monies in the CRA is how this organization would fund these events. The events would be funded using CRA monies because they would be hosted in the district. That is also a part of the CRA plan. It was tested and the expense was made through the CRA monies and TIFF monies. That is the model already out there. They know it works and it is reasonable.

If the city were to create a special events force, we would need more staffing. We would need about two and a half people. The way the organizational chart would go is first the city commission, then the city manager, and under the city manager is the recreation department, which is led by Travis Rima. He would suggest that the special events arm of the city be a division of the recreation department. First, they would need a special events manager who would manage and conduct all the special events. That person would be charged with bringing in concepts, administering the events and managing the events. They would receive support from the recreation director and himself. That manager would need an assistant, who would be called the special events coordinator. They would also get some part-time help. He added an events committee because this would be an important aspect of the city. The special events will be looked at with both pros and cons. There are a lot of different opinions about how to get into it, and having a special committee may or may not be the avenue the commission wants to consider. On the pro-side, having a committee would mean that the process has its checks and balances. For years we have operated under an events arm. It was quasi associated with the city, but not completely associated. Through good events and bad events, the city did not have to take the heat. It was an easy buck to pass. An events committee may be necessary to bring in folks to provide input on what events the city would want to hold. Moving forward, in the immediate future, there will be some unanswered questions, but that should not determine whether or not we do this. At the end of the day, we have the means to get this done. It is just a matter of getting the right personnel in place and bringing those folks on board to get everything started. He did not think there would be any technical problems, but we had not done this, so there could be questions. So, maybe we would want an events committee that says what events we will have. They could use that committee as a sounding board through him and the recreation director, which will then go to the special events coordinator.

Moving on, what special events would the city have? First, there would be three or four major events that would be conducted in the CRA district. The CRA district box goes from Newell Hill and it follows US-441 to Dixie. It goes around to 9th Street and it includes the Venetian Gardens. There would be three major events in that box. However, at this time, we do not have the answer to what those events would be. From the folks he had spoken to, they wanted at least two major events that would really blow out the fireworks. There would be different events that include different activities and the city would absorb all the costs. These events are no pay events. The city would sponsor all the trinkets and gadgets for the fireworks and whatever we put into that event, that would be absorbed by the city. There would also be a few minor sponsors. Another big event that they may want to continue and maintain is done during the holiday season. We have the Christmas Stroll, the Christmas Parade, the Christmas House, and the Light Up the Night. We may want to expand those major events where they last a couple of weeks or a couple of weekends. Those would be events that happen around the holiday season. We may want to build and beef them up to make them more special. We need to put ourselves on the map for having great events. Next, will we continue with Bikefest? If we do not, we will want to replace it with something else. The feedback that he has received is that if Bikefest goes away, we need to have another major event in its place. However, what that event would be we do not know. That event would be determined by the events coordinator. That person would help lead that event. That person would give some concept of what that event would be. That person will need to have some experience doing that. We may want to continue with Bikefest in some form or we may want to create a totally new event. We may want to come up with something completely different and we could bolster up Mardi Gras. That is where creativity comes in and the skies are the limit. It is whatever the city determines or as a group, whether it be the commission or the events committee. They could leave it for staff to figure out, but we need to have three or four major events.

We may want to continue with other recreational events. We have a family event section that includes the Bounce-a-Palooza, the Daddy Daughter Dance, Breakfast with Santa, and the Brunch Bunny. We also have conservative nature walks, fishing, kayaking, and hiking. We also have some sports marketing stuff and we have been doing more of that. The TDC just voted to give the city an additional three million dollars in funding. There is some additional stagging to go on before that becomes official. However, he was very excited about that. Commissioner Reisman serves on the TDC board and this is a very exciting proposition and, hopefully, the Lake County Board of County Commissioners will give the city some additional funding to help with the Susan Street and Sleepy Hollow projects. Allison Strange, of ASA, has worked really well with the city on finding different events and securing agreements with the NCAA. These types of events the city already handles and we need to continue them. We also talked about the concert concept at the Pat Thomas Stadium and doing different concerts at Ski Beach. We may want to go back to having movie nights or a farmers market. Those are options that we may want to do. We also want to help other organizations with some of the festivals they do; the Heritage Festival, the Juneteenth Festival, MLK parade, and the Back-to-School Bash. There are a number of events that we do not want to lose. With the ticketed events, those are the popular events. The Immersive Event is handled through the Leesburg Chamber. They also have the Beast Feast, the Art Festival, and the Chili Cookoff. There are a number of ticketed events that the not-for-profits will want to continue because they are good fundraisers for them. There would be a level of ticketed events that help the not-for-profits, like the Leesburg Chamber, the Downtown Business Association and maybe the Leesburg CDC. When it comes to funding, he was not sure what the numbers were, because the city has not dealt with this on an ongoing basis. However, the amount the city should start with is $450,000. That number matches some of the neighboring communities. $200,000 would be for personnel and the special events manager would be the critical piece. That position may be brought up on the payscale to make it a 136 position. That would then provide the ability to recruit someone else in between the $70,000 to $100,000 figure. It sounds like a big salary, but we need a big salary in that position because we need someone with an events background and experience. Whether that is someone locally or someone through recruitment that may come from out of town. We need to find the right person who knows how to promote events, who has a background in this area so they can help with new concepts and fresh ideas. They would need that support network underneath them and that is where the outline of the $200,000 for personnel comes from. That leaves about $250,000 in the CRA for operational issues that come up, whether that be funding for bounce houses or slides and maybe for major events. They may want to have a special internal organization where we issue short-term debt. Then, when new revenue comes in from different events, it could help offset that. In the future, that $450,000 would be offset by revenues brought in from having major events. Until we figure out what revenues are brought in from the major events, that subsidy of $450,000 from the CRA would curtail capital improvements in that district until revenues from the general fund, DST, or gas transfers come into fruition or until revenues start offsetting that expense. At that point, it will allow CRA money to be spent on capital improvements. There would be a trade off and it is up to the commission to determine whether we want to make that trade off. He suggested a 50/50 capacity that makes that tradeoff more reasonable because in future years they will see revenue growth in the general fund and there will be other revenues that come back to the CRA. If they do the events right, they may become self-sustaining or reduce the amount of revenue they need. If the special events are hosted in the events division underneath the recreation department, moving forward, they will want to manage what events occur on city properties. We do now to an extent, but it is pretty much free for all. If someone wants to do an event, they have to go through a process. In the city code they have to pay a fee and it goes through the development review committee and they stamp the event. They have come before the commission in the past for major events, like when the Partnership asked for special caveats in the district. Major events are set at five hundred people or more and that is lined out in the process. If special events come to the city, we need to better manage them, so on an annual basis, they will review this during the budget process. They will have an opportunity to say what events the city wants to do. The non-profits will still handle certain events and there will be tourist events. If they are not on that list from the getgo, then they do not do that event. That is important because part of the problem they see is we are having multiple events that tax the infrastructure, our staff and they may not be the quality events we want to see. Part of the proposed change and overview is that part of the code needs to be blown up and a new process put into place where the city commission determines what events we do. There may be a review by staff as they have the event's coordinator in place. Moving forward, it will come in steps.

