

**AGENDA
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, FEBRUARY 24, 2025 5:30 PM**

1. CALL TO ORDER

INVOCATION

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

2. PROCLAMATIONS:

A. Leesburg High School Girls Weightlifting Team State Championship

3. PRESENTATIONS:

A. Retirement Awards:

**Tino Anthony, IT Director
James Williams, Finance Director**

B. Habitat for Humanity Lake-Sumter - Woodland Park Update by Danielle Stroud

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Please note that issues raised during this time will not be discussed in detail during the current meeting. They will either be referred to the appropriate staff or scheduled for consideration at a future City Commission Meeting. Each speaker is allocated three minutes to provide their comments. Kindly adhere to this time limit to ensure equal opportunity for all participants and to support the efficient conduct of the meeting. Thank you!

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

A. CITY COMMISSION MEETING MINUTES:

1. **Regular meeting held February 10, 2025**

B. PURCHASING ITEMS:

1. **Purchase request for vehicle equipment for the City of Leesburg Police Department in the amount of \$89,441.25 from Global Public Safety, a Single Source vendor. This equipment is for eight (8) new replacement Police Department vehicles.**

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2024-25 Budget for the General, Stormwater, Greater Leesburg CRA, Carver Heights CRA, Highway 441/27 CRA, Capital Projects, Electric, Gas, Water, Wastewater, Solid Waste, Airport, Discretionary Sales Tax, Police Forfeiture and Fleet Services Funds for the carryovers from fiscal year 2023-24; and providing an effective date.**
2. **Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2024-25 Budget for the General, Capital Projects, Electric, Gas, Wastewater, Discretionary Sales Tax and Fleet Services Funds for the First Quarter; and providing an effective date.**
3. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and City Homes, Leesburg LLC, regarding natural gas service to the development known as Silver Lake Estates-Phase 2; and providing an effective date.**
4. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Renewal Lease Agreement with the West Leesburg Community Development Corporation (WLCDC) for office space at the Leesburg Resource Center; and providing an effective date.**

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES

1. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 9.94 +/- acres; and being generally located north of Dewey Robbins Road, east of U.S. Highway 27, lying in**

Section 31, Township 20 South, Range 25 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 3; and providing an effective date. (Cronin-Dewey Robbins ANNX)

- 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 9.94 +/- acres from Lake County Rural to City of Leesburg Low Density Residential, for a property generally located north of Dewey Robbins Road, east of U.S. Highway 27, lying in Section 31, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Cronin-Dewey Robbins SSCP)**
- 3. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 9.94 +/- acres from Lake County A (Agriculture) to City of Leesburg SPUD (Small Planned Unit Development) to allow for 48 townhomes and 15,000 square feet of commercial for a property generally located north of Dewey Robbins Road, east of U.S. Highway 27, lying in Section 31, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Cronin-Dewey Robbins SPUD)**
- 4. An Ordinance of the City of Leesburg, Florida, rezoning approximately 4.87 +/- acres from SPUD (Small Planned Unit Development) to SPUD (Small Planned Unit Development) for a property generally located west of Lee Street, north of Herndon Street, East of Perkins Street, and south of West Line Street, as legally described in Section 26, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lee School 2025 SPUD)**

B. FIRST READING OF ORDINANCES

- 1. None**

C. NON-ROUTINE ITEMS

- 1. Resolution of the City Commission of the City of Leesburg, Florida suspending the Fluoride Injection system to the water distribution system; and providing an effective date.**

7. INFORMATIONAL REPORTS:

The following reports are provided to the Commission in accordance with the

Charter/Ordinances. No action required.

A. Financial Reports - December 2024

8. CITY ATTORNEY ITEMS:

9. CITY MANAGER ITEMS:

10. ROLL CALL:

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.

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, FEBRUARY 10, 2025 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, February 10, 2025, at Leesburg City Hall. Mayor Reisman called the meeting to order at 5:30 p.m. with the following members present:

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

Also present, were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, City Attorney (CA) Grant Watson, Deputy City Clerk (DCC) Anna Rottermond, the news media, and others.

INVOCATION

Mayor Reisman 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. HOME Grant/Lake Community Action Agency (LCAA) Presentation

Derrick Blue of Lake Community Action Agency said he was there with the Director of Operations, Tim Bridges. He wanted to provide a ten-minute presentation that covered the Home Grant Program. Starting, he thanked the city commission for seeing that projects and programs like this happen in community redevelopment areas, because there is a dire need for improvement of owner-occupied homes. He gave special thanks to Commissioner Berry for being a champion of this program. He also thanked the city manager for his help and assistance, and he recognized the housing department team for their help in this program.

Referring to slides, he said they focused on twelve homes for the first year. They were homes that needed the most work. The homes had bad roofs, faulty electrical systems, plumbing issues and indoor air quality problems. They performed thorough inspections of the homes. His agency has been doing this type of work for over twenty years. One of their funding sources is the Department of Commerce, and they partner with the Department of Energy to identify health and safety issues. They identify the issues and focus on rectifying them. They also try to make homes more energy efficient, because statistically, most low-income families spend a large portion of their income on utility bills. The last area of focus is cosmetic, because not only do they want homeowners to live well, they want them to look good. He showed a few before and after photos of homes that were completed last year. They took over a thousand pictures, but he only provided a few to demonstrate some of the improvements made. They painted houses that had not been touched in over thirty years. They were able to go in, clean them up and get them painted. It was amazing to see the difference in curb appeal. Some of the neighbors came outside to look at the homes, and some homeowners even helped out, giving them a sense of pride. Even the children came out and helped make some of the improvements. Of the twelve houses shown, they painted the interior and exterior of the homes. They addressed a lot of the kitchens, because they had plumbing and cabinetry issues. Some of the issues have not been addressed since they were installed. When updating, they made good use of the space. They created storage solutions and modernized the cabinetry that was falling apart. Another big area of concern was the bathrooms. Some of the bathrooms had horrible living conditions, and they found mold in the walls. He showed a picture of a bathroom that had been redone and included accessibility improvements. They went in, gutted the bathroom and completely rebuilt it. Some rooms in the houses were really bad. You could tell they had not been touched in quite a while. One homeowner had a breathing problem, and he was sure it was due to mold. They went in and dealt with the mold, leaks and lead in some cases. They created a safe and comfortable space for the residents. They also replaced interior and exterior doors for security reasons. One of the homeowners sent him a ring camera video of someone trying to burglarize the home. They tried to kick in the door to one of the houses. That was why they replaced the doors to add security. They also added security lighting as well as cameras. On some homes, they added fencing to make the area more secure. To make the homes more energy efficient, they added insulation. They added about three solid inches of insulation to make it R40. In some homes, they replaced the old single pane windows with more energy-efficient windows to prevent air from escaping the house. In several houses, they completely remodeled the kitchen because it was falling apart. Some cabinetry just fell apart when they opened it. They saw water leaks and mold inside some of the cabinets. They went in and completely gutted the kitchen. They put in new counter tops, back splashes and cabinetry. They also installed new refrigerators, stoves, and flooring. Several properties had active leaks in the roofs, which caused a lot of mold and moisture to enter the house. They had to pull up the old boards and put in new plywood. Several roofs under this program were replaced. They also replaced the HVAC systems in several homes because they were old and inefficient. They were replaced with sixteen seer units.

One of the best parts about this program is that they require all the contractors to warranty their work for a year, which includes labor. They will come back and do warranty service pro bono. They also included a training/educational piece to show the homeowners how to use the new equipment. They updated some of the landscaping of the older homeowners who were unable to do it themselves. They removed debris and made the landscaping look better. Last year, the City of Leesburg allotted \$300,000 for this program to enhance the housing conditions and improve the quality of life for residents within that specific CRA District. They successfully delivered under budget, completing the initiative at \$293,618, which averaged about \$20,468.17 per home. In the original agreement, the maximum amount was \$225,000, so they pride themselves on staying under budget. The entire team did a good job. They worked closely with Commissioner Berry, the Housing Director and her team, along with the city manager and city staff. Their organization invested about \$100,000 in materials and labor to leverage the funds. He thought it was noteworthy to mention that they utilize local contractors to do this work. If there are any local

contractors interested, they should reach out to them on their website, which is www.lakecaa.org. They accept contractors from all trades, specifically local contractors and handymen. They pair the services based on needs. They also have a system called standardized pricing and that standard pricing has given them flexibility to manage the costs.

In closing, he read a letter from a homeowner, Dorothy Jackson, who resided at 2207 Waitman Avenue. Her husband built their home, and as they were working they found the original permit in the utility room. Ms. Jackson was in her 80s, and she had been in and out of the hospital. However, certain areas of her home were falling apart. Some of the contractors donated materials and their labor, so they could turn that house around. She wrote a letter to them, and he wanted to read it. She wrote, it was with the sincerest gratitude and appreciation to the City of Leesburg and the Lake Community Action Agency for formulating and bringing to fruition the plans and various projects to revamp and restore Lake County and Carver Heights Area of Leesburg. Her husband, Peter Jackson, built their home in 1968, and through this program her house was brought back to life. That was due to the men and women who worked countless hours to get the work completed. Things were done that needed to be completed and upgraded for safety reasons. It took a little longer than she expected, but it was an amazing and exciting journey to see the finished product. She felt the sense of pride that she felt back in 1968. Her family was blessed to have been chosen for this community restoration project. She was thankful and grateful for the dedication and hard work of all agencies, contractors and people involved. Unfortunately, after writing this letter Ms. Jackson passed away, but she was able to sit in her house and enjoy the upgrades because this program truly made a difference to her and the community. **Mayor Reisman** thanked him for the presentation.

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Please note that issues raised during this time will not be discussed in detail during the current meeting. They will either be referred to the appropriate staff or scheduled for consideration at a future City Commission Meeting. Each speaker is allocated three minutes to provide their comments. Kindly adhere to this time limit to ensure equal opportunity for all participants and to support the efficient conduct of the meeting. Thank you!

Carolyn VanDyken of 120 Palmora Boulevard thanked the Public Works Director and Al Purvis of the water department for taking the time to speak with her about forever chemicals. The water department does an outstanding job keeping a vital resource clean and available at all times. She learned a lot from her meeting and tour. As far as she was concerned, we have some of the best water in Florida. However, she still had concerns about adding fluoride on top of the fluoride that is already naturally occurring in the water. We have naturally occurring fluoride in the water now and that was overlooked in the previous discussions. After reading the minutes and the discussion with all the people for and against it, she saw residents and non-residents that talked about how they wanted to put fluoride in our water. The bottom line is that the commissioners made a medical decision for the community. They decided to add something that should be prescribed by a doctor to our water and, as a community, they should have had the chance to vote on it. They should have been able to vote whether they wanted fluoride in the water or not. She saw a lot of back and forth about how fluoride keeps cavities away. However, the Leesburg fluoride system has not worked since the year 2000. She moved her family back to Leesburg in 2008 and at that time she had a three-year-old son. He is now nineteen years old and to this date he has never had a cavity. It is funny that his generation is made fun of as being the most hydrated generation, because they carry water bottles everywhere. They have mandated breaks in soccer and any other recreational sports. They constantly take water breaks even when it is fifty degrees outside, which seems ridiculous. They are

constantly drinking the city water and to date he has never had a cavity.

5. CONSENT AGENDA:

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Items pulled for discussion:

5.C.1 - Approving a Proportionate Share Mitigation Agreement between the School Board of Lake County, M&C Hunt, LLC., and the City of Leesburg, to allow for payment of Lake County School Impact Fees

5.C.6 - Executing an Inter-Local Agreement related to Bus Stop Shelters between the City of Leesburg and Lake County

5.C.7 - Approving a Downtown Building Redevelopment Grant to Dance Dynamix, LLC, for renovations at 606 West Main Street

5.C.9 - Executing a Post-Closing Occupancy Agreement between the City of Leesburg and Frostinburg, LLC.

5.C.10 - Executing a Commercial Lease Agreement between the City of Leesburg and Leesburg Art Festival, Inc.

5.C.11 - Authorizing the transfer of \$840,584 from the General Fund to the Electric Fund for the Itron AMI Agreement

Commissioner Pederson moved to adopt the Consent Agenda except for 5.C.1, 5.C.6, 5.C.7, 5.C.9, 5.C.10, and 5.C.11, and Commissioner Berry seconded the motion.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Mayor Reisman	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. Regular meeting held January 27, 2025

B. PURCHASING ITEMS:

1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment Two to an existing contract with Lakeside Electrical Services, LLC; and providing an effective date.

ADOPTED RESOLUTION 11,970

2. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment Three to an existing contract with Electrical Works, LLC; and providing an effective date.**

ADOPTED RESOLUTION 11,971

3. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and the City Clerk to execute a Mobile Organic Biofilm System Trial Agreement with Nuvoda Innovative Water Solutions, LLC; and providing an effective date.**

ADOPTED RESOLUTION 11,972

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida, approving a Proportionate Share Mitigation Agreement entered into by and between the School Board of Lake County, Florida, M & C Hunt LLC, and the City of Leesburg, Florida, to allow for payment of Lake County School Impact Fees; and providing an effective date. (Huntington Oaks)**

ADOPTED RESOLUTION 11,973

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

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

Mayor Reisman said he pulled this item, so the city manager could give a debrief. He believed there had been some misunderstanding about the payment not being made to the school board unless the development actually happens. He did not pull item 5.C.8 even though it was for the same thing. He just wanted some clarification on the miscommunication. **CM Minner** agreed. We do these at the time of inception and then the city collects all the impact fees and pays them to whatever jurisdiction. Typically, it is our impact fees, school board impact fees, and county impact fees, but they are not paid until permits are issued. **Mayor Reisman** asked if there were any further comments or questions from the commission or audience. There were none.

The roll call vote was:

Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	Yes

Mayor Reisman

Yes

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

2. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Cattle Grazing and Hay Production Lease for the City of Leesburg Closed Landfill; and providing an effective date.**

ADOPTED RESOLUTION 11,974

3. **Resolution of the City Commission of the City of Leesburg, Florida, relating to the SAHFI, Supplemental Funding for Hurricanes Fiona and Ian, Clean Water State Revolving Fund Loan Program; making findings; authorizing a revised Loan Agreement; and providing an effective date.**

ADOPTED RESOLUTION 11,975

4. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an Elevated Water Tank Rehabilitation Services Agreement with Five12 Painting & Remodeling, LLC to rehabilitate various elevated water tanks throughout the City; and providing an effective date.**

ADOPTED RESOLUTION 11,976

5. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a gas service agreement between the City of Leesburg and Pulte Home Company, LLC, regarding natural gas service to the development known as Highland Pines - Phase 1; and providing an effective date.**

ADOPTED RESOLUTION 11,977

6. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an Inter-Local Agreement related to Bus Stop Shelters between the City of Leesburg, a municipal corporation and Lake County, a political subdivision of the State of Florida; and providing an effective date.**

ADOPTED RESOLUTION 11,978

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

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

Mayor Reisman requested comments from the Commission and the audience.

Commissioner Connell said this item had come up before with moving the bus stop from the college campus. He wanted to know why the city would pay to move a Lake County bus stop off state-owned property to the City of Tavares. We have all these other jurisdictions involved, so why would we pay for this? **CM Minner** explained this issue had come up during the sale of about ten acres of airport property, which was governed by the city commission, and sold to Blurock Development. At that time, College President Bigard took issue with the concept of the city selling that property. In short, once upon a time, that property was school board property. It was donated to the college and then the college donated it to the city at our request. However, that request happened sometime in the late 1980s. We found out about it when we discussed it publicly, and passed a resolution. At that time, we said we would endeavor to make amends. He did some research on the topic, and found nothing that overly stated that the city in fact promised to never develop this property. Essentially, the position of the state college was that back when the college donated the property to the city, we needed it to use it as an airport runway protection area, and we were never to develop it. Now that we were selling it, it got the attention of College President Bigard, and at that time we worked and put together a resolution that said we would endeavor to remedy the situation. However, we did not find documentation that substantiated what President Bigard thought. We found minutes, and the minutes did not elaborate anything specific to the city not developing that property, but the minutes did indicate some sort of disgruntle between the city and the college at that time. That was all the documentation we could gather, and the documentation only showed some sort of disgruntlement. With that, we continued with the sale, and that sale has now closed, and the money is in the bank. There was potentially some sort of remedy that we resolved in good faith to do, but he did not think the commission was bound to vote for it. However, in good faith, they should vote in favor of it. With the concept of moving the bus stop, there would still be a bus stop at Lake Sumter State College because they would only move the transfer station. The bus stop location at the college campus also houses a bus stop for the Lake Express. The college felt the transfer station brought more traffic and concerns to the campus, so they did not want it there. So, the quid pro quo was because the city sold the property, if we moved the transfer station they would not fuss over the sale of the property. So, we endeavored to find a location for the transfer station in Leesburg. We thought the mall would be a good location. However, at the eleventh hour, the mall backed out for various reasons that he did not explore other than it did not work. We then pointed them to some other properties, which were airport property, but they did not like airport property. That airport property was a vacant lot next to the Waffle House and the other property was behind the Cracker Barrel, but the county did not like either area. Ultimately, the county found and proposed a site located in downtown Tavares. The county had a litmus test of things that they felt the transfer station needed. The mall had potential, but at the end of the day, mall management did not want to do it and the county felt that the other city properties did not have potential whereas the site in Tavares does. When he heard that the county wanted to move forward with transferring it to Tavares, he asked, since they were moving it to Tavares, did the city still need to pay for it, and the answer was yes. The reason for that was if the city did not sell the property, they would not need to move the bus stop. The city's net on that sale was about 2.5 million dollars. The sale price was 2.75 million dollars, but there were fees that needed to be paid. He shared that information with the commission previously. However, the cost to relocate the bus stop and to keep peace between the entities is \$50,000. That is not the greatest of expenses, but it keeps peace between organizations and that is important. **Commissioner Burry** wanted to confirm that the \$50,000 being talked about would have been the cost to relocate the transfer station to the mall or the airport property. **CM Minner** responded yes. The agreement said up to \$50,000. **Commissioner Connell** stated there was no agreement in writing from the 80s that said we could not sell that property. **CM Minner** agreed. **Commissioner Connell** continued to say that Lake Sumter College had just come up and said we were not supposed to sell it. Then, if we were going to sell it, they would not complain as long as we moved the transfer station. That

does not make any sense, because that is not our transfer station. It is located on state property, it belongs to the county, and it is being moved to Tavares. So, why would we pay for this? Are we going to start making concessions with everyone when we want to sell a piece of property? Where adjacent neighbors say hold on, we do not want you to do that, but if you do, we want you to do this for us? That sets a very bad precedent. If Lake Sumter College does not want it moved to Leesburg property, then Lake Sumter College should pay to move it, or they can work out something with Lake County to move it. He did not know why Leesburg would be responsible for moving this transfer station for \$50,000 of taxpayers' money. He understands trying to be a good neighbor, but this is taking it too far. **Mayor Reisman** asked if there were any other comments from the commission or the public. There were none.