Tonight he would like to get the city commission's direction. That direction could be to put this in the budget and they can make a formal vote on it in September. The meetings that will cover the proposed budget will be on September 14th and September 25th. That is when they formally adopt the budget on first and second reading. That is when they can say yes or no. They can say yes, let's do it because that would save some time or they can say, kings x, we are not doing it, and give the Leeburg Partnership $450,000 or they could decide not to give the Leesburg Partnership any money at all. There are a lot of options, but he suggested funding the partnership or taking it inhouse. If they take it in-house, there will be a couple more steps that need to be done. However, the first thing is to say yes or no to the process. At that point, it would be put into the budget. If the commission says yes, they will move to step three, which would be to start the recruitment process for the events manager. They would be able to put that lead position out just after Labor Day in the market place to start the recruitment process. It would shave about thirty days from the process. If they say they want to wait until it is approved in the budget, they will not be able to get that out until October. The next step is to introduce this to the public. They have had a few conversations with the Partnership Executive Board on how that would look. The Partnership Dinner has been canceled for this year. Perhaps, towards the end of October or the first part of November, they could rekindle the Partnership's Annual Dinner and that will be where they pass the football persay. They can talk about how to do that and how they see it in the future. There were a couple of events that the Partnership expressed they wanted to continue. They should continue those events, but include city staff's assistance in the interim. Then, hopefully, by the new year, we will be off and running with the new organizational structure and what type of events we want to do. If the city takes on special events, that is how we should proceed.

Mayor Burry asked if there were any questions from the commission. **Commissioner Connell** asked how many events the new department would be involved in? **CM Minner** answered that the events need to be broken down into major events and secondary events. There is no limit on the secondary events, but the limit needs to be that we find that happy medium for what quality events we have and how many we can perform. We need to figure out how many events we can have that are good quality events, that represent Leesburg well. There will be some yibs and yangs to determine what events will be best. We will want between two and four major events, but we need to determine what we want our nitch to be. There will be the major events; Bikefest, the Fourth of July event, and big holiday events that are open to the public. That may have some revenue generators imbedded in them through vendor signups and alcohol sales. They would mimic the engine from what the Partnership did. The difference is that they do not have to have these events generate significant monies, we just need to break even or have a smaller subsidy and get the balance on subsidies. Making money is not the ultimate goal, breaking even, and having quality events or a small subsidy is the ultimate goal. We would also continue the secondary events and how many of those there are will be determined by what is well received by the community. How those events are pulled off will be determined and how well the recreational director and the events manager manage different events. That includes the Daddy Daughter Dance, the Easter Bunny and all the other events. For the number of special events, he did not have that answer, but those they would want as ticketed events handled by non-profit organizations. All in all, we may have around twelve events per year. **Commissioner Connell** questioned where the city's revenue source would come from to recoup the money. Would that be from the vendors? **CM Minner** responded that the city's revenue source to recoup revenues would rely on how that major event is setup and what that event is. It could be from the vendors, alcohol sales, or sponsors. However, until we have more of a feeling about what that event will be, he could not say what that revenue source would be. If they recreate Bikefest and the city manages it, he would say the source of revenue that went to the Partnership would come to the city. That would include alcohol sales and vendor sales. That would now be the revenue source for the city and it would offset the contribution from the CRA. **Commissioner Connell** said as far as alcohol sales go, the Partnership had a beer and wine license that the vendors operated under. How would the city contend with that? **CM Minner** replied that is a question for the city attorney, but the city would then become the umbrella, or an associated agency they may want to create that is not necessarily the city, but run by the city. That would become the umbrella. Does that increase liability? Yes, and is that something we should ultimately worry about? No, because liability is what we deal with. Having the city run the events verses the Partnership or any other not for profit has never taken us out of the liability equation. The City of Leesburg is associated with all the major events. He could not say that the liability would not increase, but he would not make the decision based on that being an increased liability. **Commissioner Connell** mentioned that he was not overly concerned about the liability. He just asked if the city were to take this over, would the city create a nonprofit entity to apply for alcohol licenses for these events to operate. **CM Minner** responded that he could not answer yes or no. He did not want to answer that definitively, because there are a lot of different concepts. This evening is the concept mode. He would not want to give a definitive answer to that. We have experienced folks from the Partnership that we will work with. They will help bridge the gap, but it will take some experience. That is something they can get done between him, the recreation director and staff, including the Partnership. He did not know if that was a comforting answer, but it was an honest answer. They will get through it and they will figure it out and it will work. **Commissioner Pederson** pointed out that the Leesburg Partnership purchased insurance to protect themselves from liability for these events. **CM Minner** agreed.

Mayor Burry wanted to bring up a point before getting too deep into this of whether there was a consensus from the commission that says they want to take over these events. We are making assumptions, yet he has not heard anyone say yes or no. He would like that before moving forward and before they get too far into this. **Commissioner Berry** said she wanted to support the change in how events are planned and managed. However, she wanted to be clear before voting or making any further decisions that the expectations of staff or whoever plans the events be mindful of creating new events and that they obtain input from the community, especially in the CRA box. They need to work diligently to create events that would capture all of the city and they will celebrate cultural diversity in all of Leesburg. There could be meaningful educational programs as well as entertaining and all-inclusive entertainment. That was one thing she wanted to put onto the record. **Commissioner Pederson** mentioned he was not sure why this would fall entirely on the Downtown CRA. He can see maybe half, but these are city-wide events that all Leesburg residents benefit from. That also includes all people outside the city. We should not be taking money away from the CRA. He would like to cut that in half and keep some money in the CRA to continue improving the downtown. He fully supports this, but he scratches his head about why the Downtown CRA would fund 100%. We do events in Carver Heights, on Pine Street, and all over town. **CM Minner** commented that it was a wide open question. There are a number of layers to that question about why it would come from the Downtown CRA and that is because that is where the easy money is and most of the major events would be in the CRA district. It would be an easy revenue source that would not have an impact. The next source would be the general fund. Right now, the general fund is paying $25,000 towards the fireworks. As this materializes, they will see less of an impact on the CRA and a more diversity of funding sources for all the events. He did not have that answer, but if we take over the special events, we will figure out how to make it work. We just need to get things started. They will figure it out as they get into FY 25. They will then have some experience under their belts and hopefully they will have a source of revenue and general fund monies along with CRA monies to make the wheel turn. However, we do not see that happening in year one. **Commissioner Pederson** commented that would be fair. He would support this and he really missed the events during covid because they do create a quality of life. He would like this approved tonight because he will not be able to attend the September 28th meeting and time is of the essence. He did not want to risk this not being approved on the 28th. **Commissioner Reisman** stated he was in favor of this. He would also like to vote on it tonight. He would like all the events, especially for the Leesburg residents, and families of four or five kids to be free. It has become very costly for larger families. He would like all Leesburg residents to come and enjoy the events without having to pay for them. **Commissioner Connell** said he was not opposed to the city having special events because we should, but to appropriate half a million dollars to a brand new department without having a good template for how it will work is a bit premature. We need better answers to the different questions. Appropriating this kind of money with the idea of figuring out as we go is a no. **Commissioner Pederson** remarked that he respectfully disagreed with that comment. **Commissioner Reisman** mentioned that they would mimic something like the Partnership already does, but it would be handled at the city level. **Commissioner Connell** pointed out that it was a failed model. **Commissioner Pederson** said they could spend months analyzing this, but we just have to get into the trenches and give it a try. It may not work and we may end up hiring a company to handle it. Who knows? We need to keep the events going in some form or fashion. If we do not fund this, the events will go away and that is not good for the residents. **Mayor Burry** said it was obvious that there were three supporters and he was also in favor of having events in the City of Leesburg. When looking at the money, we gave about $38,000 to the Partnership and they have been doing all the events. Now, we want to put $450,000 in it. He would say that the Partnership made their money off of alcohol sales. That is where their revenue comes from. If we take over those events in order to offset the taxpayer dollars going into them, he would want the city to make some money off the events to decrease the costs. That is important. **Commissioner Connell** agreed. That was his point. He was not against it because these are great events, but they should have a better plan before appropriating half a million dollars and only saying they would figure it out as they go. For him, it is not great business finance to operate that way. **Commissioner Reisman** mentioned that all the surrounding cities do this model so they would mimic or get input from them as well. **Mayor Burry** stated at this point they should have a vote and let the city manager get more into the specifics. **CA Watson** agreed and stated the city manager was looking for directions on how to get this started. It will come back with additional information in terms of the specifics they need to iron out moving forward. **Commissioner Pederson** said he would make a motion to approve the $450,000 budget. He was afraid that in his absence on September 28th this would be voted down or at least at risk. He respects Commissioner Connell's comments but we need to give this a try. If the other three cities could do it, he was confident that Leesburg could pull it off.

Commissioner Pederson made a motion to move forward with the funding of $450,000 for the next fiscal year and Commissioner Reisman seconded the motion.

Commissioner Connell stated that without some type of plan, he could not go along with it. We are putting the cart before the horse and we should have a plan. As Commissioner Reisman said, we could model this from other cities, but he would like to see those models and how they do it before approving $500,000 of taxpayer money.

The roll call vote was:

Commissioner Connell	No
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Mayor Burry	Yes

Four yeas, one nay, the Commission approved moving forward on the special events concept.

CM Minner commented that moving forward, the first immediate thing that will occur is he will get back with the Partnership to start setting up a transition for how we move from one organization to the other. There will be an advertisement to start recruiting for the events manager position and the numbers they saw earlier will be put into the FY-24 proposed budget under the CRA division. When it is approved next month, these items, positions, and expenses will be in the budget for formal approval. **Commissioner Berry** asked if the event manager's salary would change with the increase? **CM Minner** answered no, that was put on the scale that was adjusted July 1st.

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.

Gary Custer of 8909 East Treasure Island Avenue, Leesburg, said he has been here before to talk about CR 44 and annexations. A prime example of what is happening on CR 44 is at the new Silver Lake Pointe development. That keeps flooding on to CR 44. He spoke to the city and the city said it was a county problem because it is a county road. He then talked to the county and the county said it is a city issue. He was only getting fingers pointed at the other guy. They went to St. Johns and got them involved. They met with the city and the site developer. They kind of solved the problem until the other day when it rained and it washed away the dam they built. They are damming off the boulevard entrance. They are damming off the whole thing and water comes gushing out and it washes the dam away. The city manager sent him pictures of their solution and the three layers of silt fence did not work. It came out of the driveway and down the road. There is a hurricane coming and is that going to happen again? Probably. He spoke with an individual who was tasked with taking care of that situation every time it rains. He said that they tried to tell them it was an engineering problem. They do not know what they can do and they have tried everything. They have two big pumps and they even dug the retention ponds deeper to retain more water. They are also using big pumps to pump it back over the hill back down behind. That is not a solution, it is a bandaid. He was unsure if the city polices these things for the new developments. If they do not, no one will fix it. That was why they had to get St. Johns involved, because it was all draining down into the swamp at the bottom of the hill.

John Christian of 903 CR 468, Leesburg, said he was there to represent the Men of Distinction. On the civic funding, the question came up about the Community Development Corporation and their contribution of $3,800. Those funds are used for the Leesburg African American Festival and it is hosted by the Men of Distinction. They have been doing that for twenty-two years. With that funding, he wanted to correct the city manager on ticketed events. The gala is a ticketed event, but the festival is a free event. Without the funds from the city, they would not be able to do the festival. The gala maybe, but not the festival because that is not a money maker. Leesburg is the second largest city in Lake County and it is probably the only city that does not have a Black Heritage Festival in February. We do it in March to coordinate with the other cities and their festivals. He thanked Commissioner Berry for causing him to pause and he did not want the city to make that decision. He hoped he had answered the questions about what the funds were used for. The CDC is a major sponsor of that event and it is hosted by the Men of Distinction.

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.C.2 - Approving a Leesburg Surplus Lot Donation Program

Commissioner Reisman moved to adopt the Consent Agenda except for 5.C.2, and Commissioner Pederson seconded the motion.

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	Yes
Mayor Burry	Yes

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

A. CITY COMMISSION MEETING MINUTES:

1. **FY 24 Budget Workshop held July 6, 2023**

2. **FY 24 Budget Workshop held July 11, 2023**

3. **FY 24 Budget Workshop held July 13, 2023**

4. **Regular meeting held August 14, 2023**

B. PURCHASING ITEMS:

1. **None**

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida, approving a Proportionate Share Agreement entered into by and between the School Board of Lake County, Florida, TLC Hodges Reserve, LLC, and the City of Leesburg, Florida, to allow for payment of Lake County School Impact Fees; and providing an effective date. (Hodges Reserve Prop. Share)**

ADOPTED RESOLUTION 11,369

2. **Resolution of the City Commission of the City of Leesburg, Florida adopting and approving a Leesburg Surplus Lot Donation Program; establishing policies and procedures; and providing an effective date.**

ADOPTED RESOLUTION 11,372

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 Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