The roll call vote was:

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

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

7. **Resolution of the City Commission of the City of Leesburg, Florida, approving a Downtown Building Redevelopment Grant to Dance Dynamix, LLC, for renovation at 606 West Main Street; and providing an effective date.**

ADOPTED RESOLUTION 11,979

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

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

Mayor Reisman requested comments from the Commission and the audience.

Commissioner Connell stated there had been numerous discussions, so he did not want to spend a lot of time on it. However, he wanted to bring it up one more time because it was his understanding that this would be the last application for this program. **CM Minner** agreed. **Commissioner Connell** continued to say his concerns in the past have nothing to do with the business that is being proposed, which is Dance Dynamics. His concerns have to deal with the policy because there are no strings attached to the policy other than the matching of funds. They do not have to retain ownership for any length of time. There are no requirements that say they have to open the business after spending \$250,000 of city money. They could turn around and sell it at any time because there are no criteria and there is nothing that says they have to employ a certain number of people. He believes the policy needs to be revamped. We need additional guidelines because the policy says if you own or buy a piece of property that happens to be located in a certain area on Main Street you qualify. There is nothing else attached, other than you match what you are applying for. There needs to be more guidelines put into this. However, it has nothing to do with the applicant who has applied for the grant. We cannot continue to give away free money with no guidelines in the policy. **Commissioner Burry** commented that when they were mulling over the concept of revitalization of certain buildings, there were eight buildings identified and this particular building was not one of them. However, when he read through the eligibility requirements, this building did qualify.

He wanted to point that out for the record. Initially, it was not on the list, but it does meet the requirements of the application. It is pretty important to point out that this particular business brings a lot of people to the downtown. **Mayor Reisman** echoed those sentiments. He wanted to know about this new business potentially moving there and, with the existing businesses next door, could they have them install sound proofing for the neighbors? He was sure they would take that into account, but he wanted to bring that up. He asked if there were any further comments by the commission or the public. There were none.

The roll call vote was:

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

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

8. **Resolution of the City Commission of the City of Leesburg, Florida, approving a Proportionate Share Mitigation Agreement entered into by and between the School Board of Lake County, Florida, Pulte Home Company, and the City of Leesburg, Florida, to allow for payment of Lake County School Impact Fees; and providing an effective date. (Windmill Road Subdivision)**

ADOPTED RESOLUTION 11,980

9. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Post-Closing Occupancy Agreement between the City of Leesburg and Frostinburg, LLC; and providing an effective date.**

ADOPTED RESOLUTION 11,981

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

Commissioner Burry made a motion to adopt the resolution and Commissioner Berry seconded the motion.

Mayor Reisman requested comments from the Commission and the audience.

Commissioner Connell asked if this was the property that we sold not too long ago. **CM Minner** agreed. **Commissioner Connell** wanted to know if we knew we would still need it at the time of selling. **CM Minner** replied yes. He would say there was a handshake agreement where they were going to lease it back to us for a couple of dollars per month. However, a couple of months after selling it, he received a call from the developer asking for a payment that represented the taxes and insurance. Worst case scenario, assuming the commission approves this, we are looking at about a year at the location. That cost would be about \$4,800. In hindsight, we should have made an option to purchase instead of selling it outright. Now, whether the commission wants to tender this, that is up to them. If they say no to the lease,

and they kick us off the property, then we will need to relocate somewhere. **Commissioner Connell** wanted to know what was currently being stored on that property. **CM Minner** pointed out that currently that property is an important piece for the gas department. There is a lot of equipment stored there and it is used daily. The equipment stored includes welders, trucks and storage of parts along with other daily materials. They also use that lot for parking. **Commissioner Connell** wanted to confirm that when this was being negotiated there was an understanding that they were going to let us use the property for a dollar a year, and now they have completely backed off from that promise and want us to pay basically \$5,000 a year? **CM Minner** responded yes. **Commissioner Connell** stated that was just bad business on their part. He understands that we need that property, but that is just bad because it will not take much to eat into that \$50,000. He wanted to keep that piece of property to be used as a parking lot.

Commissioner Berry said there were so many other moving parts to follow this, and we need to make sure that everything comes together. We need to move ahead to make this work. Granted, hindsight, but we need to do this so we can move forward. **Commissioner Pederson** asked if we were to move forward, could they technically default on the lease? **CA Watson** pointed out that the term was month to month. In terms of a termination period of time, it would not be that long on a month-to-month agreement. **Commissioner Connell** questioned the equipment that is stored there and if it was fenced in? **CM Minner** said yes. **Commissioner Connell** wanted to verify if the equipment needed to be kept in a secured location. **CM Minner** responded yes. **Commissioner Connell** wanted to know if they could use the parking lot of the Art Center since it was going to be torn down. **CM Minner** stated the equipment has to be stored securely. If they were to say we have thirty days to get off that property or if this was not approved, we would have thirty days to vacate. It would be a scramble because they use that equipment daily, and it is currently located across the street from the gas department. So, the question did put us in a bind, and he would not disagree with anything that was said, because he thought it was a month to month, no fuss, no muss. However, the rent represents taxes and insurance. That was not contemplated, and if we knew they were going to go down this road we would have brought options. In the long-term, this is the right strategy because we sold the parcel for redevelopment and, ultimately, that will have more value than having the gas department there. However, the short-term is an inconvenience for sure. The dollar amount is not a killer, but it does take away from the value of the property. If it was more than that, he would have bawled at it, and not brought it for their consideration. Honestly, this was one of the things where they had to hold their nose and move forward. Similar to the sign issue that was just dealt with because the gas department needs that facility. If we did not have it we would get by, but it would be difficult. We would have to shift some stuff over to the old steel building that public works uses on Main Street. We could get by, but it would be difficult. He understands making a point, and he understands the value and principles of a business deal, but at the cost and with the disruption of the gas operation service, it is not worth the argument. **Commissioner Connell** asked if the equipment that is currently stored could be moved to where the Center for the Arts is? Could they use that property? **CM Minner** said they could possibly move some of it, and they could use that area for parking. However, the equipment that is stored there needs to be in a secure location. There are welders, copper, and other stuff that the guys deal with that has value, so that needs to be securely stored. **Gas Director (GD), Corey Goepfert** said they do deal with theft issues, because people jump the fence. They lock stuff up the best they can, but people still try to get in. They store their trucks and equipment there. The equipment includes trenchers, backhoes and welders. They also park work vehicles there, so for them to not have that lot across the street would make it difficult to operate on a daily basis. They could get by, but the guys would have to take their trucks home, or they would have to transit employees to their work vehicles every day. It would definitely make it more difficult to run the operation. **CM Minner** pointed out if they were to move the equipment and the valuable stuff to the public works facility and have the employees park in the parking lot by the Art Center, it would take approximately a half hour in the morning and at the end of the day to move everyone around. They would have to run over to Public Works to get their stuff, whereas right now, they just walk across the street. He did not anticipate this coming before them. However, the new owners of the lot threw us a curveball. **Mayor Reisman**

questioned the timeline for the gas department moving. **CM Minner** responded it would take about twelve months. Obviously, they are already a year into it, but there are a lot of moving parts that they are trying to accomplish. Once everything is done and completed, we will be happy, but getting there is obviously the hard part. At the end of the month our RFP on architectural services should be before them and they should have an architectural contract in March. We are not designing a Taj Mahal, so by summer the design should be done, and we should have it out for bid. Come fall, we should be building it and, hopefully, come Christmas or the first quarter of 2026, we should see it completed. **Mayor Reisman** said, out of respect for the employees and their time, because they are very busy, that losing an hour every day would mean time and money. Knowing that he would support this. **Commissioner Connell** said he understands what has been said, he just hates rewarding someone that made a bad business deal with us. **Mayor Reisman** asked if there were any other comments. There were none.

The roll call vote was:

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

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

10. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Commercial Lease Agreement between the City of Leesburg and Leesburg Art Festival, Inc.; and providing an effective date.

ADOPTED RESOLUTION 11,982

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

Commissioner Burry made a motion to adopt the resolution and Commissioner Berry seconded the motion.

Mayor Reisman requested comments from the Commission and the audience.

Commissioner Connell said he pulled this item, and it goes back to the same thing with Melon Patch. He does not think it is in the city's best interest to continue entering into twenty-five to fifty-year leases. They are way too long, and we do not know what will happen five or ten years down the road. We may even want the building back. These leases are entirely too long. It is not in the city's best interest to enter into super long-term leases. Nothing against the Center for the Arts because they are great, but the length of the leases are entirely too long. Also, it is basically a free lease, so the city is basically saying they can occupy the building for twenty-five years at no cost. **Commissioner Pederson** agreed. He did not like the twenty-five years when he read it. He was unsure if we agreed to this when the Melon Patch sold their building or if there were any pre-agreements. However, he fully supports them, but he does not like twenty-five years. He would like to see them ten or fifteen years. **CM Minner** stated the lease was set up the same way the existing lease is. The existing lease with the Arts Center was ten years. **Commissioner Berry** pointed out that the Melon Patch lease was longer. **Commissioner Pederson** stated that was because they owned their building before selling it to the school. **CM Minner** indicated that the Melon Patch lease was a fifty-year lease. And, without being sarcastic, the city has a history of doing this with

the clubs that are important to the city. The boat club was the first one to come to mind. They have prime property, and that lease was for ninety-nine-years. The Melon Patch was a fifty-year lease, but that was based on them providing \$150,000 to the city, which paid and made improvements to the Tropic. With the Arts Center, their lease has typically been shorter. However, they requested a longer lease. He did not want to throw the Center for the Arts under the bus, so he presented it as they requested. With the terms and conditions and the semantical stuff, those were addressed, but the term is up to the commission. He did not want to speak for the Center for the Arts, but if they were to change the term, he did not think they would bawk too much. If the commission wants to make an amendment to modify the term and if that is approved, he could send it back to the Arts Center for their approval. **Commissioner Berry** asked what the need would be for changing the time frame since the Melon Patch would be there longer. It is in the same building, and they also provide art for the community. If we were to shorten it, then what? Do we come back again and do it in increments? **Commissioner Connell** said this has nothing to do with the Melon Patch. However, he had issues with the length of their lease. These are long-term leases, and they are not required to pay anything. That does not seem like good business practice for the city. Somewhere down the road, maybe five years, we may have a different use for the other half of the Tropic. Maybe it is not working out for the Center of the Arts. They may be doing something that we do not agree with, and we will be stuck with them. We need to give ourselves options so we do not lock ourselves in for decades. **Commissioner Pederson** asked if he would be okay with ten years? **Commissioner Connell** answered he would not want to go for more than ten years. **Commissioner Pederson** said he was sure five years would aggravate them, so he could live with ten years. **Mayor Reisman** indicated that he was sure the organization was looking for some security. He wanted to know how many years we have been partnering with them. **CM Minner** said we have been partnering with them forever. **Commissioner Pederson** remarked that we have shown our support. **Commissioner Connell** commented that if they do not like the terms, they can find their own building. **Mayor Reisman** agreed, but they bring value to the community just like the Melon Patch does. We give and spend money on Pat Thomas and other organizations. We spend money on those organizations, and they do not pay anything to use the fields. **Commissioner Connell** pointed out that the city owns Pat Thomas, and we are not leasing it to anybody. The issue he has is with the terms of the lease. **Mayor Reisman** said he understands that, but this organization has done a lot of good for our community. He attends their events, and they draw in a lot of people from the retirement communities which are in his district. They fully support this, and they are excited that the city is investing in the arts. We would be giving the organization longevity in our community. **Commissioner Pederson** said he did not want to send the wrong message, because he has always been a supporter and he was glad to have them as a tenant. He also respected Commissioner Connell's comments about twenty-five years because he regretted his vote for fifty years. However, he remembered the reason was that they put money into it, and they sold their building. If the commission could live with ten years, he was sure the Center for the Arts could live with it. **Mayor Reisman** asked if he would agree to doing ten years with an option. **Commissioner Pederson** indicated that would not really work. **Mayor Reisman** stated both parties would still have to agree to it. **Commissioner Pederson** said that would not bother him, but he thought he meant tentative options. **Mayor Reisman** said it would be similar to the airport leases. **Commissioner Pederson** stated that as long as we have rights he would be fine, but he thought he meant tentative options. If that keeps the process simple down the road for the commission, he would be fine with it. **Commissioner Connell** asked the city attorney how that would work. **CA Watson** said there could be an option, but they would have the right to an option in the absence of a default. If they were not in default of the contract, then we would have the obligation to evaluate that in good faith on whether to decide to extend it or not. Now, does that mean the city would have to accept it? Not necessarily, if they have been operating in good faith under the terms of the lease, and they are in compliance with the terms of the lease, then they can request an option. They would need to look at that in good faith and consider that option. In the absence of a basis to deny, it would be hard to push back on someone that is trying to exercise that contractual right. **Commissioner Pederson** said with the airport leases, is it clearly written that both parties have to agree? **Mayor Reisman** remarked that

both parties have to agree. **Commissioner Connell** continued to say if we did not have a legit reason, they could continue. **CA Watson** commented that it all depends on the wording. If they had a contractual provision that says the tenant would have an option to extend the lease for five more years provided they are not in default of the existing lease term. Then, unless they are in default of the existing lease term or if there was a clear reason for saying no, it is hard to say no under those circumstances. It could be worded differently so it could be more flexible and more beneficial for the city. **Commissioner Connell** stated in this case it would be hard for them to be in default because they do not have to do anything. **CM Minner** said for discussion purposes he appreciated the mayor's comment about the airport lease and having an option, but the big tangible difference in this one is that airport leases have an asset. If there was a vacant piece of land and an airport tenant came in to the city requesting a cheap lease, they would have to build the facility. They would put "x" dollars into the hangar, and it would be worth half a million dollars. At the end of that lease, that asset would become the city's. In this case, Commissioner Connell's point was there is nothing tangible coming back to the city, and while we may want to help this organization, they are not giving anything back financially. So, in that regard, if they want freedom of where the building will go in the future, he suggested making this term certain. Whether that be five, ten, fifteen, twenty or twenty-five years. He would not recommend an option in this case. **CA Watson** agreed. They would still have the ability down the road to pick up talks with the Art Center to negotiate an extension. They would have the freedom to do that, and they would not be contractually bound to do it. **CM Minner** said they should change the term to whatever this body agrees to. He would amend the lease and send it back to the Arts Center to see what they do. **Commissioner Berry** said originally the agreement was to bring the arts together; both Melon Patch and the Center for the Arts. Now, their building is becoming a parking lot, and they were going to have everything under one roof. That is the plan. They agreed for fifty years with the Melon Patch, so why change now in midstream? **Commissioner Connell** stated with no disrespect he voted against that because he has an issue with long-term leases because they are not in the city's best interest. **Commissioner Berry** stated we already have one for Melon Patch for fifty years, and we are talking about the other side of the building. **Commissioner Connell** said we would still have half a building to do something different if we wanted to in five or ten years. It would not be locked for another twenty-five years.

Commissioner Pederson made a motion to amend the lease term to ten years and Commissioner Burry seconded the motion.

Mayor Reisman asked if there were any other comments from the commission and the public. There were none.

The roll call vote on the amendment was:

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

Three yeas, two nays, the Commission approved the amendment.

Mayor Reisman stated there was an amendment to the main motion for ten years. He asked if there were any further comments from the commission and the public. There were none.

The roll call vote was:

Commissioner Berry	Yes
Commissioner Connell	Yes

Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Reisman	Yes

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

11. Resolution of the City Commission of the City of Leesburg, Florida authorizing the transfer of \$840,584 from the General Fund to the Electric Fund for the Itron AMI agreement; and providing an effective date.

ADOPTED RESOLUTION 11,983

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

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

Mayor Reisman said he pulled this item, so the city manager could give a debrief. **CM Minner** said back around September or October the city commission ended the agreement with GE. We started with GE almost fifteen years ago when we went to the Smart grid. We updated our metering capabilities and other stuff in the electric department. That agreement was set to expire in 2027/2028. However, we are getting out of the GE contract early. Back around September, the city commission voted to terminate that agreement effective November 2025. We entered into an agreement with Itron to do all the automated metering. That financial movement means significant savings in the long term after the initial year of operations. We entered into a ten-year agreement with Itron, and after year two we should see about one million dollars in savings. The unfortunate part is that we have to cough up about one million dollars to finance the changing of the guards. That covers the software, interaction between GE and Itron, and shifting from one house to another. When we approved the agreement we discussed the payment of \$840,000, which was to be spread out over the course of FY 25. That way, it does not all come out of the house at one time. We based it on milestones to be reported, but he could not remember what the milestones were. He was sure the electric and IT departments had not forgotten the milestones. In any case, part of the contemplation about the lease was where we were going to take the \$840,584 from. He vaguely said we may want to take it out of the general fund and this resolution would authorize that payment for the GE/Itron switch out to come from the general fund. The basic reason for that is, as we continue to move forward, we are trying to keep electric rates as low as possible. Having said that, we may have to entertain a base rate increase around October. He noted the base rate increase was different from the power cost adjustment, and we will contemplate that during budget time. Secondly, inflation has incredibly hurt the electric department because pretty much everything they touch is expensive. It has almost doubled in cost. For example, transformers used to be \$1,500, and they are now \$3,000. Wire poles and supply meters have also gone up. Inflation has significantly impacted cash reserves in the electric fund. That is related and attached to our continuation of trying to keep electric rates down. They will get more into that during the budget process. Remember, today's electric rate is less than what it was eleven years ago when he became the city manager. Even with a growing system and inflation, we were able to do that. However, he does question how long we will be able to do that. Lastly, we have made a number of system improvements, and we had to use the cash reserves. With all that being said, the electric department has bounced up and down lately. The last two quarters were about half a million dollars plus or minus where the recommended reserve requirement should be. The reserve is sitting around seven million dollars. He would breathe easier at night if that number was around fourteen or fifteen million dollars. He does not think it needs to go back to twenty million, but at seven million

dollars with us bouncing back and forth plus or minus half a million dollars, that reserve does get tight. Another area that will show is with our creditors because they do annual bond checks. They have not downgraded us yet based on our cash reserves. However, when we did debt issues our cash reserves were extremely high, so we were able to get favorable interest rates. He could see the credit rating sliding a little bit. Mind you, it would not be catastrophic for us if our credit rating went down. However, if we needed to borrow money, that would affect the interest rates by a couple of points. He did think we would see a full percentage point, but if our credit rating goes down they could see that go up. Again, that is only if we need money. On the other side of the house, the general fund has been the recipient of millions and millions of dollars from the electric fund. The general fund is sitting on about fifteen million dollars, which is way in excess of our reserve. He believes we have guarded that extremely well, so cutting out \$840,584 to go back to the electric fund is a smart financial move. So, this resolution authorizes the transfer of \$840,584 from the general fund reserve to the electric fund to pay for the Itron/GE change.

Commissioner Berry asked what the amount was that he would like to see the reserve to be. **CM Minner** said he would like to see the electric reserves between fourteen and fifteen million dollars. That is about double the reserve, and that is two-fold. It is good for our bond rating and the electric fund would be able to handle catastrophic incidents. If something were to go bump in the night and a major transformer goes out, we would be looking at three to four million dollars. However, storms are a different animal. This year we have not finished adding up the numbers, because we had so many hurricanes. With Milton, we probably spent around two million dollars (out of cash) on restoring the electric system. That is another reason that account dinked down. Right now, everything is on freeze until we receive our FEMA reimbursement from the federal government. He was unsure when that would be, but it was coming. Those are the reasons why he does not like to keep the electric fund at the red line. However, right now, we are keeping it at the red line to keep the rates down and the general fund has the cash. It makes sense and in the long-term, the change over from GE to Itron will be financially good.

Commissioner Pederson said he was fine with this. The city manager touched on rates, so he thought it would be a good time to bring up the newspaper articles that he sent the city manager. The articles from the newspapers show the big boys have been raising their rates due to the storms. He was curious to know where we ranked right now. **CM Minner** said there were a lot of interesting dynamics going on right now. However, right now, if we were to go to the American Public Power Association website and the Florida Municipal Electric Association (FMEA) website, it would show that we are a little over average. Compared to the forty-eight municipal electric utilities and the four IOUs, we are moving towards the back quarter. If they look at the All-Requirements Project, which is a more fair comparison, we are pretty competitive in the electric pool. The reason we are falling behind on average is that there are a number of municipal electric utilities that have contract supply power. Meaning, they buy it on the short term. So, right now, they look good, and their rates are extremely competitive, but the trick with short-term power supply contracts is they get rewarded when there is capacity, but that is going away. When there is no capacity, their rates will really go up. We are where we need to be with the All-Requirements Project. That is where we need to be long-term. It is solid, consistent and predictable, and with our investor-owned utility, we are killing Duke. Our rate is a lot better than theirs, and with FPL we are sneaking up past them. Again, at the Public Service Commission, Duke and FPL have rate tariff increases. They are seeking increases based on storm expenses, hardening of the system and fuel. The short term is that everybody will continue to go up. **Commissioner Pederson** mentioned the reason he brought that up was, in 2022, everybody waved the FPL and Duke rates in front of us, and they were not comparing apples to apples. He knew we were competitive now. **CM Minner** said, as predicted, when they brought those rates up, we said just wait, they are going to go higher, and they did. Now, Duke has gone much higher. **Mayor Reisman** asked if there were any other comments from the commission or the public. There were none.

The roll call vote was:

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

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

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES

1. None

B. FIRST READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 6.52 +/- acres; and being generally located northwest of County Road 44 and south of Hickory Hollow Road, lying in Section 03, Township 19 South, Range 25 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 5; and providing an effective date. (Wayne Storage ANNX)**

CA Watson asked anyone wishing to provide testimony on items 6.B.3 or 6.B.4 to stand and raise their right hand, and he swore them in.

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

Mayor Reisman requested comments from the Commission and the audience.

PZD Miller stated this proposal was for an annexation, small-scale comprehensive plan and rezoning. It is approximately 6.5 acres. It is located west of CR 44, south of Hickory Hollow and north and south of Variety Tree Road. With the small-scale comprehensive plan, they are requesting to take the property from Lake County Rural Transition to City of Leesburg General Commercial and the rezoning would take it from County R-6A and CP, which is Urban Residential Agricultural and Planned Commercial, to City Small Planned Unit Development (SPUD). Under the PUD requirements, the proposal would consist of an indoor self-storage facility with some outdoor storage for boats and RVs. There would be one on-site apartment for management and security. No other uses are permitted within this proposal. They included design and architectural standards, and the proposed facade is shown as Exhibit D. We have

dark sky lighting and thirty-five percent of the property is open space. There is a fifteen-foot landscape buffer required around the entirety of the property along with a master landscape plan. The standard use of Bahia or Bermuda is permitted in place of St. Augustine grass. The planned main access points are subject to be reviewed and approved by Lake County. All areas directly adjacent to residential areas are required to have a fence with a minimum of six feet and a maximum of eight feet in height. Finally, there is a phasing or expiration clause for the development needing to move forward within four years through substantial commencement or the property automatically reverts to RE-1 zoning. There are representatives here to speak, and he would be happy to answer any questions.

Danika Oliverio, Project Manager of CHW, 11801 Research Drive, Alachua stated she had a presentation for the Wayne Storage Project. It includes three applications; the annexation, the small-scale comprehensive plan amendment and the small planned unit development (SPUD) rezoning. The intent for this project was to allow for connection to City of Leesburg utilities when they become available. It will provide a non-residential use to support the growth along CR 44, and to provide an access easement and roadway pavement improvements on Variety Tree Road. Referring to a rendering, she showed the location of the site. If they were to go further north on CR 44, they would see to the south Orange Bend and Liberty Preserve, which are under development. Further north on CR 44 there is Brown's Auto Sales, which is part of the City of Leesburg, Hickory Hollow Estates, United Southern Bank and several RV parks going further north. She showed a rendering of the subject property that included the bank, sports bar and pizzeria, the Cutting Edge Hair Salon and Brown's Auto Sales. Hickory Hollow Road is to the north and Variety Tree Road bisects the bottom end to the south. Both are private roadways. As part of this project, the strip of Variety Tree Road that crosses this parcel, which is about two hundred and seventy feet long and thirty feet wide, will be paved, and it will provide access for the residents who live to the west on Variety Tree Road. She showed the overall project timeline. They have met with planning staff several times. They turned in their application in October of last year and their planning commission meeting was in December, and they recommended approval. She provided a list of the materials covered in all three applications. We have a topographic and boundary tree survey, legal descriptions, deed, property appraiser tax records and affidavits. They have an environmental natural resource report, future land use mapping, rezoning mapping, land use table and the traffic impact statement. They included water and sewer connection covenant, annexation application forms along with all the justification reports and the conceptual site plan. Digging further into the details of the elements, the water and sewer connection covenant was part of the package. It is a binding agreement that says this property would connect to city water and wastewater when it becomes available. That document was signed and notarized by the owner and the city utilities. They have an environmental natural resources assessment document within the package that contains on-site field surveys and database reviews conducted by qualified ecologists. In that report it was noted that there are no rare or endangered natural plant communities, no hydric soils, the property is entirely upland, there are no listed designated animal species on the site and there is no suitable habitat for some of the species listed, although they have been found within a mile or two of this location, but the report specifically states there are no suitable habitat on this site. There are no bald eagles, wading birds, scrub jays, snail kits or sand skinks. They included a traffic statement, which showed very low traffic volumes associated with this type of project. The PM peak total trip is estimated at fourteen afternoon peak total trips. The central parcel of this property is CP zoning, which allows for retail, restaurants, offices, medical and hotels, which would make four hundred or more PM peak trips. This project would have a very low traffic volume at this location.

Referring to the conceptual site plan, she said starting in the southern area, they would see Variety Tree Road, which is where the thirty-foot wide easement and pavement installation for residential access. It would also provide access to the main office area. She pointed out the main entry to the driveway and the office, which includes five parking spaces. There is one office and a restroom. It would have a gated entry to the storage area. There would be one-story buildings, there is a fifteen-foot-wide perimeter

landscape buffer and along the entire western side they would have a six to eight-foot-high fence adjacent to the residential areas. The fence has to be opaque, faux stone, wood or vinyl, which is part of the SPUD requirements. This site meets the thirty-five percent open space requirement. There is one additional access to the north, but that gate will remain closed and only used for security purposes. Again, this is a transitional non-residential, low traffic development. With the SPUD requirements, there will be development standards as mentioned with building setbacks, building height, open space requirements, site access and circulation requirements, architectural standards that include dark sky lighting, which means full cut off, so the light does not spill anywhere outside the site. Facade design requirements for any buildings with public road visibility, signage requirements, screening requirements and open space landscaping and buffer requirements. They have a fifteen-foot-wide perimeter buffer around the entire site and within that perimeter buffer the applicant is required to put two canopy trees for every one hundred linear feet of space and thirty-three feet of shrubs for every one hundred linear feet of space to help buffer the project. The opaque wall or fence of six to eight feet high and there are irrigation, water use requirements, maintenance requirements, storm water and utilities are all packed within this SPUD. **Mayor Reisman** thanked her for her presentation. He asked if there were any commission comments. There were none. He asked if there were any public comments.

Donald Schumacher of 9823 Hickory Hollow Road asked about the annexation? Would they only annex this parcel into the City of Leesburg or are they looking at the whole corridor of CR 44? **Mayor Reisman** said it would only be the subject property. **Mr. Schumacher** thanked him for that clarification.

Linda James of 9705 Hickory Hollow Road said she opposes the destruction, stripping and destroying of all the trees. They will burn them and replace them with concrete. There is too much building going on. She invited and pleaded to consider comprehensive, community-based conservation, keeping in mind that wildlife though they may not live needs spots to land and feed on. As a city, they do not consider anything about the wildlife or nature. There is a lot of development going on in that area, so they should think about habitat protection and conserving land. We need land and space for wildlife. All she sees is the complete stripping of all the trees. They are dredging up the land and replacing it with lawns that are sprayed with pesticides and herbicides, which makes a toxic community. She was sure The Villages gave the city the idea, because they are the model for what the city is now following. They will completely destroy everything for the people that are moving to Florida. She knows there are a lot of people coming in that need housing and different services, but she wanted them to consider reserving land for the wildlife. They need to reconsider cutting down the trees, because they have bluebirds and hawks that nest in the trees. They may not have snail kites or other protected species, but there are other wildlife that live there. Where she lives, she abuts a cattle ranch and there are all kinds of milkweed and the cows do not eat the milkweed. She sees hundreds of monarch butterflies and the farmers are aware of them, so he will not destroy the plants and neither will the cows. There are pieces of land that the wildlife counts on, so please consider not tearing down all the trees and burning them.

Steve Clark of 9844 Hickory Hollow Road said his property would be the most affected by this project. It would be located behind and beside him. He purchased this property two years ago, and across the street he has cows feeding on fourteen acres. This area is currently wooded, so they are talking about changing the entire feel of the area. He was a very experienced licensed realtor, so he understood this would only negatively affect the value of his property. His property will be surrounded by metal buildings as opposed to trees or residential buildings. He heard it mentioned tonight that there would be boats and RV storage. That was not mentioned before now. He was not for boats and RVs leaking oil, nor did he want to look at that every day. If that is going to be allowed, the fence needs to be eight feet. He would also like them to address light and sound pollution because this will be located right next to his property. **Mayor Reisman** asked if there were any other comments. There were none. He stated these items would lay over.

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 6.52 +/- acres from Lake County Rural Transition to City of Leesburg General Commercial, for a property generally located northwest of County Road 44 and south of Hickory Hollow Road, lying in Section 03, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Wayne Storage SSCP)**
3. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 6.52 +/- acres from Lake County R-6 (Urban Residential District), A (Agriculture) and CP (Planned Commercial) to City of Leesburg SPUD (Small Planned Unit Development) to allow for a self-storage facility for a property generally located northwest of County Road 44 and south of Hickory Hollow Road, lying in Section 03, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Wayne Storage PUD)**
4. **An Ordinance of the City of Leesburg, Florida, rezoning approximately 4.87 +/- acres from SPUD (Small Planned Unit Development) to SPUD (Small Planned Unit Development) for a property generally located west of Lee Street, north of Herndon Street, East of Perkins Street, and south of West Line Street, as legally described in Section 26, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lee School 2025 SPUD)**

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

Mayor Reisman requested comments from the Commission and the audience.

PZD Miller stated the request was to rezone the old Lee School property from SPUD to SPUD with revised conditions. The property consists of just under five acres. It is generally located north of Herndon Street, south of West Line Street, east of Perkins and west of Lee Street. The request is for the future development of a one hundred-and-two-unit, multifamily apartment complex. Some background on this project: the Lee School was abandoned in the early 2000s and no developers were interested in this property. There were some tire kickers, but no one serious. This property sat vacant for many, many years. In 2015, the property was sold by the school board to an Orlando investor. In 2016, it was rezoned under Ordinance 16-01, that allowed for assisted living, independent living, memory care or medical offices, and things of that nature. With that zoning, they were to keep both buildings. However, we had no serious developers come forward. In 2018, the property was sold to another investor and in 2021, another investor rezoned the property under Ordinance 21-19, which allowed for forty-nine town homes and fourteen apartments. Again, no developers came forward willing to develop that property. In 2024, the historic preservation board voted to allow the buildings to be demolished. They were demolished last year. Those buildings sat unused from the early 2000s through 2024, when they were torn down. Now, today, in 2025, the request is for an apartment complex. If they recall, at the January 27th city commission meeting, staff presented a proposal for the expansion of the downtown mixed-use future land use district. It would utilize the current downtown mixed-use district and expand it to about one hundred and twenty or one hundred and thirty acres. It expanded the district north to the old railroad right-of-way,

which is the Leesburg/Wildwood trail. Then east past Pine Street and portions of Rambo Street toward the hospital, but not including the hospital. It then went south to Dixie Avenue and back west, which included the old Lee School site. The purpose of that change was to expand investment opportunities for areas in and adjacent to the downtown. They are anticipating that this will be the first project of what they hope to be several more over time. It will increase investment levels in the core downtown. However, remember these things take years, and if we start now, we will be successful. Under the PUD requirements, this would be a one hundred and two multifamily unit apartment complex. The applicant has asked for four floors, but the planning commission recommended that it be brought down to three floors. He noted that the old Lee School had two floors, but because there was a basement and very high ceilings, those structures were three floors. There are no other uses permitted in this proposal. There is a fifty-foot setback from the road and the unit sizes vary. The plan showed one and two-bedroom apartments, and he did not believe there would be any three-bedroom apartments. The parking will be designed per city code requirements. There are architectural standards required, and the facades are shown in the exhibits, which were reviewed and approved by the historic preservation board. It includes dark sky lighting, thirty-five percent open space and a twenty-five-foot buffer along the entirety of the property boundaries and green space. There is a fence required, which could be wrought iron with brick and stone columns. The standards include no St. Augustine grass and there will be two main access points; one on Lee Street and one on Herndon Street. The signage would be a decorative entry feature, no more than five feet tall. There will be at least ten thousand square feet of recreational area that could include a swimming pool, playground, or a fenced area for a small dog park and a gazebo. There are requirements in the PUD for monumentation, which memorializes the Lee School. Examples of that were included in the exhibits. Finally, the standard four-year phasing clause was included. This was the first reading and the applicant was present to answer any questions.