Commissioner Berry wanted to make note of the moratorium that was put into place on the infill lots. First she thanked everyone for working on this. If this gets approved, they can move forward with the policies and procedures in place. That was the first and foremost what she wanted to work towards. She wanted to make sure it was equitable across the board. She thanked the housing department for making sure that information was provided. The purpose of the policies and procedures was to formalize the best past practices. She wanted to promote transparency in the process for non-profit partners interested in participating and to encourage as much partner participation as possible with the maximum number of lots. They will monitor the inventory and it will eliminate the possibility of over reaching and monopolizing land by one organization. It ensures a success story for everyone and everyone can have a bite of the apple. For the record, she wanted to convey her support and enthusiasm for this project. Transparency and fairness is essential and they all recognize the need for more affordable housing in district one as well as throughout Leesburg. We have thirty-six parcels available and twenty-three are under the City of Leesburg and thirteen are under the CRA, of which twenty parcels are located in district one. She wanted to make sure that everyone was clear about that. It was with great hope that if this passes they can move forward and release the moratorium. **Commissioner Reisman** stated he was in support of this, but he would like to see it say the developer may request one three-year extension from the city so that way the property does not sit vacant for six years. If nothing happens with the property after three years, it reverts back to the city and they are not given an extension. Also, some of the properties have many acres. Instead of acreage, it is a single lot and not acres at a time. **Commissioner Berry** thought it went by parcel or the alt key number. **CM Minner** responded that the policy covers the nation of city property. That is any property they may donate. He does not think that this body wants to strap themselves down and define what they are and what they would not donate. They may want to have some legislative liberty to decide what they want to do. There will be different answers. They may want to give the donation of properties that are on the surplus list to some type of activity that is not contemplated for low to moderate housing. They do not want to tie this policy to the surplus list. They may want the policy for donating surplus properties for the purpose of constructing low to moderate income housing, but do not tie the policy to the surplus list. The surplus list is the lots they will be able to donate. For example, on the list there is a number of lots, which are individual lots; 100x50, 100x60 and 75x75. One lot is four acres and there are a series of lots located on Alabama and Nebraska that have acreage. Historically, it was seen as a low to moderate income subdivision. Maybe in the future they do not want to use Alabama and Nebraska as a housing subdivision. It could be an extension of Berry Park. It could be a commercial endeavor that they want to donate too. Delineate in their minds a lot donation policy for low to moderate income housing verses what lot they would donate. The preponderance of vacant lots are located in district one. That does not mean that every lot in district one will be developed for low to moderate income housing. The policy governs who they will donate and that maybe not for profits for low to moderate income housing. It puts criteria for who the ultimate owner of that home is. Commissioner Reisman inquired about the house not being built in three years. They could delineate that it comes back to the city and they may want to keep that open. It is open now. It says they can extend it or they could give them some discretion to say yes, extend it or no and the city will take it back. It does come back to them at the end of the day. He believes the policy is written where it needs to be. It functions, it gives transparency and discretion about who they do and do not lend to. It sets time perimeters to share the wealth of the existing inventory. He recommended not marrying the inventory into the policy. **Commissioner Berry** asked about the existing inventory and there being a lot in district four and two in district two for the City of Leesburg. Would those be open to non-profits? **CM Minner** answered yes. **Commissioner Connell** wanted to confirm that each lot would come back to the commission for approval to donate. **CM Minner** said yes. **Commissioner Connell** said anyone could be a partner if they are a non-profit organization. This will not be confined to two or three different organizations. **CM Minner** agreed. **Commissioner Connell** asked if they would go in and apply to the city to be a partner? **CM Minner** stated they would come into the city and they would give them a request that said they were looking at the inventory and that they wanted a certain lot. They would process that at a staff level and make sure they are determined to be a bonafide 501(c)(3) and that they are registered with the Department of State. Once they meet the clearing checks, they will bring the request to the commission which includes a quitclaim deed that the city attorney will draw up. That would change the title from city to not-for-profit. **Commissioner Connell** remarked that in the proposal there would be a five-year window. If they sold it or did not live in it for five years, they would have to pay a portion back to the city. However, he did not see any provisions for what they would pay back to the city. How do they know what the properties are worth if they are just giving it away and what would be owed back to the city? **CM Minner** answered that it could be broken down more or they may want to establish that in the granting document. They may want to come up with a value that says the city values it at an "x" dollar amount and that can be determined by the fair market value. Most of the lots are between five and ten thousand dollars for a single parcel. They may want to just stick a value in that resolution for changing a deed and that will establish a value which that value would decrease over the five-year period. **Commissioner Connell** wanted to know if that should be in it now before it is voted on. **CM Minner** said they do not need that in the policy because each one will come back to the commission for approval. That is written in the policy now. **Commissioner Connell** inquired if that would be determined at the time it is given away. **CM Minner** replied yes, values will increase on the inventory unless you give all the lots away next week. Hopefully, the value of those properties increases, so a property they give away today may be worth five thousand dollars and a similar property next year could be worth seventy-five hundred dollars. They do not want to limit themselves. **Commissioner Connell** wanted to know if something needs to be put in the policy that states the value needs to be done by appraisal before it is granted. What method will the city use to determine the value? **CM Minner** answered the policy states that they have to have the property for five years with a declining value. That would go into the agreement and there would be an established value. That is where the money would return. They do not need that in the policy, because each agreement will have that requirement. **Commissioner Connell** wanted to know how the established value is done? **CM Minner** replied it is done by what the fair market value is. He does not believe they would want an appraisal done on each lot, but the city wants to control that. If someone wants the lot, they will say the value is five thousand dollars and if they want to argue over the value, then the city will not donate the land. **Commissioner Berry** asked if it was fair to say fair market value at a percentage. **CM Minner** answered they need to keep the options open. Rules and structure are important and they have their place, but they also want some wiggle room for the legislative priority too. What they have established is a clear and transparent process and values do change. They do not want to update the policy every year. **CA Watson** agreed and said that they would all come back and each parcel was different. There are a number of things that could impact the value of each property. The city may have carried certain properties and they have costs in properties that are different from one to another. Having a broader policy is best because each one would come back for review and at that time they will determine a fair and equitable figure for each lot. **Commissioner Connell** said the resolution says five years, but he did not see a proration for what they would pay back to the city if they sell it or the homeowner gets rid of it within five years. **CM Minner** stated the policy has the statement that the money will be returned, that is something they will put in each and every title exchange. At that time, they will determine a value and if it comes back to the city, we will be covered because every lot that they donate will come back to this body. They are not giving away thirty lots with this policy. They are establishing a way to give away lots and those lots may not even be in the current inventory. This is a high level policy for how they give away each lot. As they give away each lot, it will come before the board and they will want to set perimeters based on the different things that are associated with each lot.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	Yes
Commissioner Reisman	Yes
Mayor Burry	Yes

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

3. Resolutions approving the execution of Utility Construction Reimbursement (Pioneering) Agreements with Troon Creek 2, LLC for Wastewater and Potable Water.

a. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Utility Construction Reimbursement (Pioneering) Agreement with Troon Creek 2, LLC for construction of a Wastewater Force Main; and providing an effective date.

ADOPTED RESOLUTION 11,370

b. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Utility Construction Reimbursement (Pioneering) Agreement with Troon Creek 2, LLC for construction of a Potable Water Main; and providing an effective date.

ADOPTED RESOLUTION 11,371

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

A. SECOND READING OF ORDINANCES

CA Watson asked anyone wishing to provide testimony on items 6.A.3, 6.A.6, or 6.A.8 or on the first reading items 6.B.1, 6.B.2, 6.B.3, 6.B.4 or 6.B.6 to stand so he could swear them in. He swore everyone in.

1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 1.45 +/- acres; and generally located west of Whitney Road and north of State Road 44, lying in Section 19, Township 19 South, Range 24 East, Lake County, Florida. Providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed

property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 2; and providing an effective date. (City of Leesburg Electric Substation SR 44 Davis AX)

ADOPTED ORDINANCE 23-40

Commissioner Reisman introduced ordinances 6.A.1, 6.A.2, and 6.A.3 to be read by title only. CC Purvis read the ordinances by title only.

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

PZD Miller stated this was a City of Leesburg substation consisting of approximately 1.45 acres. It was for annexation, a small-scale comprehensive plan, and rezoning. This would take it from rural transition to institutional on the future land use and from Lake County Agriculture to City of Leesburg Public on the zoning. It is for a new electrical substation which would add to the electrical capacity and capability in that area along SR 44, just west of Whitney Road.

The roll call vote was:

Commissioner Berry	Yes
Commissioner Connell	Yes
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Mayor Burry	Yes

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

2. **An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 1.45 +/- acres from Lake County Rural Transition to City of Leesburg Institutional, for a property generally located west of Whitney Road and north of State Road 44, lying in Section 19, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (City of Leesburg Electric Substation SR 44 Davis SSCP)**

ADOPTED ORDINANCE 23-41

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

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

The roll call vote was:

Commissioner Connell	Yes
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Mayor Burry	Yes

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

3. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 1.45 +/- acres from Lake County A (Agriculture) to City of Leesburg P (Public) for a property generally located west of Whitney Road and north of State Road 44, lying in Section 19, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (City of Leesburg Electric Substation SR44 Davis RZ)**

ADOPTED ORDINANCE 23-42

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Berry seconded the motion.

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

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	Yes
Mayor Burry	Yes

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

4. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 0.33 +/- acres; and being generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 2; and providing an effective date. (VOWL 0.33 Acre)**

ADOPTED ORDINANCE 23-47

Commissioner Reisman introduced ordinances 6.A.4, 6.A.5, and 6.A.6 to be read by title only. CC Purvis read the ordinances by title only.

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

PZD Miller stated, several years back when the city sold the property to The Villages, they brought forth an area they wanted to have annexed and rezoned. Through some eighty pages of legal description and thousands of words and directions, a .33 acre was missed. They found out after it was platted. The Villages came in and they worked together to make it right. It was an inadvertent leave out on a very large technical legal. At the last meeting, he indicated that this property was included in the original Chapter 163 Agreement and that is noted in the ordinance as well.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	Yes
Commissioner Reisman	Yes
Mayor Burry	Yes

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

5. **An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing approximately 0.33 +/- acres from Lake County Public Service Facility and Infrastructure to City of Leesburg Age Restricted Development, for a property generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 0.33 Acre)**

ADOPTED ORDINANCE 23-48

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

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

The roll call vote was:

Commissioner Berry	Yes
Commissioner Connell	Yes
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Mayor Burry	Yes

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

6. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 0.33 +/- acres from Lake County A (Agriculture) to City of**

Leesburg ARD (Age Restricted Development) to allow for residential uses for a property generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 0.33 Acre)

ADOPTED ORDINANCE 23-49

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

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

The roll call vote was:

Commissioner Connell	Yes
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Mayor Burry	Yes

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

7. **An Ordinance of the City of Leesburg, Florida, Consenting to the Inclusion of the City of Leesburg, Florida, within the Countywide Municipal Service Taxing Unit for the Provision of Ambulance and Emergency Medical Services, as Adopting by the Board of County Commissioners of Lake County, Florida; providing for the City to be included within said M.S.T.U. for a specific term of years; providing for conflicts; and providing an effective date.**

ADOPTED ORDINANCE 23-50

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

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

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

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	Yes
Mayor Burry	Yes

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

8. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 11 +/- acres from City of Leesburg SPUD (Small Planned Unit Development) and R-3 (High Density Residential) to City of Leesburg SPUD (Small Planned Unit Development), for a property generally located east of Executive Boulevard and south of State Road 44, lying in Section 29, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Good News Church Public / Private Partnership SPUD)

ADOPTED ORDINANCE 23-51

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

PZD Miller stated this was for the Good News Church. It is to amend an existing small planned unit development to add property that consists of the lot immediately to the south. That property is currently zoned R-3 high density residential and it sits in the middle of an industrial park. It is approximately 11.3 acres. The request is to add a use for police k-9 training. It would take that R-3 out of the industrial area which staff would like to see. The police department could then use it for various purposes under the SPUD. It would mainly be used for work by the police department for k-9 training. They did not anticipate any negative impacts and Greg Belieavu of LPG was present along with Captain Mack from the police department if there were any questions. **Commissioner Connell** inquired whether the church owns the property and if they were allowing the police department to use it for k-9 training. **PZD Miller** said that was correct. There is a field out there with some goal posts and a lot of it is wetlands, so this would be a perfect use. It would be very tough to build on and the church has been working with LPG and the police department on this. **Commissioner Connell** asked if they were going to just let them use it or would they be renting it? **PZD Miller** stated it was an agreement with the police department.

Greg Belieavu, of LPG and a member of the church board and church, stated the police department has been looking for a place to train their k-9's and the church has an existing ballfield located on their property. They purchased the property from the Boys and Girls Club years ago. Then they purchased the ball field a few years later. They used it as a ball field and a recreational area for the church. There has been problems in that neck of the woods for a few years with drag racing at night, along with a few other items they have to deal with like syringes that are left on their ground. It is dark and secluded when the church is not open. When the police department asked if they could use it for k-9 training, the church thought it was a great idea considering some of the activity happening there. Previously, when they called the police department to come chase people out, the people would be gone by the time the police got there. The people knew we were calling the police. They believe it is a great marriage between the church and the police department. They are not charging the police department. It would be a freebie for them. It would be a great opportunity to have the police department there with the dogs. They would make their presence known on a regular basis and the neighborhood would know that they are there. It makes the industrial folks know that their presence is there and it will make them a little happier. Jokingly, he said they came down and started working and the code enforcement staff showed up and said no they could not do that. They could not go down there until they amended the PUD. They thought that with it being a public use and it being a semi-public use, that they could skirt them into the existing PUD. However, they were told no and that they had to amend the PUD. The trusted code enforcement caught the police department on church property and that is why they are here. All the arms of enforcement are working. They are getting their money worth. **Commissioner Pederson** mentioned that code enforcement does fall under the police department.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	Yes
Commissioner Reisman	Yes
Mayor Burry	Yes

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

9. **An Ordinance of the City of Leesburg, Florida amending the City Code of Ordinances by amending Chapter 5, Section 5-6, Consumption of and open containers prohibited on public property; exceptions; amending Section 5-6.2 Consumption of or possession of alcohol in open containers near store selling alcoholic beverages; amending Chapter 18, Streets, Sidewalks, and other Public Places; providing for severability; providing for conflicts; providing for inclusion in the Code of Ordinances; and providing for an effective period and effective date.**

ADOPTED ORDINANCE 23-52

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

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

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

The roll call vote was:

Commissioner Berry	Yes
Commissioner Connell	Yes
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Mayor Burry	Yes

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

B. FIRST READING OF ORDINANCES

1. **An Ordinance of the City of Leesburg, Florida, ratifying and readopting Ordinance 17-07, pertaining to a change in the Future Land Use Element of the City of Leesburg Comprehensive Plan, to establish the Orange Bend Future Land Use Designation and creating applicable Goals, Objectives and Policies, and ratifying and readopting Ordinance 17-08 pertaining to a change in the Future Land Use Map to Orange Bend, for property generally situated in Section 33, Township 18 South, Range 25 East, Lake County, Florida, to ensure compliance with the procedures of Chapter 163,**

Florida Statutes for adopting Large Scale Comprehensive Plan Amendments relating to said property, directing transmittal to the reviewing agencies; providing for severability; and providing an effective date. (Orange Bend)

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

Mayor Burry requested comments from the Commission and the audience.

CM Minner stated items 6.B.1, 6.B.2, 6.B.3, 6.B.4, and 6.B.6 concern final transmittals, where after a municipal corporation goes through the annexation process that includes a comp plan and rezoning, the city has to notify the Department of Economic Opportunity that the final hearing was done. The state then closes the matter and lists it. It was caught through an electronic transmission where the city wanted to go from paper submittals to paperless and the electrical submissions that were sent after final closing were somehow not received by the state. They said they never received it and we said we sent it. So, the state said we needed to make a cure ordinance to make sure everything is good. This happened to five subdivisions; Orange Bend, Leesburg Fruit Company, Silver Lake Estates (which is the golf course), Ranches of Orlando, and the Windmill property. This is a repeat of those items. **Mayor Burry** inquired if these were approved around 2015 to 2017. **PZD Miller** stated yes and during that time they were trying to go paperless. **CA Watson** added that this is the first step. The next step would be the transmittal to the state agencies and then come back for a second reading after that transmittal is done.

2. **An Ordinance of the City of Leesburg, Florida, ratifying and readopting Ordinance 15-46, pertaining to a change in Future Land Use to Medium Density Residential, for property generally situated in Section 16, Township 19 South, Range 24 East, Lake County, Florida, to ensure compliance with the procedures of Chapter 163, Florida Statues, for adopting Large Scale Comprehensive Plan Amendment relating to said property; directing transmittal to the reviewing agencies; providing for severability; and providing an effective date. (Leesburg Fruit Co.)**

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

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

3. **An Ordinance of the City of Leesburg, Florida, ratifying and readopting Ordinance 15-51, pertaining to a change in Future Land Use to Estate Residential for property generally situated in Section 1, Township 19 South, Range 25 East, Lake County, Florida, to ensure compliance with the procedures of Chapter 163, Florida Statutes for adopting Large Scale Comprehensive Plan amendments relating to said property, directing transmittal to the reviewing agencies; providing for severability; and providing an effective date. (15-51 Silver Lake Estates)**

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

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

4. **An Ordinance of the City of Leesburg, Florida, ratifying and readopting Ordinance 15-43 pertaining to a change in the Future Land Use to Estate Residential for property generally located in Section 27, Township 20 South, Range 24 East, Lake County, Florida, to ensure compliance with the procedures of Chapter 163, Florida Statutes for adopting Large Scale Comprehensive Plan amendments relating to said property; directing transmittal to the reviewing agencies; providing for severability; and providing an effective date. (Ranches of Orlando)**

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

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

5. **An Ordinance of the City of Leesburg, Florida, establishing the County Road 33 Community Development District pursuant to Chapter 190, Florida Statutes; providing for authority and power of the district; establishing the district; providing for the Board of Supervisors of the district; providing for the district budget; providing for functions of the district; providing for miscellaneous provisions; and providing an effective date. (CR 33 CDD)**

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

Mayor Burry requested comments from the Commission and the audience. He then asked if this was for two different subdivisions that are partnering together with this district. **PZD Miller** answered yes, Hanover Homes will be the developer for both properties. One is Bataglia, which is somewhere around 450-500 units, and the other is Banning Ranch, which will end up in total about 500 units. They are both on CR 33 south of the turnpike on opposite sides of the road. It is the same developer.