Commissioner Pederson said he liked this project. He appreciated the developer's patience because we put them through a lot. He was the one that asked for better parking last time. He even said he would be willing to go to four stories if that was what it took to get parking. However, he was fine with this development. He was thrilled about having this number of units within walking distance of the downtown. **Commissioner Burry** asked why the planning commission wanted three stories instead of four. **PZD Miller** answered they compared the size to the old Lee School. The old Lee School was functionally two stories. They had to walk up a flight of stairs to get to the first floor, each floor had high ceilings, and there was a basement. It functioned as a two-story building, but the height of the building was equivalent to three floors. The planning commission wanted it to be similar in height to the old Lee School. Efforts were made by the applicant, but it reduced the open space. He could not remember the exact numbers or percentages, but it did reduce the open space when they brought it down to three stories. That is a question that the city commission needs to make a decision on. **Commissioner Pederson** inquired if he knew how tall the former buildings were? **PZD Miller** answered no. He wanted to note that someone called him earlier and said they thought there was a typo on the height. He needs to go back and look at that. However, the applicant has requested four stories and the planning commission would like to see it reduced to three stories. **Mayor Reisman** echoed Commissioner Pederson's comments. This has been a long road and a long journey for everyone. We are excited to see this project come into fruition. He was excited to see foot traffic in the downtown. People will utilize the walking trails and sidewalks to get to the downtown. **PZD Miller** mentioned that Beacon College was very interested in this project. He did not know the latest negotiations, but they were interested in using as many of the units as possible. A lot of the Beacon College kids do not drive, and this would be within walking distance. This is within walking distance of Beacon College. They could walk down the trail or go down Meadow Street. Beacon College is very interested in pursuing this project. **Mayor Reisman** asked if there were any other commission comments. There were none. He asked for public comments.

John O'Kelly of 611 Lake Shore Drive said the Lee School project has been ongoing for well over five to

six years. He was not opposed to the development, but he felt a four-story apartment building would be overwhelming for the single-family, one-story homes on the perimeter of that block. Many of them are historic old houses. The old Lee School buildings were in fact three-stories in height, because they had to walk up about ten steps to get to the first floor. For consideration, he would like the commission to consider reducing it to three stories. He did not know if that would create a problem with density or green space by having a larger footprint, but if there was a way to work that footprint and get the one hundred units, it would be good for the surrounding homes. The buildings would be placed on the north side of the property, so those folks would be looking up at a sixty-foot concrete wall. **Mayor Reisman** asked if there was any further public comment. There were none. He stated this item would lay over.

C. NON-ROUTINE ITEMS

1. **Resolution of the City Commission of the City of Leesburg, Florida, adopting the street name for the Veterans Road Infrastructure Project at the Leesburg International Airport; and providing an effective date.**

ADOPTED RESOLUTION 11,984

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

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

Mayor Reisman requested comments from the Commission and the audience.

CM Minner explained the commission needed to vote on a name for the new road. The code reads that the city manager names roads, but he wanted to bring this one to the commission. It was for the Veterans Road Project. The airport is endeavoring to put a cul-de-sac and develop the northeast corner of the airport near the fire department. Basically, at this stage, we need a name. There were a couple of suggestions, but they need to fill in the blank, so they can move this project to the DRC. **Commissioner Pederson** said when he read the packet he thought the airport advisory board should be the ones to make the decision. However, he then saw that they deferred it to us. He also saw a comment that referenced calling it a court. He saw about twelve different street names, but only four or five of them had court listed as a suffix. **CM Minner** clarified that it was a county code. There was nothing in our code that says it had to be a court, it could be a cul-de-sac. He did not believe it had to be tied to court. **Mayor Reisman** informed the commission that he had two recommendations. The first was "Soule Court" in honor of Jodi Soule, who recently passed away from cancer. She was very instrumental and a longtime airport tenant. She was involved with the environmental assessments, and she would help the young kids get into flying. The second recommendation was "HG Morris Court" in honor of Gary Morris. He was instrumental with getting the US Customs and the air traffic control tower. **Commissioner Pederson** said he was fine with either one. **Commissioner Berry** concurred.

Commissioner Burry made a motion to name the road "Soule Court" and Commissioner Pederson seconded the motion.

Mayor Reisman asked if there were any other comments from the commission or the public. There were none.

The roll call vote was:

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

Five yeas, no nays, 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. Financial Reports for October - November 2024

Commissioner Berry requested that they move the money from the West Leesburg CRA of \$120,000 to the CRA Reserve fund for future use. **CM Minner** stated that was in their budget packets, it is a quarterly report that is called rollovers. The project that Commissioner Berry is referring to was the Boys and Girls Club rollover of \$120,000. Instead of having the lease with the Boys and Girls Club, she would like the money returned to the reserve account. **Mayor Reisman** asked about the police department and the security fee listed for March 16, 2025. He thought that was amended to where the police department was requesting to be paid up front. **CM Minner** wanted to confirm that he was referring to the police department and security. **Mayor Reisman** answered yes. They are working with the police department for security on March 16, 2025. He thought that was adjusted so they had to pay in advance. **CM Minner** wanted to know who they were. **Mayor Reisman** pointed out that the report said Carissa Mosley, and she was working with the police department for security at an event. He thought that was adjusted, so they had to pay in advance. **CM Minner** said he thought that was a forward payment, but he would double-check. **Mayor Reisman** asked if there were any other questions or comments. **Commissioner Pederson** wanted to verify they were moving the money to the CRA reserve fund from the Boys and Girls Club. **CM Minner** agreed. Instead of going to the Boys and Girls Club, the recommendation was to put it back in reserve.

8. CITY ATTORNEY ITEMS:

CA Watson had no items to address.

9. CITY MANAGER ITEMS:

CM Minner had no items to comment on.

10. ROLL CALL:

Commissioner Pederson had no comment tonight.

Commissioner Berry thanked the Lake Community Action Agency for their presentation. She thanked the commission for pushing those agreements and allowing for the home improvement grant program.

She saw all the pictures, and the few provided did not do it justice. She walked through the homes and saw how much work was done. She wanted to thank everyone for a job well done. She would write it up and send it to the Lake Community Action Agency and, hopefully, this will move the project into phase two. Hopefully, more people will come forward and join in.

Commissioner Connell had no comment.

Commissioner Burry had nothing to comment on.

Mayor Reisman thanked Tracy Dean, the airport manager, for helping to put on a wonderful event this past weekend. There were thousands of people who came out. He is looking forward to doing it again. Upcoming events, we have the Bass Fishing Tournaments over the next couple of weekends. The Lone Oak Cemetery is hosting a Special Moonlight Tour on February 13th. We have Discover Leesburg on February 14th. The Leesburg Chamber of Commerce, Taste of the Lake will be held on February 21st, and in the downtown we have the Blues-BQ on February 22nd. He looks forward to seeing everyone out at the events.

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 Pederson and a second by Commissioner Burry, the meeting adjourned at 7:17 pm.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.1.

Meeting Date: February 24, 2025

From: Cliff Kelsey, (Public Works Director)

Subject: Purchase request for vehicle equipment for the City of Leesburg Police Department in the amount of \$89,441.25 from Global Public Safety, a Single Source vendor. This equipment is for eight (8) new replacement Police Department vehicles.

Staff Recommendation:

Staff recommends approval of purchase of vehicle equipment (upfit) from Global Public Safety for eight (8) Police Department replacement vehicles. Three (3) unmarked police vehicles and five (5) as marked patrol vehicles for the amount of \$89,441.25.

Analysis:

The purpose of this purchase is to allocate this equipment to eight (8) new Police Department replacement vehicles that were purchased as three (3) unmarked police vehicles and five (5) marked patrol vehicles.

Procurement Analysis:

Global Public Safety is a Single Source vendor.

Options:

- I. Approve the purchase from Global Public Safety for \$ 89,441.25; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

REMIT TO:



Sales Quote

October 17, 2024

Q-242301

Sold To:

Leesburg Police Department
115 E Magnolia St
Leesburg FL 34748-5834
USA

Global Public Safety- FL
 4240 LB McLeod Road
 Orlando, FL 32811

Salesperson: Ryan Rogers

Your Reference:

Bill-to Customer No.: C15810

Bill-to Customer Email: Chris.parsons@leesburgflorida.gov

Vehicles					
Vehicle ID	VIN	Tag	Year	Stock/Unit Number	Make/Model
					/

Details				
No.	Description	QTY	Unit Price	Line Total
	GRILL LIGHTS			
TLI2F	ION T-SERIES LINEAR DUO A/W	2	105.00	210.00
TIONBKT1	ION T-SERIES UNIVERSAL MOUNT	2	15.00	30.00
	REAR DOOR LIGHTS			
TLI2F	ION T-SERIES LINEAR DUO A/W	2	105.00	210.00
TIONBKT1	ION T-SERIES UNIVERSAL MOUNT	2	15.00	30.00
	REAR DOMINATOR BAR			
D8	8-LIGHT DOMINATOR TIR3 SERIES	1	495.00	495.00
PNFTCM07	nFORCE® Traffic Controller Deck/Grille Mounting Kit - 7 Hole (1 Bracket)	1	20.00	20.00
	INSTALLATION			
INSTALL SUPPLIES	Installation Shop Supplies	1	95.00	95.00
LABOR-INSTALLATION	Installation	10	85.00	850.00
	ALL LIGHTING ACTIVATED BY 1 ROCKER SWITCH			

Subtotal: 1,940.00

Total Tax: 0.00

Total: 1,940.00

Amount Subject to Sales Tax

0.00

Amount Exempt from Sales Tax

1,940.00

Sales Quote Q-242301

October 17, 2024

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Terms and Conditions,

Quotes are good for 60 days. By signing this document, you are acknowledging that you have verified the descriptions and specifications of the products listed on this quote. We cannot and do not guarantee the accuracy or completeness of any information, including prices, product images, specifications, availability, and services. We reserve the right to change or update information and to correct errors, inaccuracies, or omissions at any time without prior notice.

Cancellation of Order

No cancellation of any Order(s) by the Customer shall be effective unless written notice thereof is given to Global Public Safety before the Equipment is delivered to the Customer and unless Global Public Safety agrees to accept such cancellation in which event the Customer shall pay to Global Public Safety immediately on presentation of invoice, a cancellation charge of 25% of the price agreed for the delivery and installation of such Equipment.

In the event a customer cancels an Order(s) for any customized Product which has been accepted by Global Public Safety or due to Supplier cancellation of vehicle(s) order. The buyer shall still be liable for the full payment of the Purchase Price.

REMIT TO:



Sales Quote

July 25, 2024

Q-241719

Sold To:

Leesburg Police Department
115 E Magnolia St
Leesburg FL 34748-5834
USA

Global Public Safety- FL
 4240 LB McLeod Road
 Orlando, FL 32811

Salesperson: Ryan Rogers

Your Reference:

Bill-to Customer No.: C15810

Bill-to Customer Email: Chris.parsons@leesburgflorida.gov

Vehicles					
Vehicle ID	VIN	Tag	Year	Stock/Unit Number	Make/Model
					/

Details				
No.	Description	QTY	Unit Price	Line Total
EB2DEDE	LEGACY WCX 54" RW/BW/RW/BW	5	1,600.00	8,000.00
C399	CENCOM CORE WCX CONTROL CENTER	5	850.00	4,250.00
CCTL6	WeCanX KNOB/SLIDE CONTROL HEAD	5	0.00	0.00
C399K7	OBD II CANPORT KIT 2021 F-150 & 2020+ PIU	5	0.00	0.00
CV2V	VEHICLE-TO-VEHICLE SYNC MODULE	5	0.00	0.00
CEXAMP	WeCanX EXTERNAL AMPLIFIER	5	184.80	924.00
SA315P	SA315P SPEAKER, BLACK PLASTIC	10	160.00	1,600.00
SAK1	SA-315 MOUNT KIT UNIVERSAL	10	0.00	0.00
CHWLFE29	WCX LO FREQ SIREN AMP EXPLORER	5	303.45	1,517.25
CEM16	WeCanX 16 OUTPUT EXPANSION MOD	10	142.80	1,428.00
I3SMJC	SURFACE MT TRIO ION R/B W/WHT	20	138.60	2,772.00
I3JC	TRIO ION R/B W/ WHT OVERRIDE	10	115.00	1,150.00
PSJ02FCR	STRIP-LITE+ DUO FLASHR RED/BLU	20	100.00	2,000.00
PSBKT90	STRIP-LITE+ 90 DEG MT KIT	20	22.00	440.00
D6RRRBBB	6-LIGHT DOMINATOR TIR3 SERIES	5	400.00	2,000.00
DBKT4	DOMINATOR ANGLE MOUNT BRACKET	5	18.00	90.00
VTX609B	VERTEX SUPER-LED LIGHT BLUE	15	65.00	975.00
VTX609R	VERTEX SUPER-LED LIGHT RED	5	65.00	325.00
3SRCCDCR	3" ROUND SPLIT RED/WHT COMPART	10	59.00	590.00

Sales Quote Q-241719

July 25, 2024

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ARGES1	ARGES 5 DEG REMOTE SPOTLIGHT	5	487.00	2,435.00
ARGCH1	ARGES BAIL MT CONTROL HEAD	5	217.00	1,085.00
ARG50D	DRVR FENDER MT INTERCEPTOR SUV	5	71.00	355.00
36-2125	Push Bumper Elite	5	405.00	2,025.00
36-6005W2	Elite 23.5" 2 Light Channel	5	40.00	200.00
CC-20-UV10-L8	2020-23 PI Utility 18" Sloped console, 10" slope, 8" level (no floor plate needed, mounts directly t	5	410.00	2,050.00
FP-WCENCOM-JD	4" Control/Cencom (Sapphire, Carbide)/295 SA,DA	5	0.00	0.00
FP-MXTL2500	3" XTL2500/5000/APX6500 remote 05/07	5	0.00	0.00
FP-USB-2DC	2" face plate pre-punched w/ holes for (2) DC outlets & (1) dual-port USB module	5	0.00	0.00
AC-INBHG	4" internal dual beverage holder. Includes rubber fingers to keep cup stabilized.	5	44.00	220.00
FP-BLNK4	4" Blank filler plate	5	0.00	0.00
MMSU-1	Magnetic Mic Single Unit..1 Single Unit Conversion Kit	10	40.00	400.00
AC-MIC-Z-FPI	Height adjustable, no-holes-drilled L-slot microphone clip plate assembly	10	22.00	220.00
AC-TB-ARMMNT-58	Console mounted height adjustable arm rest w/ 5x8 pad.	5	142.00	710.00
CM-LT-1600	Deluxe laptop tray for computer up to 15"W x 11.5H; 3 lbs. lighter than CM-LT-1500, use w/computer m	5	285.00	1,425.00
CM-SDMT-SL-LED	Console side ht. adj. mount w/slide arm for docking station	5	390.00	1,950.00
KIT-TP-SL1U-BB-SS	2020-23 PI Utility US Partition Kit (TP-E-SL1-US-SS, SAB-20-FDUV-BB, KP-UV20-DAP-SS)	5	870.00	4,350.00
PS-20-UVFX-OS-R	2020-23 Ford PI Utility Plastic seat with OS belts, rear partition (square-hole), with fire compartm	5	1,550.00	7,750.00
DP-UV20-SET	2020-23 Ford PI Utility driver and passenger side door panel set	5	230.00	1,150.00
AC-20-UV-SET	2020-23 Ford PI Utility driver/passenger side set of diamond-punched window screens	5	172.00	860.00

Sales Quote Q-241719

July 25, 2024

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AC-20-UV-HATCH	2020-23 PI Utility hatch window screen; Square-hole punched	5	115.00	575.00
CP-GB403212-PB	40" W x 32" L x 12" H w/PB lock, 2 DL locking handles. Carpet top.	5	1,387.00	6,935.00
CP-UV20-MNT-EB	2020-23 Ford PI Utility cargo elevated box mount (box can be bolted on top) > Works with 44"W x 6"	5	238.00	1,190.00
GK11191B1SSVSCA	Dual T-Rail Mount 1 Small 1 1082E Blac-Rac, Trigger Guard and Receiver ***NEW COLD WIRE TECHNOLOGY I	5	790.00	3,950.00
INSTALL SUPPLIES	Installation Shop Supplies	5	295.00	1,475.00
LABOR-INSTALLATION	Installation	150	85.00	12,750.00
SHIPPING	FREIGHT	5	300.00	1,500.00

Subtotal: 83,621.25**Total Tax: 0.00****Total: 83,621.25**

Amount Subject to Sales Tax 0.00

Amount Exempt from Sales Tax 83,621.25

[Click Here to Pay](#)**Terms and Conditions,**

Quotes are good for 60 days. By signing this document, you are acknowledging that you have verified the descriptions and specifications of the products listed on this quote. We cannot and do not guarantee the accuracy or completeness of any information, including prices, product images, specifications, availability, and services. We reserve the right to change or update information and to correct errors, inaccuracies, or omissions at any time without prior notice.

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In the event a customer cancels an Order(s) for any customized Product which has been accepted by Global Public Safety or due to Supplier cancellation of vehicle(s) order. The buyer shall still be liable for the full payment of the Purchase Price.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: February 24, 2025

From: Brandy McDaniel, (Budget Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2024-25 Budget for the General, Stormwater, Greater Leesburg CRA, Carver Heights CRA, Highway 441/27 CRA, Capital Projects, Electric, Gas, Water, Wastewater, Solid Waste, Airport, Discretionary Sales Tax, Police Forfeiture and Fleet Services Funds for the carryovers from fiscal year 2023-24; and providing an effective date.

Staff Recommendation:

Staff recommends adoption of the attached resolution amending the fiscal year 2024-25 budget for the General, Stormwater, Greater Leesburg CRA, Carver Heights CRA, Highway 441/27 CRA, Capital Projects, Electric, Gas, Water, Wastewater, Solid Waste, Airport, Discretionary Sales Tax, Police Forfeiture and Fleet Services Funds for the carryovers from fiscal year 2023-24.

Analysis:

As established in the Budget Policy, adopted September 28, 1998, total appropriations within a fund cannot increase or decrease without formal action by the City Commission.

The budget adjustment includes purchase orders that were issued prior to September 30, 2024, and the amounts were not included in the original budget for 2024-25, as well as projects not completed in last fiscal year.

General Fund	Amount	Funding Source
American Rescue Plan-Administration	\$ 995	Fund Balance (ARPA)
American Rescue Plan Grant- West CDC	14,345	Fund Balance (ARPA)
Downtown Historic Bldg. Rehabilitation Grants	500,000	Fund Balance
CURE Vouchers	22,706	Fund Balance
Purchasing Professional Services	22,588	Fund Balance
Copiers (IT)	25,000	Fund Balance
Walmart Spark Grant (Police)	3,500	Fund Balance
FDLE Grant- Drones (Police)	57,674	Federal Grant & Fund Balance
Community Risk Assessment (Fire)	8,193	Fund Balance
Bunker Gear (Fire)	26,091	Fund Balance

Fire Marshal Washer Extractor (Fire)	6,805	Disc. Sales Tax, Fund Balance
Pavement Marking/Striping (PW Streets)	19,439	Fund Balance
Sidewalk Replacement (PW Streets)	20,073	Fund Balance
H.O. Dabney Pool Pump Repair (PW Facilities)	10,500	Fund Balance
PW Wiring & Install 9 Cameras (PW Facilities)	6,092	Fund Balance
Install Plank Floor at PD (PW Facilities)	2,717	Fund Balance
Gym Roof (PW Facilities)	81,041	Fund Balance
Repair Floating Gangway (PW Facilities)	8,500	Fund Balance
Update Comprehensive Plan (Planning & Zoning)	22,420	Fund Balance
Demolition (Housing)	<u>24,309</u>	Fund Balance
Total General Fund	\$ 882,988	
Stormwater Fund	Amount	Funding Source
Flamingo & Crest Ave Improvements	\$ 38,405	Fund Balance
Lake Robinhood Improvements	276,690	Fund Balance
Center Street Improvements	166,205	Lake County Water Authority Grant
Curbs, Gutters & Inlets	15,144	Fund Balance
South St. Improvements	15,125	Fund Balance
Flora Lee Dr. Pipe Replacement	<u>18,572</u>	Fund Balance
Total Stormwater Fund	\$530,141	
GLCRA Fund	Amount	Funding Source
Home Rehab Program	\$ 1,737	Fund Balance
FSL Grant Program	<u>23,476</u>	Fund Balance
Total GLCRA Fund	\$25,213	
Carver Heights CRA Fund	Amount	Funding Source
Home Rehab Grant	\$ 44,950	Fund Balance
Replace Parking Lot at Mispah & Simmons	143,146	Federal Grant & Fund Balance
Replace Fence at Mispah & Simmons	<u>61,260</u>	Federal Grant & Fund Balance
Total Carver Heights CRA Fund	\$249,356	
Highway 441/27 CRA Fund	Amount	Funding Source
Home Rehab Grant	\$ 31,100	Fund Balance
FSL Grant Program	<u>74,262</u>	Fund Balance
Total Highway 441/27 CRA Fund	\$105,362	
Capital Projects Fund	Amount	Funding Source
Market St. Design	\$ 321,374	Fund Balance(GLCRA)
Pine St. Improvements	35,208	Fund Balance (ARPA)
John L. Johnson Bathroom	279,400	Fund Balance (Disc. Sales Tax)
Re-roofing Program	114,480	Fund Balance (Disc. Sales Tax)
Corrine Williams Playground	274,650	Fund Balance (Disc. Sales Tax)
Security Project	19,863	Fund Balance (Disc.

Marina Expansion	1,839,525	Sales Tax) Fund Balance (General Fund Disc. Sales Tax & Trans. Solid Waste)
Susan Street Improvements	<u>3,617,506</u>	Fund Balance (Lk. County TDC Grant, ARPA & General Fund)
Total Capital Projects Fund	\$ 6,502,006	

Electric Fund	Amount	Funding Source
Substation Battery Replacement	\$ 20,681	Fund Balance
Database Services	3,875	Fund Balance
Wawa Project	183,607	Fund Balance
Ring Power Project	76,188	Developer Contributed & Fund Balance
AMI Batteries-AP Relay	<u>41,400</u>	Fund Balance
Total Electric Fund	\$ 325,751	

Gas Fund	Amount	Funding Source
Engineering for Turnpike Widening	\$ 42,217	Fund Balance
Liberty Preserve Radio Road	7,975	Developer Contributed
Lake Griffin Preserve	9,761	Developer Contributed
Leesburg Landing	63,566	Developer Contributed
Tara Oaks (Phase 1A & 1C)	100,784	Developer Contributed
Venetian Isle Project	39,014	Fund Balance
Eagletail Landing (Phase 1, 2 & Services)	90,908	Developer Contributed
Silver Lake Pointe	117,158	Developer Contributed
Silver Lake Estates	122,056	Developer Contributed
Fox Pointe	18,160	Developer Contributed
Hodges Reserve	307,123	Developer Contributed
Meters	8,904	Fund Balance
New Services Blanket	5,541	Fund Balance
466A Widening	100,000	Fund Balance
Villages Expansion-High Pressure	664,659	Fund Balance
DH-5 Tapping Machine	19,992	Fund Balance
Gate Stations	10,000	Fund Balance
Sabal Station 2	165,000	Fund Balance
Regulators	8,979	Fund Balance
Farm Tap/Industrial Equip	33,922	Fund Balance
SCADA Site Villages (2)	<u>12,623</u>	Fund Balance
Total Gas Fund	\$1,948,342	

Water Fund	Amount	Funding Source
Well #3 Flow Meter	\$ 6,581	Fund Balance
Jockey Pump Repair	6,977	Fund Balance
Lead Study	12,711	Fund Balance
Hwy 441 Perkins to SR 44	164,804	Fund Balance (R&R)
Troon Creek 2, LLC Developers	117,919	Fund Balance

Turnpike Widening-Relocation	3,655,501	Fund Balance (CR & R&R)
Highland Lakes Water Tank	1,311,762	Fund Balance (CR, R&R, Impact Fees)
Flouridation Project	679,057	Fund Balance (CR R&R)
MWTP Generator	<u>407,865</u>	Fund Balance (R&R)
Total Water Fund	\$6,363,177	

Wastewater Fund	Amount	Funding Source
Remove Tree in Sewer Line	\$ 14,500	Fund Balance
Replace Manhole LS6C	7,238	Fund Balance
Hwy 441- Perkins to SR 44	205,820	Fund Balance (R&R)
Venetian Isle System Upgrades	39,846	Fund Balance (Impact Fees & R&R)
Lift Station 54 Generator	92,400	Fund Balance (R&R)
Forcemain S. 27 (Royal Highlands to Turnpike)	259,091	Fund Balance (R&R)
Lift Station 72	54,394	Fund Balance
Lift Station #3 Land Purchase	20,000	Fund Balance (R&R)
Southern Corridor Forcemain Bypass	154,362	Fund Balance (R&R)
US Hwy 27 Utility Turnpike Relocate	1,497,500	Fund Balance (R&R)
Lift Station Generators (4)	494,922	Federal Grant & Fund Balance (R&R)
Turnpike Plant Expansion #2	16,597,159	Fund Balance (Impact Fees, Bond Proceeds R&R, CR)
Floating Aerators Canal St.	<u>68,144</u>	Fund Balance (R&R)
Total Wastewater Fund	\$19,505,376	

Solid Waste Fund	Amount	Funding Source
Bucket for Trackhoe #7017	\$ <u>5,900</u>	Fund Balance
Total Solid Waste Fund	\$ 5,900	

Airport Fund	Amount	Funding Source
Hangar Design	\$ 9,500	Fund Balance
Hangar Building Taxiway	4,479,953	State Grant & Fund Balance
Farm Fuel Replacement Design	111,936	State Grant & Fund Balance
Farm Fuel Replacement Construction	1,375,000	State Grant & Fund Balance
Wildlife Hazard Management Plan	35,000	Federal Grant & Fund Balance
Taxiway Reconstruction Construction	1,996,785	State & Federal Grant & Fund Balance
Veteran's Rd Infrastructure Engineering	10,360	Fund Balance
Veteran's Rd Infrastructure Construction	1,000,000	State Grant & Fund Balance
EA Phase I NE Quad	<u>185,080</u>	State Grant & Fund Balance

Total Airport Fund **\$9,203,614**

Police Forfeiture Fund	Amount	Funding Source
Vests & Helmets (Police)	<u>\$38,116</u>	Fund Balance
Total Police Forfeiture Fund	\$38,116	

Discretionary Sales Tax Fund	Amount	Funding Source
Transfer to General Fund - Fire Washer Extractor	<u>\$ 1,633</u>	Fund Balance
Total Discretionary Sales Tax Fund	\$ 1,633	

Fleet Services Fund	Amount	Funding Source
Garbage Truck Repair	\$ 15,781	Fund Balance
Replace Electric Bucket Truck (2)	769,600	Fund Balance
Replace WWT F250 Truck	63,000	Fund Balance
Replace Solid Waste Truck	370,000	Fund Balance
Tag for Gas Vehicle	123	Fund Balance
Replace Wastewater Pipehunter	<u>245,000</u>	Fund Balance
Total Fleet Services Fund	\$1,463,504	

Procurement Analysis:

N/A

Options:

1. Adopt the attached resolution amending the fiscal year 2024-25 budget for the General, Stormwater, Greater Leesburg CRA, Carver Heights CRA, Highway 441/27 CRA, Capital Projects, Electric, Gas, Water, Wastewater, Solid Waste, Airport, Discretionary Sales Tax, Police Forfeiture and Fleet Services Funds for the carryovers from fiscal year 2023-24; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

See Attached

<u>FUND</u>	FY 2025 <u>ADOPTED</u>	<u>CHANGE</u>	FY 2025 <u>AMENDED</u>
General	37,510,271	882,988	38,393,259
Stormwater	2,980,682	530,141	3,510,823
Housing Assistance	162,750	-	162,750
Greater Leesburg CRA	1,087,613	25,213	1,112,826
Carver Heights CRA	979,901	249,356	1,229,257
Hwy 441/27 CRA	3,076,700	105,362	3,182,062
Debt Service	1,728,299	-	1,728,299
Capital Projects	4,412,868	6,502,006	10,914,874
Electric	72,621,591	325,751	72,947,342
Gas	13,100,583	1,948,342	15,048,925
Water	12,373,381	6,363,177	18,736,558
Wastewater	18,340,522	19,505,376	37,845,898
Solid Waste	5,589,302	5,900	5,595,202
Airport	3,481,526	9,203,614	12,685,140
Police Pension	2,908,643	-	2,908,643
Fire Pension	2,076,988	-	2,076,988
General Employees Pension	3,350,000	-	3,350,000
Health Insurance	7,668,154	-	7,668,154
Workers' Compensation	1,375,902	-	1,375,902
Discretionary Sales Tax	3,640,000	1,633	3,641,633
Gas Tax	1,087,500	-	1,087,500
Building Permits	1,736,090	-	1,736,090
Police Forfeiture	30,000	38,116	68,116
Police Education Receipts	-	-	-
Police Impact Fees	1,284,500	-	1,284,500
Fire Impact Fees	-	-	-
Recreation Impact Fees	500,000	-	500,000
Fleet Services	4,563,155	1,463,504	6,026,659
Total	207,666,921	47,150,479	254,817,400

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA,
AMENDING THE FISCAL YEAR 2024-25 BUDGET FOR THE GENERAL, STORMWATER,
GREATER LEESBURG CRA, CARVER CRA, HWY 441/27 CRA, CAPITAL PROJECTS,
ELECTRIC, GAS, WATER, WASTEWATER, SOLID WASTE, AIRPORT, DISCRETIONARY
SALES TAX, POLICE FORFEITURE AND FLEET SERVICES FUNDS FOR THE CARRYOVERS
FROM FISCAL YEAR 2023-24 ; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Commission of the City of Leesburg adopted a budget for the Fiscal Year 2024-25 on September 23, 2024, which they felt was in the best interest of the citizens of the City of Leesburg, and

WHEREAS, it is now necessary to amend the current budget for Fiscal Year 2024-25 to provide funds for various projects as adopted at City Commission meetings, and

WHEREAS, such action was not anticipated in the original 2024-25 annual budget;

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

SECTION I.

Pursuant to Section 200.065, Florida Statutes, and all other applicable laws, the following amounts for use by the various funds during Fiscal Year 2024-25 as reflected below, including all modifications or amendments made during this meetings, are hereby adopted as increases/decreases to the original budget for Fiscal Year 2024-25 for the City of Leesburg, Florida:

GENERAL FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Intergovernmental Revenue	50,000
Other Financing Sources:	
Transfer from Other Funds	1,633
Fund Balance Appropriated- American Rescue Plan Administration	15,340
Fund Balance Appropriated	816,015
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	882,988

PROPOSED APPROPRIATIONS

General Government	716,904
Public Safety	102,263
Economic Environment	24,309
Transportation	39,512
TOTAL PROPOSED APPROPRIATIONS	882,988

STORMWATER

ESTIMATED REVENUES AND OTHER RECEIPTS

Intergovernmental Revenue	82,945
Other Financing Sources:	
Fund Balance Appropriated	447,196
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	530,141

PROPOSED APPROPRIATIONS

Physical Environment	530,141
TOTAL PROPOSED APPROPRIATIONS	530,141

GREATER LEESBURG CRA

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Financing Sources:	
Fund Balance Appropriated	25,213
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	25,213

PROPOSED APPROPRIATIONS

Economic Environment	25,213
TOTAL PROPOSED APPROPRIATIONS	25,213

CARVER HEIGHTS CRA

ESTIMATED REVENUES AND OTHER RECEIPTS

Intergovernmental Revenue	145,484
Other Financing Sources:	
Fund Balance Appropriated	103,872
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	249,356

PROPOSED APPROPRIATIONS

Economic Environment	249,356
TOTAL PROPOSED APPROPRIATIONS	249,356

HWY 441/27 CRA**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated	105,362
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	105,362

PROPOSED APPROPRIATIONS

Economic Environment	105,362
TOTAL PROPOSED APPROPRIATIONS	105,362

CAPITAL PROJECTS FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Intergovernmental Revenue	2,574,345
Other Financing Sources:	
Fund Balance Appropriated- American Rescue Plan Administration	1,078,369
Fund Balance Appropriated	2,849,292
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	6,502,006

PROPOSED APPROPRIATIONS

General Government	688,393
Transportation	356,582
Culture/ Recreation	5,457,031
TOTAL PROPOSED APPROPRIATIONS	6,502,006

ELECTRIC FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated	325,751
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	325,751

PROPOSED APPROPRIATIONS

Physical Environment	325,751
TOTAL PROPOSED APPROPRIATIONS	325,751

GAS FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated-Capital Contributed	837,491
Fund Balance Appropriated	1,110,851
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,948,342

PROPOSED APPROPRIATIONS

Physical Environment	1,948,342
TOTAL PROPOSED APPROPRIATIONS	1,948,342

WATER FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated- Renewal & Replacement	2,261,065
Fund Balance Appropriated	4,102,112
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	6,363,177

PROPOSED APPROPRIATIONS

Physical Environment	6,363,177
TOTAL PROPOSED APPROPRIATIONS	6,363,177

WASTEWATER FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Intergovernmental Revenue	163,485
Other Financing Sources:	
Fund Balance Appropriated- Renewal & Replacement	2,824,054
Fund Balance Appropriated- Impact Fees	19,243
Fund Balance Appropriated- Note Proceeds	7,132,130
Fund Balance Appropriated	9,366,464
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	19,505,376

PROPOSED APPROPRIATIONS

Physical Environment	19,505,376
TOTAL PROPOSED APPROPRIATIONS	19,505,376

SOLID WASTE FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated	5,900
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	5,900

PROPOSED APPROPRIATIONS

Physical Environment	5,900
TOTAL PROPOSED APPROPRIATIONS	5,900

AIRPORT FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Intergovernmental Revenue	7,718,383
Other Financing Sources:	
Fund Balance Appropriated	1,485,231
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	9,203,614

PROPOSED APPROPRIATIONS

Transportation	9,203,614
TOTAL PROPOSED APPROPRIATIONS	9,203,614

DISCRETIONARY SALES TAX**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated	1,633
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,633

PROPOSED APPROPRIATIONS

Non-Expenditures:	
Transfers to Other Funds	1,633
TOTAL PROPOSED APPROPRIATIONS	1,633

POLICE FORFEITURE**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated	38,116
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	38,116

PROPOSED APPROPRIATIONS

Public Safety	38,116
TOTAL PROPOSED APPROPRIATIONS	38,116

FLEET SERVICES FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated	1,463,504
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,463,504

PROPOSED APPROPRIATIONS

General Government	1,463,504
TOTAL PROPOSED APPROPRIATIONS	1,463,504

ALL FUNDS**ESTIMATED REVENUES AND OTHER RECEIPTS**

Intergovernmental Revenue	10,734,642
Total Estimated Revenues	10,734,642
Other Financing Sources:	
Transfer from Other Funds	1,633
Fund Balance Appropriated- American Rescue Plan Administration	1,093,709
Fund Balance Appropriated- Capital Contributed	837,491
Fund Balance Appropriated- Impact Fees	19,243
Fund Balance Appropriated- Note Proceeds	7,132,130
Fund Balance Appropriated	22,246,512
Fund Balance Appropriated- Renewal & Replacement	5,085,119
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	47,150,479

PROPOSED APPROPRIATIONS

Transportation	9,599,708
Public Safety	140,379
General Government	2,868,801
Physical Environment	28,678,687
Economic Environment	404,240
Culture/ Recreation	5,457,031
TOTAL PROPOSED APPROPRIATIONS	47,150,479

SECTION II.