6. **An Ordinance of the City of Leesburg, Florida, ratifying and readopting Ordinance 17-16 pertaining to a change in Future Land Use to Estate Residential for property generally located in Section 25, Township 20 South, Range 24 East, Lake County, Florida, to ensure compliance with the procedures of Chapter 163, Florida Statutes for adopting Large Scale Comprehensive Plan amendments relating to said property; directing transmittal to the reviewing agencies; providing for severability; and providing an effective date. (Floribra Windmill)**

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

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

7. **An Ordinance of the City of Leesburg, Florida amending the City Code of Ordinances by amending Chapter 22, Section 22-7, Natural Gas Line Installation procedures to clarify the residential development units to which natural gas line and appliance installation requirements apply; providing for severability; providing for inclusion in the Code of Ordinances; providing of conflicts; and providing an effective date.**

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

Mayor Burry requested comments from the Commission and the audience. There were none. He stated this would come back on September 11th for second reading.

C. NON-ROUTINE ITEMS

1. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing an investigation of traffic data and other information related to the potential installation of speed detection systems on roadways maintained as school zones within the City of Leesburg; and providing an effective date.**

ADOPTED RESOLUTION 11,373

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 Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

Commissioner Reisman wanted to clarify that this was just the first step and that they still have to do a study. After that, it will come back to the body again. He would really like to see the study. He has already talked to the school board about this along with numerous principals and they are all in favor of this. **Commissioner Connell** said he spoke with the city manager earlier on this, and it was his understanding that someone else would do the study and they would provide input. **CM Minner** said yes, essentially the process is that companies who install the school zone cameras help with the study and the whole process. The process states there needs to be a survey done and that survey needs to show a need for this. That there is speeding in those areas. In the areas where the school zones are not within the City of Leesburg's rights of way, we would have to get the county's authorization to install the cameras on their rights of way. We have two school zones located in the county, one is the high school on US 27 and the other is Oak Park and Leesburg Elementary on South Street. All the other school zones are on city roads. The statute requires that this be done by ordinance. So, to kick off the process, they wanted to propose the concept to the commission and make sure that everyone was in agreement to at least start the study. By passing the resolution, they would have an RFP that seeks a school zone camera company to help do the survey, and put the ordinance together that would come back to the commission. At that time, they would have a better agreement about how collections would work and what amount the city would receive along with the vendor. It would include each party's responsibilities. **Commissioner Connell** inquired if the city was going to put out the RFP or would we hire a company to do that. **CM**

Minner said it would be put in the RFP and the next step would then be to do a survey. It would then come back in the form of an agreement with county approval. There would be an agreement to approve the vendor and that would be embedded in the ordinance. **Commissioner Connell** asked who was doing the survey. **CM Minner** stated it would be the vendor/company that the RFP seeks. That would be part of the RFP process for the school zone cameras. **Commissioner Connell** asked if that would be part of the proposal or is that something that happens after they select the company. **CM Minner** said it would be part of their proposal. Portions of the survey will be done by the RFP and they will turn that information over to the vendor. We will do an RFP and the vendor will help complete the survey. Coming back to the commission would be the survey, the ordinance, and an agreement with a vendor. They would force the vendor to do the survey with the city. **Commissioner Connell** inquired if they decided not to move forward, would they want to recoup their expenses? **CM Minner** replied that would be determined at the time of the RFP and he would report back accordingly. **Commissioner Connell** commented that he would like some real clarification on the citation authority. **CM Minner** remarked that the conversation he had with Commissioner Connell was about whether this would increase the city's costs and the immediate answer was no. It does not increase costs because the costs are shifted to the vendor. There could be cost increases that come in the form of how citations are ultimately issued. The vendor would install the camera and the camera would take a picture of the speeder. The speeder would receive a civil violation and a fine of one hundred dollars. Ninety percent of those are typically paid for without any questions by the offender. A civil violation does not come with any points on your license or any ramifications on your driving record, but it does have a fine of one hundred dollars. Hopefully, folks are more punitive and more careful when driving through school zones. The ten percent part of that is the transferring of civil infraction to a moving vehicle citation, which would then have implications on that. In Lake County, the state attorney's office does not process civil infractions. In this case, we are assuming that the vendor would want to prosecute those types of infractions to receive 50% of the revenue that they invested in the system. The tool that they have to change that infraction from a civil citation to a uniform traffic citation is the special magistrate. Ten percent of cases may go before the special magistrate. They would serve as the traffic court and enforce those fines. In that process, that is where the defendant would have to say who was driving and those types of things. The special magistrate will determine how to apply the fine. In that process there will be some additional police cases because, right now, if you get a speeding citation you will have to challenge that in district court. In this case, instead of going to Tavares, the officer would go before the special magistrate and they would duke it out. He does not see that as a significant amount of additional cost. There are some additional increases administratively for the officer issuing the tickets and we save them thirty minutes on driving back and forth to Tavares. Where they would see the increased costs are with the special magistrate meetings because those may last longer. The financial unknowns would not make it or break it. He does not know what ten percent is, but there may be a handful of tickets that the city would ultimately have to deal with. **Commissioner Reisman** noted that he spoke with the City of Eustis and they are in the process of putting this together. It was well received by the City of Eustis in terms of limiting speeding issues in school zones. Hopefully, the other ramifications that are associated with red light cameras are mitigated by the impacts which we see with driving safely for children and other pedestrians who walk in and out of the school zones. The cameras would only work during the flashing lights, so when the flashing lights are on, the camera is on. **Commissioner Berry** wanted to know if this would be after school hours as well. **CM Minner** stated that the statute allows the city to do this whenever the school zone is functioning. That is when the cameras are on. When the school zone lights are off, the cameras are off. **CA Watson** agreed that the law has time perimeters in terms of the before and after school hours. It would be regulated specifically for speeding. It would not be for any other type of surveillance. If there was an incidental crime caught on camera, that could be something that is subpoenaed and used as evidence, but the idea is specific to speeders during the school hours. **Commissioner Pederson** remarked that he is all for child safety, but he scratches his head on the vendor making money from this. It troubles him that they are funding this because it is a money maker. It would aggravate a lot of residents. The City of Orlando implemented cameras for people running red lights. Then they reversed their decision due to all the controversy. He had little knowledge of that and he was unsure where he stood on this. He could support it from a child safety standpoint, but he does not remember the issues with the Orlando red lights and whether it was a legal threat against the city. He wanted to bring that to the city's attention. **Commissioner Reisman** answered that Keith Trunow and Taylor Yacosky passed something. **Police Chief (PC) Hicks** said the city got rid of them for the first reason mentioned, because it irritated people. There was a study that showed it reduced side collisions by a significant number, but it increased rear-end collisions more because if they saw a camera they would slam on their brakes and then get hit in the rear. It was mostly a political issue and people did not want to be on camera. That is why red light cameras were pulled out of quite a few cities, Clermont being one of them. There are still a ton of cities that have red light cameras. That was the issue and the speed zone cameras are specifically just for that area. They are not ALPR's, so they are not recording the tags or sending them to a database. There are a ton of companies that provide this and, yes, it is a profiteering model for them. **Commissioner Pederson** said he threw that out to be sure the commission was thinking it through all the way. The only one he ever read about was Orlando. He did not know other cities had tried it too. **PC Hicks** added that Orlando still has them, they just do not have as many. **Commissioner Connell** asked if this was to go in front of the special magistrate would they be taking the advice from the vendor that this person was going a certain speed through the school zone and who from the police department would testify in front of the special magistrate? **PC Hicks** replied that they certify every citation and that is where the cost associated to the city would be. He would use one of the police service aids that they approved last year. All the citations that are written come with the tag number and the speed of the camera. An officer would look at them. He was told it takes about fifteen seconds per citation for the officer, so they could do it once or twice a week and they could be challenged. For example, if he loans his car to someone, they could write an affidavit saying they loaned their car to their brother and their brother was the one speeding. He forgets what they call it, but it is a tattle tail deal because someone will have to pay that one hundred dollar fine. If it is a company vehicle, the company can then protest and say they did not know what driver drove that vehicle that particular day. It would then go before the magistrate and she would make a decision on whether that was a good enough excuse or not. They have responsibility for the vehicles going through the zones. It would be the officer and the police service aides who certify the citations that would go in front of the magistrate. **Commissioner Connell** wanted to know if that was based on the photos sent to the city. **PC Hicks** said yes. They have met with three or four vendors to talk about their product. There are different business models going and if there was any confusion and if the tag was not one hundred percent right or if there were any issues whatsoever, they would not be sent. They always err on the side of not sending it out. **Commissioner Reisman** asked what speeding in a school zone ticket costs. **PC Hicks** responded if they set the perimeters at eleven miles an hour over the posted speed, it would be over $300.00 for that citation plus three or four points on your license. It is significantly over one hundred dollars and that is why they are at a 90% plus pay rate. **Mayor Burry** inquired if that was eleven miles an hour over the speed limit. **PC Hicks** said yes. In the State of Florida, you can drive up to five miles an hour over the speed limit and receive a warning. You can still get pulled over, but you would receive a written warning. Anything over that, you can receive a citation. They also take into account people's speedometers being off. They try to set that at a reasonable number. Eleven over in a school zone that is fifteen miles an hour and you see a car driving twenty-five miles an hour is not a shocking number. However, they are endangering people. Fifteen miles an hour is set on purpose because they know there will be people going over the speed limit. The people that usually go twenty-five miles an hour through that area will want to run a little faster. This will get the word out. In all reality, with that one hundred dollar hit, if that was the normal way to work, they would slow down going through the school zone. **Commissioner Reisman** said there was a thirty-day grace period on the tickets and there would be signs posted. He drives through two school zones every day and we cannot have officers located in every school zone, morning and afternoon. He is constantly being passed by speeders while children are on the sidewalks crossing the road. **Commissioner Pederson** questioned the terms of the contract. Is it a typical city contract where it can be canceled and does it have a sixty-day termination clause? **PC Hicks** said that would be part of the RFP. He spoke with a couple of vendors and one wanted a five-year agreement, but that also depends on the survey. They have an exorbitant number of school zones in the city. There are seven schools and there are eleven or twelve school zones. Another company said they could do it and it's the company that Eustis is using. They said they could make a walkaway clause, no harm, no foul. Some other vendors have leased equipment involved so that would all be part of the RFP. **Commissioner Pederson** inquired what his opinion was on this. **PC Hicks** answered that he likes it because they receive a lot of complaints in the school zones and there is no reason to be speeding through a school zone. He likes it from the aspect of there being a grace period and it is only one hundred dollars and a no-point ticket. One hundred dollars for a lot of people is a lot of money. However, we have children walking through those sections. He was not necessarily a fan of the profit-based enforcement model which this is, but that is the nature of the business. When you weigh it out, ultimately someone is paying for the enforcement of safety. In school zones, it is important and kudos to them for coming up with that aspect of it. It is much less punitive if that steady camera reminder is there all the time. Every once in a while, they can put an officer in a school zone to zap them. They will, and that is a four or five hundred dollar ticket. **Commissioner Pederson** mentioned that he would support moving forward with this, but he would not support a five-year contract. He would prefer to see a one-to-three year contract just in case they receive a ton of complaints. **Commissioner Reisman** agreed with that and they could include a severability clause.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Mayor Burry	Yes