This resolution shall become effective upon its passage and adoption by the Leesburg City Commission in the manner provided by law.

PASSED AND ADOPTED at a regular meeting of the City Commission of the City of Leesburg, Florida held the 24th day of February 2025.

Mayor

ATTEST:

City Clerk

Rollovers Budget Adjustments Additional Information

Fund:	PO #	Issue Date	Vendor	Description	Amount	Reason
General						
Misc	536992	8/24/2021	GSC	American Rescue Plan Act (ARPA) Administrator	995	Funds were awarded to the City, Grants were not paid out in FY 24
Misc				ARPA West Leesburg CDC Grant	14,345	Funds were awarded to the City, Remaining grant funds were paid out 1/16/25
Misc				Downtown Redevelopment Grant (Transfer from GLCRA, WWT & Electric)	500,000	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
Misc				CURE Vouchers	22,706	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
Purchasing	538867	1/4/2024	Civic Initiatives, LLC	Professional Services	22,588	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
IT				Copiers/Infrastructure	25,000	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
Police				Walmart Spark Grant	3,500	Grant Funds were received 9/27/24, roll expense budget forward to be spent in FY 25
Police	539319	9/30/2024	Safeware Inc	FDLE Grant- Drones	57,674	Grant was awarded to City, funds were not spent in FY24 and need to be rolled forward to FY25 budget
Fire	539073	4/25/2024	Emergency Services Consulting	Community Risk Assessment	8,193	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
Fire	538960	2/16/2024	Municipal Emergency Services	Bunker Gear	13,409	Funds were not spent in FY24 and was paid out in FY 25 - 12/5/2024
Fire	539235	8/20/2024	Municipal Emergency Services	Bunker Gear	12,682	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
Fire				Washer Extractor	6,805	Grant was awarded to City, project was not fully completed in FY24 and need to be rolled forward to FY25
PW Streets	539315	9/30/2024	Mid Florida Paving & Sealcoat	Pavement Sealing & Marking	9,479	Funds were not spent in FY24 and was paid out in FY 25 - 10/28/24
PW Streets	539248	8/28/2024	Bulldog Sitework, LLC	312 E. Main St. Sidewalk Replacement	20,073	Funds were not spent in FY24 and was paid out in FY 25 - 10/23/24
PW Streets	539314	9/30/2024	Mid Florida Paving & Sealcoat	3rd St. Pavement Marking & Striping	9,960	Funds were not spent in FY24 and was paid out in FY 25 - 10/28/24
PW Facilities	539262	9/5/2024	Electro-Mechanic Industries	H.O. Dabney- Main Filtration Pool pump motor replacement	10,500	Funds were not spent in FY24 and was paid out in FY 25 - 10/28/24
PW Facilities	539263	9/5/2024	Sourcelink Communications	Wiring & Install 9 cameras	6,092	Funds were not spent in FY24 and was paid out in FY 25 - 1/14/2025
PW Facilities	539281	9/14/2024	Tarkett USA, Inc.	Plank flooring at Police Department	2,717	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
PW Facilities	539301	9/25/2024	Advanced Roofing	Recreation Center/Gym Roof	81,041	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
PW Facilities	539327	10/1/2024	Creative Dock Design	Repair Floating Gangway at Herlong Park	8,500	Funds were not spent in FY24 and was paid out in FY 25 - 2/6/2025
Planning & Zoning	538680	10/10/2023	Calvin, Giordano & Associates	Update Comprehensive Plan	22,420	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
Housing				Demolition	24,309	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
Total General Fund					882,988	
Stormwater						
				Flamingo & Crest Ave Improvements	38,405	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Lake Robinhood Improvements	276,690	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Center Street Improvements	166,205	Grant was awarded to the City, project was not completed in FY 25
				Curbs, Gutters & Inlets	15,144	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				South St. Improvements	15,125	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
	539260	9/4/2024	Bulldog Sitework, LLC	Flora Lee Dr. Pipe Replacement	18,572	Funds were not spent in FY24 and was paid out in FY 25 - 12/31/2024
Total Stormwater					530,141	
Greater Leesburg CRA						
				Home Rehab Grant	1,737	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				FSL Grant Program	23,476	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
Total Greater Leesburg CRA					25,213	
Carver Heights/ Montclair Area CRA						
				Home Rehab Grant	44,950	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Replace Parking Lot at Mispah & Simmons	143,146	Grant was awarded to the City, project was not completed in FY 25
				Replace Fence at Mispah & Simmons	61,260	Grant was awarded to the City, project was not completed in FY 25
Total Carver Heights/ Montclair Area CRA					249,356	
Hwy 441/27 CRA						
				Home Rehab Grant	31,100	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				FSL Grant Program	74,262	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
Total Hwy 441/27 CRA					105,362	
Capital Projects						
				Market St. Design	321,374	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Pine St. Improvements	35,208	ARPA Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				John L. Johnson Bathroom	279,400	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Re-roofing Program	114,480	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Corrine Williams Playground	274,650	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Security Project	19,863	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Marina Expansion	1,839,525	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Susan Street Improvements	3,617,506	ARPA Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
Total Capital Projects					6,502,006	

Rollovers Budget Adjustments Additional Information (cont.)

Fund:	PO #	Issue Date		Description	Amount	Reason
Electric	539195	7/29/2024	Energys Delaware Inc	Substation Battery Replacements	20,681	Funds were not spent in FY24 and was paid out in FY 25 - 12/15/2024
	538772	11/28/2023	Milsoft Utility Solutions	Database Services	3,875	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Wawa Project	183,607	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Ring Power Project	76,188	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				AMI Batteries- AP Relay	41,400	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Total Electric	325,751	
Gas	539161	6/27/2024	Halff Associates	Engineering for Turnpike Widening	42,217	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Liberty Preserve Radio Road Developer Contributed Project	7,975	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Lake Griffin Preserve Developer Contributed Project	9,761	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Leesburg Landing Developer Contributed Project	63,566	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Tara Oaks Phase 1A & 1C Developer Contributed Project	100,784	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Venetian Isle	39,014	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Eagletail Landing (Phase I, II & Srvs) Developer Contributed Project	90,908	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Silver Lake Pointe Developer Contributed Project	117,158	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Silver Lake Estates Developer Contributed Project	122,056	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Fox Pointe Developer Contributed Project	18,160	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Hodges Reserve Developer Contributed Project	307,123	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Meters	8,904	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				New Services Blanket	5,541	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				466 A Widening	100,000	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Villages Expansion- High Pressure	664,659	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				DH-5 Tapping Machine	19,992	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Gate Station	10,000	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Sabal Station 2	165,000	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Regulators	8,979	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Farm Tap/Industrial Equip	33,922	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				SCADA Site Villages (2)	12,623	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Total Gas	1,948,342	
Water	539287	9/23/2024	The Avanti Group	Well #3 Flow Meter Replacement	6,581	Funds were not spent in FY24 and was paid out in FY 25 - 10/22/2024
	539298	9/25/2024	Process Control Services	Jockey Pump Repair	6,977	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
	538018	10/26/2022	Dewberry Engineers	Lead Study	12,711	Funds were not spent in FY24 and was paid out in FY 25 - 12/2/2024
				Hwy 441 Perkins to SR 44	164,804	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Troon Creek 2, LLC Developers	117,919	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Turnpike Widening- Relocation	3,655,501	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Highland Lakes Water Tank	1,311,762	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Water Flouridation Project	679,057	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				MWTP Generator	407,865	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Total Water	6,363,177	
Wastewater	539316	9/30/2024	Limbitless Tree Care	Remove tree causing issues with sewer line	14,500	Funds were not spent in FY24 and was paid out in FY 25 - 11/12/2024
	539317	9/30/2024	Danus Utilities	Replace Manhole LS 6C	7,238	Funds were not spent in FY24 and was paid out in FY 25 - 11/4/2024
				Highway 441 Perkins to SR 44	205,820	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Venetian Isle System Upgrade	39,846	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Lift Station 54 Generator	92,400	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Forcemain S. 27 (Royal Highlands to Turnpike)	259,091	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Lift Station 72	54,394	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Lift Station #3 Land Purchase	20,000	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Southern Corridor Forcemain Bypass	154,362	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				US Hwy 27 Utility Turnpike Relocate	1,497,500	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Lift Station Generators (4)	494,922	Grant was awarded to the City, project was not completed in FY 25
				Turnpike Plant Expansion to 6 MGD	16,597,159	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Floating Aerators Canal St	68,144	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Total Wastewater	19,505,376	

Rollovers Budget Adjustments Additional Information (cont.)

Fund:	PO #	Issue Date		Description	Amount	Reason
Solid Waste						
	539192	7/23/2024	Rhinox Group	Bucket for Trackhoe #7017	5,900	Funds were not spent in FY24 and was paid out in FY 25 - 2/10/25
				Total Solid Waste	5,900	
Airport						
				Hangar Design	9,500	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Hangar Bldg. Taxiway	4,479,953	Grants were awarded to the City, project was not completed in FY 25
				Farm Fuel Replacement Design	111,936	Grants were awarded to the City, project was not completed in FY 25
				Farm Fuel Replacement Construction	1,375,000	Grants were awarded to the City, project was not completed in FY 25
				Wildlife Hazard Mitigation Plan	35,000	Grant was awarded to the City, project was not completed in FY 25
				Taxiway Reconstruction Construction	1,996,785	Grants were awarded to the City, project was not completed in FY 25
	538908	1/29/2024	Avcon Inc	Veteran's Road Infrastructure Engineering	10,360	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Veteran's Road Infrastructure Construction	1,000,000	Grant was awarded to the City, project was not completed in FY 25
				EA Phase I NE Quad	185,080	Grant was awarded to the City, project was not completed in FY 25
				Total Airport	9,203,614	
Police Forfeiture						
	539037	3/29/2024	Federal Eastern International	Vests & Helmets	38,116	Funds were not spent in FY24 and need to be rolled forward to FY25 budget
				Total Police Forfeiture	38,116	
Discretionary Sales Tax						
				Transfer to General Fund (Washer Extractor- Fire)	1,633	Project was not completed in FY24, remaining funds need to be rolled forward to FY25 budget
				Total Discretionary Sales Tax	1,633	
Fleet Services						
	539241	8/27/2024	Container Systems & Equip	Emergency Garbage Truck Repair	15,781	Funds were not spent in FY24 and was paid out in FY 25 - 12/12/2024
	537919	10/4/2022	Altec Industries	Replce Electric Bucket Truck	419,600	Truck was ordered in FY22 but has not been received yet, funds need to be rolled forward to FY25
	537920	10/4/2022	Altec Industries	Replce Electric Bucket Truck	350,000	Truck was ordered in FY22 but has not been received yet, funds need to be rolled forward to FY25
	538817	12/12/2023	Alan Jay Fleet Sales	Replace WWT 2008 F250 Truck	63,000	Truck was ordered in FY24 but has not been received yet, funds need to be rolled forward to FY25
	538878	1/9/2024	Nextran Truck Center	Replace Solid Waste 2013 Automated	370,000	Truck was ordered in FY24, was received 2/6/25, funds need to be rolled forward to FY25
				Tag for Police Vehicle	123	Truck was received 9/30/2024, tag for vehicle was paid for in FY25 roll funds
	538921	1/31/2024	Southern Sewer Equipment	Replace Wastewater Pipehunter	245,000	Truck was ordered in FY24, was received 12/16/24, funds need to be rolled forward to FY25
				Total Fleet Services	1,463,504	
				Total Rollover Budget Adjustments	47,150,479	

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.2.

Meeting Date: February 24, 2025

From: Brandy McDaniel, (Budget Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2024-25 Budget for the General, Capital Projects, Electric, Gas, Wastewater, Discretionary Sales Tax and Fleet Services Funds for the First Quarter; and providing an effective date.

Staff Recommendation:

Staff recommends adoption of the attached resolution amending the Fiscal Year 2024-25 Budget.

Analysis:

As established in the Budget Policy, adopted September 28, 1998, total appropriations within a fund cannot increase or decrease without formal action by the City Commission.

General Fund	Amount	Funding Source
Edward Byrne Grant- 4 tasers (Police)	\$ 13,703	Federal Grant
FL St. Marshal Extractors Grant (Fire)	10,578	State Grant
Edward Byrne Grant-2 RFID Blocker Sys (Police)	<u>10,945</u>	Federal Grant
Total General Fund	\$ 35,226	
Capital Projects Fund	Amount	Funding Source
Replace HVAC units Library	\$ 442,553	Transfer from Disc Sales Tax
Susan Street Project State Grant	<u>375,000</u>	State Grant
Total Capital Projects Fund	\$ 817,553	
Electric Fund	Amount	Funding Source
Silver Lake Estates Development	\$ 1,220,137	Developer Contributed & Fund Balance
Arbor Park Development	<u>1,717,741</u>	Developer Contributed & Fund Balance
Total Electric Fund	\$2,937,878	
Gas Fund	Amount	Funding Source
Troon Creek II Development	\$ 154,758	Developer Contributed
Gas Field Operations Supervisor	<u>21,490</u>	Fund Balance
Total Gas Fund	\$ 176,248	

Wastewater Fund	Amount	Funding Source
Construction & Upgrade LS 48	\$ <u>1,598,915</u>	Impact Fees & Fund Balance
Total Wastewater Fund	\$ 1,598,915	

Discretionary Sales Tax Fund	Amount	Funding Source
Replace HVAC units Library	\$ <u>442,553</u>	Fund Balance
Total Discretionary Sales Tax Fund	\$ 442,553	

Fleet Services Fund	Amount	Funding Source
Replace Police Vehicle which was totaled	\$ <u>26,000</u>	Recovery from Losses
Total Fleet Services Fund	\$ 26,000	

Procurement Analysis:

N/A

Options:

1. Adopt the attached resolution amending the Fiscal Year 2024-25 budget for the General, Capital Projects, Electric, Gas, Wastewater, Discretionary Sales Tax and Fleet Services Funds for the First Quarter; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

See attached

<u>FUND</u>	FY 2025 <u>ADOPTED</u>	<u>CHANGE</u>	FY 2025 <u>AMENDED</u>
General	38,393,259	35,226	38,428,485
Stormwater	3,510,823	-	3,510,823
Housing Assistance	162,750	-	162,750
Greater Leesburg CRA	1,112,826	-	1,112,826
Carver Heights CRA	1,229,257	-	1,229,257
Hwy 441/27 CRA	3,182,062	-	3,182,062
Debt Service	1,728,299	-	1,728,299
Capital Projects	10,914,874	817,553	11,732,427
Electric	72,947,342	2,937,878	75,885,220
Gas	15,048,925	176,248	15,225,173
Water	18,736,558	-	18,736,558
Wastewater	37,845,898	1,598,915	39,444,813
Solid Waste	5,595,202	-	5,595,202
Airport	12,685,140	-	12,685,140
Police Pension	2,908,643	-	2,908,643
Fire Pension	2,076,988	-	2,076,988
General Employees Pension	3,350,000	-	3,350,000
Health Insurance	7,668,154	-	7,668,154
Workers' Compensation	1,375,902	-	1,375,902
Discretionary Sales Tax	3,641,633	442,553	4,084,186
Gas Tax	1,087,500	-	1,087,500
Building Permits	1,736,090	-	1,736,090
Police Forfeiture	68,116	-	68,116
Police Education Receipts	-	-	-
Police Impact Fees	1,284,500	-	1,284,500
Fire Impact Fees	-	-	-
Recreation Impact Fees	500,000	-	500,000
Fleet Services	6,026,659	26,000	6,052,659
Total	254,817,400	6,034,373	260,851,773

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA,
AMENDING THE FISCAL YEAR 2024-25 BUDGET FOR THE GENERAL, CAPITAL PROJECTS,
ELECTRIC, GAS, WASTEWATER, DISCRETIONARY SALES TAX AND FLEET SERVICES
FUNDS FOR THE FIRST QUARTER; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Commission of the City of Leesburg adopted a budget for the Fiscal Year 2024-25 on September 23, 2024, which they felt was in the best interest of the citizens of the City of Leesburg, and

WHEREAS, it is now necessary to amend the current budget for Fiscal Year 2024-25 to provide funds for various projects as adopted at City Commission meetings, and

WHEREAS, such action was not anticipated in the original 2024-25 annual budget;

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

SECTION I.

Pursuant to Section 200.065, Florida Statutes, and all other applicable laws, the following amounts for use by the various funds during Fiscal Year 2024-25 as reflected below, including all modifications or amendments made during this meetings, are hereby adopted as increases/decreases to the original budget for Fiscal Year 2024-25 for the City of Leesburg, Florida:

GENERAL FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Intergovernmental Revenue	35,226
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	35,226

PROPOSED APPROPRIATIONS

Public Safety	35,226
TOTAL PROPOSED APPROPRIATIONS	35,226

CAPITAL PROJECTS FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Intergovernmental Revenue	375,000
Other Financing Sources:	
Transfer from Other Funds	442,553
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	817,553

PROPOSED APPROPRIATIONS

General Government	442,553
Culture/Recreation	375,000
TOTAL PROPOSED APPROPRIATIONS	817,553

ELECTRIC FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Sources	1,738,549
Other Financing Sources:	
Fund Balance Appropriated	1,199,329
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	2,937,878

PROPOSED APPROPRIATIONS

Physical Environment	2,937,878
TOTAL PROPOSED APPROPRIATIONS	2,937,878

GAS FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Sources	154,758
Other Financing Sources:	
Fund Balance Appropriated	21,490
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	176,248

PROPOSED APPROPRIATIONS

Physical Environment	176,248
TOTAL PROPOSED APPROPRIATIONS	176,248

WASTEWATER FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Licenses & Permits	619,494
Other Financing Sources:	
Fund Balance Appropriated	979,421
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,598,915

PROPOSED APPROPRIATIONS

Physical Environment	1,598,915
TOTAL PROPOSED APPROPRIATIONS	1,598,915

DISCRETIONARY SALES TAX FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Financing Sources:

Fund Balance Appropriated 442,553

TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS 442,553

PROPOSED APPROPRIATIONS

Non Expenditures:

Transfer to Other Funds 442,553

TOTAL PROPOSED APPROPRIATIONS 442,553

FLEET SERVICES FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Miscellaneous Revenue 26,000

TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS 26,000

PROPOSED APPROPRIATIONS

General Government 26,000

TOTAL PROPOSED APPROPRIATIONS 26,000

ALL FUNDS

ESTIMATED REVENUES AND OTHER RECEIPTS

Licenses & Permits 619,494

Intergovernmental Revenue 410,226

Miscellaneous Revenue 26,000

Other Sources 1,893,307

Total Estimated Revenues 2,949,027

Other Financing Sources:

Transfer from Other Funds 442,553

Fund Balance Appropriated 2,642,793

TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS 6,034,373

PROPOSED APPROPRIATIONS

General Government 468,553

Public Safety 35,226

Physical Environment 4,713,041

Culture/Recreation 375,000

Non Expenditures:

Transfer to Other Funds 442,553

TOTAL PROPOSED APPROPRIATIONS 6,034,373

SECTION II.

This resolution shall become effective upon its passage and adoption by the Leesburg City Commission in the manner provided by law.

PASSED AND ADOPTED at a regular meeting of the City Commission of the City of Leesburg, Florida held the 24th day of February 2025.

ATTEST:

Mayor

City Clerk

1st Quarter Budget Adjustments Additional Information

Fund:	Description	Amount	Reason
General Fund			
Police	Edward Byrne Grant (4 Tasers)	13,703	City Commission approved 10/14/24, Grant was awarded to the City 12/4/24
Fire	FL St. Fire Marshal Extractors Grant	10,578	City Commission approved 7/22/24, Grant was awarded to the City 9/25/24
Police	Edward Byrne Grant (2 RFID Blocker Systems)	10,945	City Commission approved 8/12/24, Grant was awarded to the City 10/1/24
	Total General Fund	35,226	
Capital Projects Fund			
	Replace HVAC Units- Library (Transfer from Disc. Sales Tax)	442,553	City Commission approved 11/12/24
	Susan Street Project- State Grant	375,000	Grant was awarded to the City 11/13/24
	Total Capital Projects Fund	817,553	
Electric Fund			
	Silver Lake Estates Development	1,220,137	City Commission approved 12/9/24, Developer payment received 11/26/24
	Arbor Park Development	1,717,741	City Commission approved 12/9/24, Developer payment received 12/13/24
	Total Electric Fund	2,937,878	
Gas Fund			
	Troon Creek II Development	154,758	City Commission approved 6/12/23, City received check 12/11/24
	Gas Field Operations Supervisor	21,490	Employee Returned from Military Leave, add back position, then terminated 1/31/25
	Total Gas Fund	176,248	
Wastewater Fund			
	Construction & Upgrade LS 48	1,598,915	City Commission approved 11/12/24, City received payment 12/30/24
	Total Wastewater Fund	1,598,915	
Discretionary Sales Tax Fund			
	Replace HVAC Units- Library (Transfer to Capital Projects Fund)	442,553	City Commission approved 11/12/24
	Total Discretionary Sales Tax Fund	442,553	
Fleet Services Fund			
	Replace Police Vehicle which was totaled	26,000	Vehicle #8219 was totaled, City Received Insurance payment
	Total Fleet Services Fund	26,000	
	Total 1st Qtr Budget Adjustments	6,034,373	

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.3.

Meeting Date: February 24, 2025

From: Corey Goepfert, (Gas Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and City Homes, Leesburg LLC, regarding natural gas service to the development known as Silver Lake Estates-Phase 2; and providing an effective date.

Staff Recommendation:

Staff recommends accepting and approving the Resolution authorizing the Mayor and City Clerk to execute a gas service agreement between the City of Leesburg and City Homes, Leesburg LLC.

Analysis:

The City of Leesburg is agreeing to provide natural gas service to City Homes, Leesburg LLC., for the development known as Silver Lake Estates-Phase 2, located north of Morningside Drive and east of Silver Lake Drive. Pursuant to the terms of the Gas Service Agreement owner will utilize natural gas in at least 80% of 153 units. A budget adjustment will be made in the amount \$419,289.76

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

The said Developer will place construction funds totaling \$419,289.76 in an escrow account sufficient to fully fund the project. Once funds are received, a budget adjustment will be processed to add these funds to the current budget.

Account No. 042-0000-223-3100

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A
GAS SERVICE AGREEMENT BETWEEN THE CITY OF LEESBURG AND
CITY HOMES, LEESBURG LLC, REGARDING NATURAL GAS SERVICE TO
THE DEVELOPMENT KNOWN AS SILVER LAKE ESTATES-PHASE 2; AND
PROVIDING AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized and directed to execute a Gas Service Agreement between the City of Leesburg and City Homes, Leesburg LLC., regarding providing natural gas service to the development known as Silver Lake Estates-Phase 2.

THAT this Resolution shall take effect upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 24th day of February, 2025.

Mayor

ATTEST:

City Clerk

GAS SERVICE AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of _____, 2024 by and between the City of Leesburg, Florida, a municipal corporation organized under the laws of the State of Florida, located at 501 W. Meadow Street, Leesburg, Florida, 34748, (hereinafter referred to as “City”), and City Homes, Leesburg LLC 7835 Osceola Polk Line Road, Davenport, Florida 33896 (hereinafter jointly referred to as “Owner”), sometimes collectively referred to as “Party” or “Parties”.

WITNESSETH:

WHEREAS, Owner is the current owner of the following real property located in Leesburg, Lake County, Florida (the “Property”):

See Schedule “A” attached hereto

Parcel Identification Number(s): 01-19-25-0500-025-00300

WHEREAS, development of the Property has been authorized in accordance with the master plan on file with the City for “Silver Lake Estates Phase 2” (the “Development”); and

WHEREAS, Section 22-7 of the Code of Ordinances of the City of Leesburg, Florida, requires that Owner utilize natural gas in connection with development of the Property; and

WHEREAS, the City has agreed to provide natural gas service to the Property under the terms and conditions set forth below.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements contained herein, the receipt and sufficiency of which are hereby acknowledged, City and Owner do agree as follows:

1. The City shall, subject to the provisions of this Agreement, supply natural gas service which shall include main, service and meter installations, to the Property. Owner shall be responsible for installing and connecting all natural gas appliances to the outlet of City gas meters. A map of the Development is attached hereto as Exhibit “B” and by reference is made a part hereof. City shall provide such natural gas service from the supply line, including the gas meter.

2. Owner shall ensure that not less than eighty percent (80%) of the planned (153) units within the Development are equipped with:

- A. A natural gas water heater, and a natural gas furnace or Hydro-heat; or
- B. A natural gas water heater, and natural gas stove, and natural gas dryer.

3. The Parties understand that the City is relying upon the assurances from Owner as the primary consideration for the execution of this Agreement.

4. The Owner is obligated to pay the full cost of the infrastructure required to serve the Property and the cost of the services, meters, appurtenances and installation, which will be performed by the City. The Owner's estimated costs of the infrastructure to be funded by Owner as set forth below, is Four Hundred Nineteen Thousand Two Hundred and Eight Nine dollars and Seventy Six cents (\$419,289.76). Fifteen (15) days prior to construction, Owner shall place in escrow with the City, funds equal to that estimate to be used to pay for the construction as it proceeds. Notwithstanding inclusion of this estimate herein, Owner shall be obligated to pay the full cost of the infrastructure required to serve the Development and Property.

5. The City will contract for, or at its option, have done by in house personnel, the actual installation of the infrastructure. The City will follow all legal requirements for bidding and award of the contract. If at any time the City reasonably anticipates that the cost of construction will exceed the original estimate, it shall notify Owner in writing as soon as practicable. In turn, Owner shall within 15 days of such notice, place into the escrow account an amount sufficient to cover the increased costs of the construction. If Owner fails to place the additional funds into the escrow account, the City at its option may halt construction of the infrastructure until Owner deposits the additional funds, together with any other costs incurred as a result of the cessation of construction, into the escrow account.

6. The City shall both own and maintain the natural gas system on the Property up to and including the natural gas meter. The natural gas system from the outlet of the gas meter to the appliance utilizing the natural gas shall be maintained by the Owner and Owner's heirs, successors, or assigns. Notwithstanding anything to the contrary contained herein, to the extent the natural gas system owned and

maintained by the City or any part thereof is damaged as a result of the acts, conduct, or failure to act of Owner and/or Owner's agents, employees, representatives, members, managers, shareholders, officers, directors, tenants, contractors, laborers, or material suppliers, or in the event of any deviation from standard service to any existing or proposed natural gas infrastructure occurs, then Owner shall be responsible for paying for all costs, charges, and expenses whatsoever associated with any repairs, reconstruction, and replacements to the natural gas system, including but not limited to, all costs of gas loss resulting from the damage.

7. The Owner shall grant to the City all easements needed to install, operate, maintain, repair, and replace the natural gas pipelines on the Property, including minimum five foot (5') side lot easements, and shall dedicate or otherwise convey those easements to the perpetual use of the City and its successors in interest for the purpose of laying, installing, operating, maintaining, repairing and replacing the natural gas pipelines. In addition, the Owner shall provide a location and easement, agreed to by the City for the purpose of installation, maintenance, repair, and replacement of any necessary regulator stations and all associated equipment on the Property.

8. The Owner shall locate natural gas service meters on the side of each building in a manner to allow for two buildings to be serviced by one service line wherever possible. The City may require that these services be located on the same side of the building as the electric or water service.

9. The City shall bear responsibility for installing all gas piping and other gas infrastructure, up to and including the meters, necessary to supply the natural gas service reflected in this Agreement. Owner and City will share trench space, which will be dug by the Owner's water and or electric utility contractor at no charge to the City. Each unit within the Development will be individually metered.

10. The City shall provide, when requested, individual residential unit hookups to the natural gas system within the Development. The City shall ensure that such service is provided at the same rates and on the same terms as those provided to other natural gas customers of the City within a comparable

service area. The Parties understand that any and all hookup fees, meter charges and impact fees shall be paid by the residential customers at the time service is hooked up to the home.

11. Owner agrees to pay any and all costs that City incurs in the collection of any unpaid reimbursement fees from Owner, including reasonable attorney's fees and court costs and any attorney fees and costs for appellate proceedings, efforts to collect any judgment entered in favor of the City, and in any proceedings in receivership, bankruptcy or insolvency.

12. If the developer fails to pay the funds required under this Agreement or otherwise defaults under the terms of this agreement, the City is not obligated to install the natural gas infrastructure in the development, may discontinue installation and may terminate this Agreement. In addition, the City may suspend issuance of any and all permits for construction on the Property or within the Development until such time as Owner has paid the amount due and the natural gas service Agreement has been reinstated.

13. The Parties agree that the laws of the State of Florida shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it. The parties agree that in the event of any litigation arising out of or otherwise related to this Agreement, venue shall lie only in a state court of competent jurisdiction in Lake County, Florida.

14. The Parties understand and agree that this Agreement sets forth the entire understanding between the parties and supersedes and takes precedence over any and all prior negotiations, representations and agreements, oral or written, all of which are deemed to have merged into this Agreement and to have been extinguished thereby, except to the extent they are specifically set forth herein. Each party warrants, for the benefit and reliance of the other, that it has not entered into this Agreement in reliance on or on the basis of any promise, undertaking, representation or agreement of the other party, except as specifically set forth within the four corners of this instrument, and the parties mutually waive and disclaim any and all rights, remedies and causes of action which may otherwise exist, based wholly or partly on any such

promise, undertaking, representation or agreement of the other party, except as specifically set forth within the four corners of this instrument.

15. This Agreement may be assigned to any successor of the Owner, but only with prior, written consent from the City. However, this Agreement may not be partially assigned, or assigned separately from title to all remaining lots not yet transferred to third parties intending to use the lot for personal residential purposes.

16. The Parties understand and agree that this Agreement may not be amended orally, by implication, by course of conduct, or in any manner other than by way of a written instrument approved by the Leesburg City Commission and duly executed by both parties hereto.

17. This Agreement is binding on and shall inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the date herein above written.