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

2. Resolution of the City Commission of the City of Leesburg, Florida, authorizing acquisition and installation of a newborn infant safety device at the Canal Street Fire Station for the purpose of receiving a surrendered newborn infant, providing treatment, and providing transportation to the nearest hospital having emergency services; directing the City Manager to oversee and ensure acquisition and installation of the newborn infant safety device; and providing an effective date.

ADOPTED RESOLUTION 11,374

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 Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

Amanda McLea, president of the Leesburg Sunrise Rotary, thanked the commission for the opportunity to speak. This would be a safety box for newborn surrendered infants. Florida is a safe haven state and a newborn infant can be brought to a safe haven location within the first seven days of birth as long as it is unharmed and surrendered. This would provide an opportunity for the parent to do it in an anonymous manner. This allows them to bring the infant to a safe spot. They would place the infant in a box which is temperature-controlled. The box locks from the outside and a silent alarm is placed on the fire station and 911. There would be no fee to the city, it would be fully funded by the Rotary Club. It would be maintained as such throughout its course of being there. She hoped that the commission would fully support this. She brought some folks with her that she had spoken to and she appreciated their time. **Mayor Burry** said the current policy is that a child can be surrendered to emergency services personnel and we record who surrenders the infant. **CA Watson** pointed out that the current statute contemplates surrendering the newborn infant to a human being. The statutes do not clearly allow surrendering of the newborn infant for treatment, transport and liability shield if the infant is surrendered to a box or a medical device. There was a bill in the legislature that was making its way through the last session. That bill would have included the infant safety device as a means or an avenue where the parent or someone else could surrender the newborn. However, that legislation did not pass, so the current version of the law contemplates delivery of the newborn to a human. There was a law that was intended to expand the options to allow surrender to a newborn infant's safety device. It created standards for those devices, but that law did not pass. The infant safety device is generally consistent with the intention or the goals of a safe haven law, which is to provide an avenue for a newborn infant to be surrendered safely, treated and transported. The infant would then be moved into a placement service. However, from a legal perspective, he has concerns when the statute addresses delivering the infant to a person. There was legislation intended to close that problem, but it did not pass. It leads him to believe that there is a gap there or the legislature would not have been looking to close the gap. He was concerned about the potential liability of the city or someone who may treat or transport the infant or if the infant was not surrendered in strict compliance with the current statutory perimeters.

Commissioner Reisman wanted clarification that there are one hundred and sixty of these around the country and one being Ocala. **CA Watson** said yes, he saw one in Ocala and there was a success story about that box. There was one infant surrendered and that infant was ultimately adopted by a fire fighter. **Commissioner Reisman** agreed. The infant was adopted by the fire fighter that rescued her. **Mayor Burry** wanted to know how many infants have been surrendered to emergency personnel. **PC Hicks** stated there were none surrendered in Leesburg. **Commissioner Pederson** inquired about the period of time. In the last five years, have any infants been surrendered here? **PC Hicks** said there have not been any infants surrendered in the last twenty-seven years. **Commissioner Berry** inquired if there had been any reports of infants placed in dumpsters or on a doorstep somewhere. **PC Hicks** said no. **CM Minner** remarked that Commissioner Reisman brought this to his attention and he thought it was a topic that needed the consideration and deliberation of the legislative body. He did not want to make an administrative call on this because of the liability issues that go along with it. They talked about liability with Bikefest and there are shades of differences of liability in this. There are established laws and case law on what happens to a city if it is the sponsor of a beer distributor, but this clearly has no case law and there is no judicial review for what happens if an infant dies in the custody of public safety. The declination of a bill that did not pass leads the city attorney to a legal conclusion based on that information. We have a system in place and we are an established safe haven. If you go to the Canal Fire Station on the side of the door of that building on Canal Street, there is a sign that states it is a baby safe haven. That is not a speech to say no let's not do this, it is for informational purposes. If they decide to change the process, they would work with the Sunrise Rotary Club. He understands that they have the funds to put the baby box in place. He thought they needed to disclose the changes and there are benefits. As Ms. McLea pointed out it provides an ability for the parent to have a more secure environment to surrender the baby too. **Ms. McLea** added that part of the process is the ability to provide counseling and crisis counseling for that parent. They have resources within that box, so once it is opened, if they decide this is not what they want to happen, there will be a packet of information which includes a crisis hotline. They are really advertising this as a last resort. They are not advertising to drop the baby off in the box. It is a safe haven and she understands the liability that is what she does for her job, but what happens if they just leave the infant on the doorstep? They still have to take the infant and transport it to the hospital. They still have the liability of an infant being left at the doorstep. There is one box in the State of Florida and it is located in Ocala. She challenged the commission to think through that liability for the community. As a mother of five, she has a blended family, with two of her own. She could not imagine being in that position. It is not necessarily out of not wanting a baby and getting rid of it, it is out of shame. She could not imagine walking into the fire department and handing her baby to someone. **Commissioner Connell** wanted to clarify that the city attorney said if they drop an infant off to an individual, like a firefighter or a police officer, then there is legislation out there that would limit the liability, but if we have a drop off box there is no liability and the city could incur a lot more liability in that particular case. **CA Watson** agreed and read the state statutes that says if a newborn infant is placed in the physical custody of an employee or agent of a licensed agency or a fire department, such placement shall be considered and emplied consent for treatment and transport a licensee fire department or an employee or an agent of a licensee or fire department. It is immune from criminal or civil liability for acting in good faith pursuant to the section, but not for their own negligence. They do have the shield for that personal delivery for the fire department, the employees and everyone else that works at the Fire Department. With the proposed legislative change, that shield would have extended to the baby box, but that did not pass, so that liability shield only applies to this. **Mayor Burry** asked if he had any additional information about why it did not pass. **CA Watson** said no. It died in the committee and he was unsure why. **CM Minner** remarked that he did not want the commission to question why they were cutting a hole in the wall at the fire station without having a discussion about liability. As they talk about liability, and a lot of other stuff, the liability that they are talking about is very extreme. They heard from the chief that there have been zero infants surrendered over the last twenty-seven years. He does not see a lot of babies being dropped in the boxes at the Canal Station. It is a legitimate endeavor to help promote the safety of infants in the community. However, liability is an issue and it was important to have a public discussion. Note, the liability is an extreme matter and we will have one hundred falling or tripping claim suits before a suit about this. However, they needed to have this conversation before cutting holes in the hall. **Commissioner Reisman** said if it saves one baby, that is worth it. **Commissioner Pederson** asked if they could do it at the hospital. **CM Minner** replied that he had a conversation with Phil Braun from the hospital and they struggled with the same thing. They were struggling with it and we are now dealing with it. The same issues that the city has the hospital has and the number one issue with the Canal Fire Station is that it is the number one busiest fire station in Lake County. The second busiest is our Griffin Fire Station. Our two primary baby dropoff areas would be one of those two stations and eight times out of ten the station will not have emergency personnel there because they are out on a call. It is just that busy. It is a statistical thing and we are in the abstract. The hospital will struggle with the same type of liability and the hospital will struggle with doctors and nurses who are taxed with their work and who will get the baby out of the box if they are tied up. Those are extreme circumstances. Probably ninety-nine times out of one hundred they will not have a problem. However, public conversation needed to be had so everyone was aware of what was going on. Everyone needed to review this in a public manner and issue a formal directive to change the legislative policy from the baby sanctuary to the baby dropbox. **Commissioner Reisman** said he hopes that box will never be used, but if it provides an option for a single mother who is at her last resort, she could drop her baby there. He would like to give her that option. **CA Watson** said what they do not want is questions that come up later about it not being included within the legislation. They want to make sure everyone is fully informed in terms of the issues so they can make the best decision. **Mayor Burry** mentioned that Ocala is the only city in the state that has this. How many babies have been surrendered in the box and how long have they had it? **Commissioner Reisman** said they have had it since 2020. **CM Minner** added that Sandra Wilson, the housing director, was their city manager and it was during the time that she was the city manager when they decided to put the box in. It just so happened that Sandra Wilson, Joe Mera and himself were in the office when they were talking to the city attorney about this. **Commissioner Connell** believes it is a great idea, but with what the city attorney said and the lack of other municipalities in the state along with the hospital not wanting to do this, there has to be some reasons for that. It really is about liability and we have numerous fire departments, and a hospital where they can drop their child off. There are numerous other possibilities other than putting the infant in a box and driving away. The lack of support from the other cities throughout the state speaks volume and most jurisdictions do not want this type of liability, nor does the hospital. **Commissioner Pederson** inquired if there was an agreement for this and if we were bound by it? Is there a contractual agreement because it is a non-profit organization funding it for the city's benefit? How would the city get out of it if we needed to? **CM Minner** stated they would come back and have the same type of meeting to take the baby box out. If this passes tonight, city staff will get back with the Rotary Club to establish how to get the baby box in. **Mayor Burry** asked for any further discussions. There were none.

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	No
Mayor Burry	Yes

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

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 Watson had no items to discuss.

9. CITY MANAGER ITEMS:

CM Minner commented about the storm brewing. The emergency operating center and emergency team are in place. They have already started the preliminary prepwork. They will keep an eye on the storm. They have the latest information on the city's website and Facebook page. He recommended that everyone have their supplies ready and to be safe. Monitor the city and the county websites. There will be further determinations made about noon tomorrow on what the city will do with closings. The county and the school board have already decided to close on Wednesday. The City of Tavares has already decided to close on Wednesday and they are closing at noon on Tuesday. The noon hour will provide more information. They will be watching the storm.

10. ROLL CALL:

Commissioner Berry had no comment.

Commissioner Pederson had no further comment.

Commissioner Reisman commented that he would like to invite everyone out to the Leesburg Blue Foundation 5k at the Leesburg Airport on September 9th. It will be a fun time running the runways. They currently have 218 participants. He had a QR code or anyone can go on Facebook to search for the Leesburg Blue Foundation 5k. All the proceeds benefit the Leesburg Blue Foundation. There are a lot of vacancies on the city's boards. If you are a Leesburg resident, go to the city's website and put an application in for consideration. Lastly, about the Lakefront TV RFP, he spoke with the city manager about there being a part of the RFP designated for marketing and branding. **CM Minner** said they did not put marketing and branding in the RFP. The RFP sought to get out public dissemination and the media in English. The video segments that Dr. Anna Marie and Facci Bella do for the city where she profiles different departments and accomplishments for different businesses. It is the TV media production that is broadcast on Lakefront TV as well as the airing of various meetings. The budget for that is $175,000 per year. That is under public information in the general fund and the city pays that bill. The RFP contemplates just that service. During the visioning meeting back in May, there was talk about rebranding the city, but that was not tackled in this fiscal year's budget. They could put the marketing concept into the RFP, but there are two different delivery methods. They have the TV production side of it, but the bigger question is the media, and that is not a Facci Bella production. It is Lakefront TV and the city's entity; that is the jpeg that the city uses. It decimates a public message broadcast on access. That is a requirement from the state and the information companies are required to provide that to cities by state law. Is the media getting out the message? They had that conversation briefly at the workshop and collectively they did want to look at it, but they did not dive into it anymore. This RFP does not contemplate that. It is something they could drill down into if they want that marketing message to be in the RFP, but it would be difficult and would require a redraft. **Mayor Burry** asked when he said marketing is that marketing the city to companies? **Commissioner Reisman** said he knows we are sports tourism, but we do not state who we are and what we are. We do not have that based off the visioning session that was held. **CM Minner** said Tavares is the classic example because they marketed and branded themselves the seaplane capital and that was a very successful marketing campaign. Leesburg has been the Lakefront City for a long time and it is that marketing concept that we want to do. When he thinks of marketing, he thinks of hiring a marketing PR firm that reviews the brand and disseminates a different marketing message that would be on the website, the automobiles, and our pamphlets.

Commissioner Connell had nothing further to discuss.

Mayor Burry had nothing further to comment on.

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.

With a motion by Commissioner Reisman and a second by Commissioner Pederson, the meeting adjourned at 7:40 p.m.