CITY OF LEESBURG

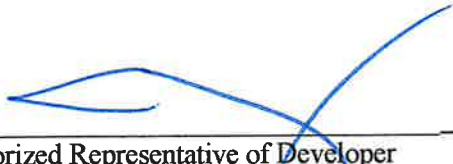
BY: _____
Alan Reisman, Mayor

ATTEST:

City Clerk

Approved as to form and content:

City Attorney

BY:  _____
Authorized Representative of Developer
Print Name: JAMES BAILEY
Title: MANAGER

Schedule "A"

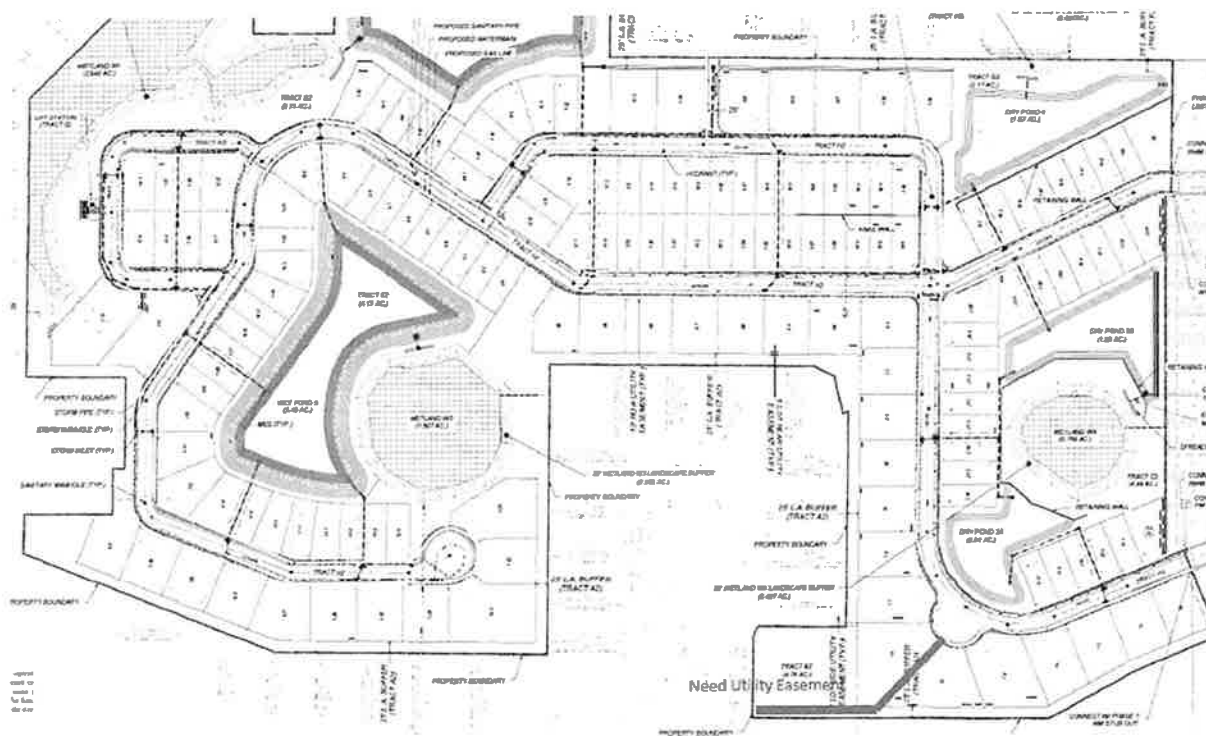
PARCEL ID: 011925050002500300

LEGAL DESCRIPTION:

A PORTION OF LAND LYING IN SECTIONS 10, 14 AND 15, TOWNSHIP 19 SOUTH, RANGE 25 EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 15 PER CERTIFIED CORNER RECORD NUMBER 072860; THENCE SOUTH 00°41'38" WEST ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 15, A DISTANCE OF 162.66 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1, GOLFVIEW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, PAGE 49 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE SOUTH 00°41'38" WEST ALONG THE WEST LINE OF COUNTRY CLUB VIEW SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 37 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; A DISTANCE OF 1657.18 FEET; THENCE NORTH 89°35'08" WEST, 217.65 FEET; THENCE SOUTH 00°43'55" WEST, 100.12 FEET; THENCE SOUTH 89°36'57" EAST, 217.72 FEET TO A POINT ON SAID WEST LINE; THENCE SOUTH 00°41'38" WEST ALONG SAID WEST LINE, 300.00 FEET; THENCE NORTH 89°33'13" WEST, 217.59 FEET; THENCE SOUTH 00°41'48" WEST, 100.00 FEET; THENCE SOUTH 89°33'12" EAST, 217.59 FEET TO A POINT ON SAID WEST LINE; THENCE SOUTH 00°41'38" WEST ALONG SAID WEST LINE, 314.91 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF MORNINGSIDE DRIVE; THENCE NORTH 89°09'01" WEST ALONG SAID RIGHT-OF-WAY LINE, 654.11 FEET; THENCE NORTH 25°22'21" WEST, 153.49 FEET; THENCE NORTH 89°36'08" WEST, 309.48 FEET; THENCE NORTH 02°45'36" EAST, 183.73 FEET; THENCE NORTH 02°55'26" WEST, 321.73 FEET; THENCE NORTH 21°33'42" WEST, 23.50 FEET; THENCE NORTH 54°45'46" WEST, 410.07 FEET; THENCE NORTH 72°23'01" EAST, 222.33 FEET; THENCE NORTH 22°17'55" WEST, 369.08 FEET; THENCE NORTH 28°29'19" WEST, 218.52 FEET; THENCE NORTH 00°24'10" EAST, 646.96 FEET TO THE NORTHEAST CORNER OF LOT 17, GREENVIEW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 43 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF WEDGEWOOD LANE PER SAID GREENVIEW PLAT, THE FOLLOWING TO COURSES BEING COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY; THENCE SOUTH 89°23'06" EAST, 170.25 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE(RADIAL LINE THRU SAID POINT BEARS SOUTH 01°24'02" WEST); THENCE EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE SOUTH HAVING A RADIUS OF 50.00 FEET, A DELTA OF 36°51'54", AN ARC DISTANCE OF 32.17 FEET TO THE NORTHWEST CORNER OF LOT 16 OF SAID GREENVIEW PLAT; THENCE SOUTH 00°38'05" WEST, 192.50 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16; THENCE SOUTH 89°19'48" EAST ALONG THE SOUTH LINE OF SAID GREENVIEW PLAT, 470.20 FEET; THENCE NORTH 26°46'01" WEST, 14.21 FEET; THENCE NORTH 77°37'37" EAST, 84.51 FEET; THENCE NORTH 27°01'11" EAST, 49.76 FEET TO THE EAST LINE OF SAID GREENVIEW PLAT; THENCE NORTH 00°45'21" EAST ALONG THE EAST LINE OF SAID GREENVIEW PLAT, 574.00 FEET TO THE NORTHEAST CORNER OF SAID GREENVIEW PLAT; THENCE NORTH 89°23'59" WEST ALONG THE NORTH LINE OF SAID GREENVIEW PLAT, 632.57 FEET; THENCE NORTH 00°44'42" EAST ALONG THE EAST LINE OF GREEN TREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 46 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, 590.32 FEET; THENCE NORTH 21°42'45" EAST, 591.88 FEET TO A POINT ON THE SOUTH LINE OF GOLF VIEW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, PAGE 49 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE SOUTH 89°14'52" EAST, 85.79 FEET; THENCE SOUTH 00°19'11" WEST, 192.70 FEET; THENCE SOUTH 89°14'43" EAST, 100.00 FEET; THENCE SOUTH 00°55'58" WEST, 24.93 FEET; THENCE SOUTH 89°15'35" EAST, 199.98 FEET; THENCE NORTH 00°46'15" EAST, 217.59 FEET TO A POINT ON THE SOUTH LINE OF SAID GOLFVIEW PLAT, THE FOLLOWING 3 COURSES BEING COINCIDENT WITH THE PLAT BOUNDARY OF SAID GOLFVIEW PLAT; THENCE SOUTH 89°21'15" EAST, 601.56 FEET; THENCE SOUTH 44°23'43" EAST, 554.35 FEET; THENCE SOUTH 00°34'02" WEST, 94.92 FEET; THENCE NORTH 89°27'08" WEST, 248.91 FEET; THENCE SOUTH 00°34'02" WEST, 175.00 FEET; THENCE SOUTH 89°27'08" EAST, 248.91 FEET TO THE NORTHWEST CORNER OF LOT 11 OF SAID GOLFVIEW PLAT; THENCE SOUTH 00°35'15" WEST, 600.00 FEET TO THE NORTHEAST CORNER OF LOT 4 OF SAID GREENVIEW PLAT; THENCE NORTH 89°27'08" WEST, 297.99 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN LAKE COUNTY, FLORIDA, CONTAINING 100.64 ACRES.

Schedule “B”



City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.4.

Meeting Date: February 24, 2025

From: Sandra Wilson, (Housing Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Renewal Lease Agreement with the West Leesburg Community Development Corporation (WLCDC) for office space at the Leesburg Resource Center; and providing an effective date.

Staff Recommendation:

Staff recommends renewal of the lease agreement with the West Leesburg Community Development Corporation (WLCDC).

Analysis:

The WLCDC has an office space and conference area at the Leesburg Resource Center. The existing lease expires on March 31, 2025. WLCDC, through its president, Fred Griffin, Jr., has requested that the lease be renewed. Staff is requesting that the lease be renewed for a new three-year term from April 1, 2025, to March 31, 2028.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

There is no fiscal impact.

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A RENEWAL LEASE AGREEMENT WITH THE WEST LEESBURG COMMUNITY DEVELOPMENT CORPORATION (WLCDC) FOR OFFICE SPACE AT THE LEESBURG RESOURCE CENTER; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute an agreement with the West Leesburg Community Development Corporation, Inc., whose address is 1041 County Road 468, Suite 106, Leesburg, Florida 34748, for the renewal of the lease for a three-year period from April 1, 2025 to March 31, 2028.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 24th day of February 2025.

Mayor

ATTEST:

City Clerk

LEASE RENEWAL AGREEMENT

THIS LEASE RENEWAL AGEEMENT ("Agreement") is entered into the 24th day of February, 2025, by and between the **CITY OF LEESBURG**, a Florida Municipal Corporation, hereinafter called the "Lessor", and **WEST LEESBURG COMMUNITY DEVELOPMENT CORPORATION**, a Florida not-for-profit corporation, hereinafter called the "Lessee".

WITNESSETH:

WHEREAS, on or about March 26, 2018, Lessor and Lessee entered into a written Lease Agreement (the "Lease") for space at the Leesburg Resource Center, located at 1041 County Road 468, Suite 106, Leesburg, Lake County, Florida 34748 (the "Premises"); and

WHEREAS, the initial term of the Lease has expired, and the subsequent lease renewal will expire on March 31, 2025, and the parties wish to renew the Lease Agreement according to the terms and conditions set forth herein;

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee hereby agree as follows:

1. The above-stated recitals are true and correct and are incorporated herein for all purposes.
2. The renewal term of the Lease shall be for a period of 3 years, commencing as of April 1, 2025, and ending at 11:59 p.m., on March 31, 2028, unless sooner terminated in accordance with the terms and conditions of the Lease.
3. Except for the foregoing, all terms and conditions of the Lease shall remain in full force and effect during this renewal term.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to set their hands and seals to this Second Amendment on the dates shown below.

THE CITY OF LEESBURG, FLORIDA

BY: _____

MAYOR

DATE: _____

ATTEST: _____

CITY CLERK

APPROVED AS TO FORM AND CONTENT

CITY ATTORNEY

WEST LEESBURG COMMUNITY
DEVELOPMENT CORPORATION

BY: _____

Fred Griffin, Jr., President

DATE: _____

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.1.

Meeting Date: February 24, 2025

From: Dan Miller, (Planning and Zoning Director), Max Vanallen, (Planner)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 9.94 +/- acres; and being generally located north of Dewey Robbins Road, east of U.S. Highway 27, lying in Section 31, Township 20 South, Range 25 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 3; and providing an effective date. (Cronin-Dewey Robbins ANNX)

Staff Recommendation:

The Planning and Zoning staff recommends approval of the proposed ordinance for annexation of 9.94 +/- acres.

Analysis:

The applicant has submitted a request for annexation of approximately 9.94 +/- acres, generally located north of Dewey Robbins Road, east of U.S. Highway 27, as shown on the attached General Location Map. At this time, the property is developed with two (2) manufactured homes, one (1) utility building, one (1) carport. The current future land use designation is Lake County Rural and the proposed future land use designation is City Low Density Residential. The current zoning is Lake County A (Agriculture); the proposed zoning is City SPUD (Small Planned Unit Development). The reason for this request is to connect to city utilities and provide consistent Planned Development Zoning with adjacent previously approved developments. The proposal of the property is for 48 townhomes and 15,000 square feet of commercial.

This property lies within the ISBA (Interlocal Service Boundary Area) agreement. This agreement, which was approved by City Commission on November 24, 2014, allows property within the ISBA area but outside the current city limits to be annexed and obtain City of Leesburg utility services.

Surrounding future land use designations include Non-Agricultural Acreage, Pasture Improved Hay Acreage, Residential, and Orange Grove. The property is surrounded by Lake County A (Agriculture), RP

(Residential Professional), and Leesburg PUD (Planned Unit Development). Under the conditions of the SPUD (Planned Unit Development) zoning case which is also on this agenda, no negative impacts are anticipated to adjacent properties.

Also, on this City Commission agenda, is a Small-Scale Comprehensive Plan Amendment, along with a Small Planned Unit Development Application for consideration by the City Commission.

Procurement Analysis:

N/A

Options:

1. Approve the requested annexation. This would give the City jurisdiction over the use and future development of the subject site and provide for the application of City standards to this property; or
2. Disapprove the proposed annexation and allow the property to remain in the County.

Fiscal Impact:

A positive fiscal impact will result from the annexation of this property due to increased tax revenue added to the General Fund.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 9.94 +/- ACRES; AND BEING GENERALLY LOCATED NORTH OF DEWEY ROBBINS ROAD, EAST OF U.S. HIGHWAY 27, LYING IN SECTION 31, TOWNSHIP 20 SOUTH, RANGE 25 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 3; AND PROVIDING AN EFFECTIVE DATE. (CRONIN-DEWEY ROBBINS ANNEX)

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

Based upon the petition of Michael J. Cronin and Kim R. Cronin, Petitioners, "Permittee" for the property hereinafter described, shall be annexed into the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situated in Lake County, Florida, is more particularly described as:

**Legal Description
(See Exhibit A);**

Section 2.

All of the property, real and personal, within said annexed territory, described in Section 1 above, as provided by this ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the City of Leesburg, Florida, and the said annexed property shall be liable, proportionately, for all of the present outstanding and existing, as well as future, indebtedness of the City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, and all the laws heretofore passed by the Legislature of the State of Florida relating to and which now or hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the City of Leesburg, Florida, at the time of the passage and approval of said laws and ordinances. The property annexed here by is assigned to City Commission District 3;

Section 3.

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed;

Section 4.

This ordinance shall become effective immediately upon approval at second reading.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 24th day of February 2025.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

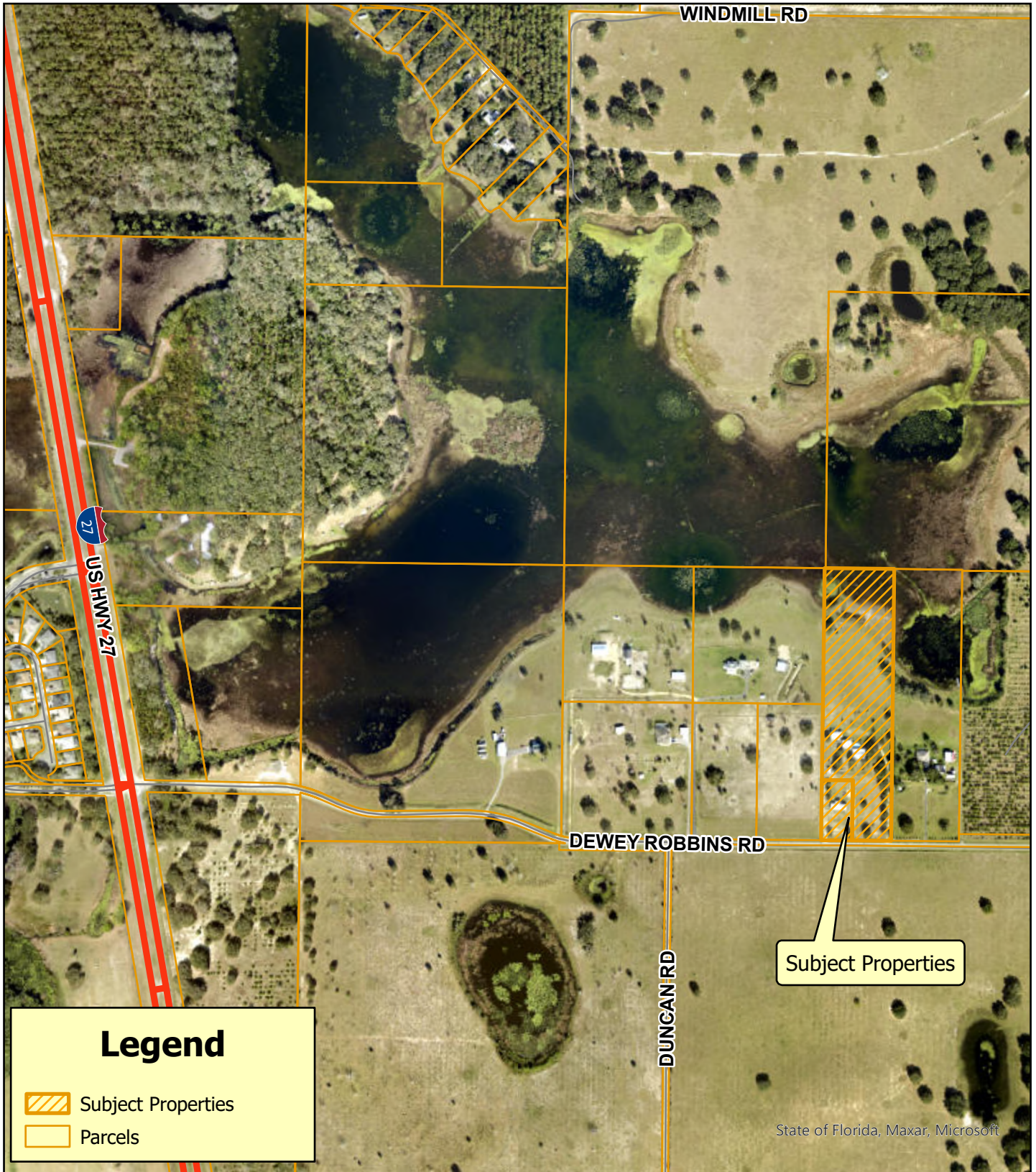
Cronin-Dewey Robbins
(*Annexation*), Small Scale Comprehensive Plan Amendment, SPUD Rezoning
(*ANNX-24-283*); SSCP-24-284; SPUD-24-285
AK#: 1030226 & 3881453
Legal Description Provided by Applicant
December 4, 2024

Legal Description

Alternate Keys: 1030226 & 3881453

THE WEST $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF
SECTION 31, TOWNSHIP 20 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA.

Extended Aerial

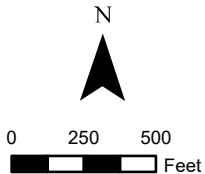


Legend

-  Subject Properties
-  Parcels

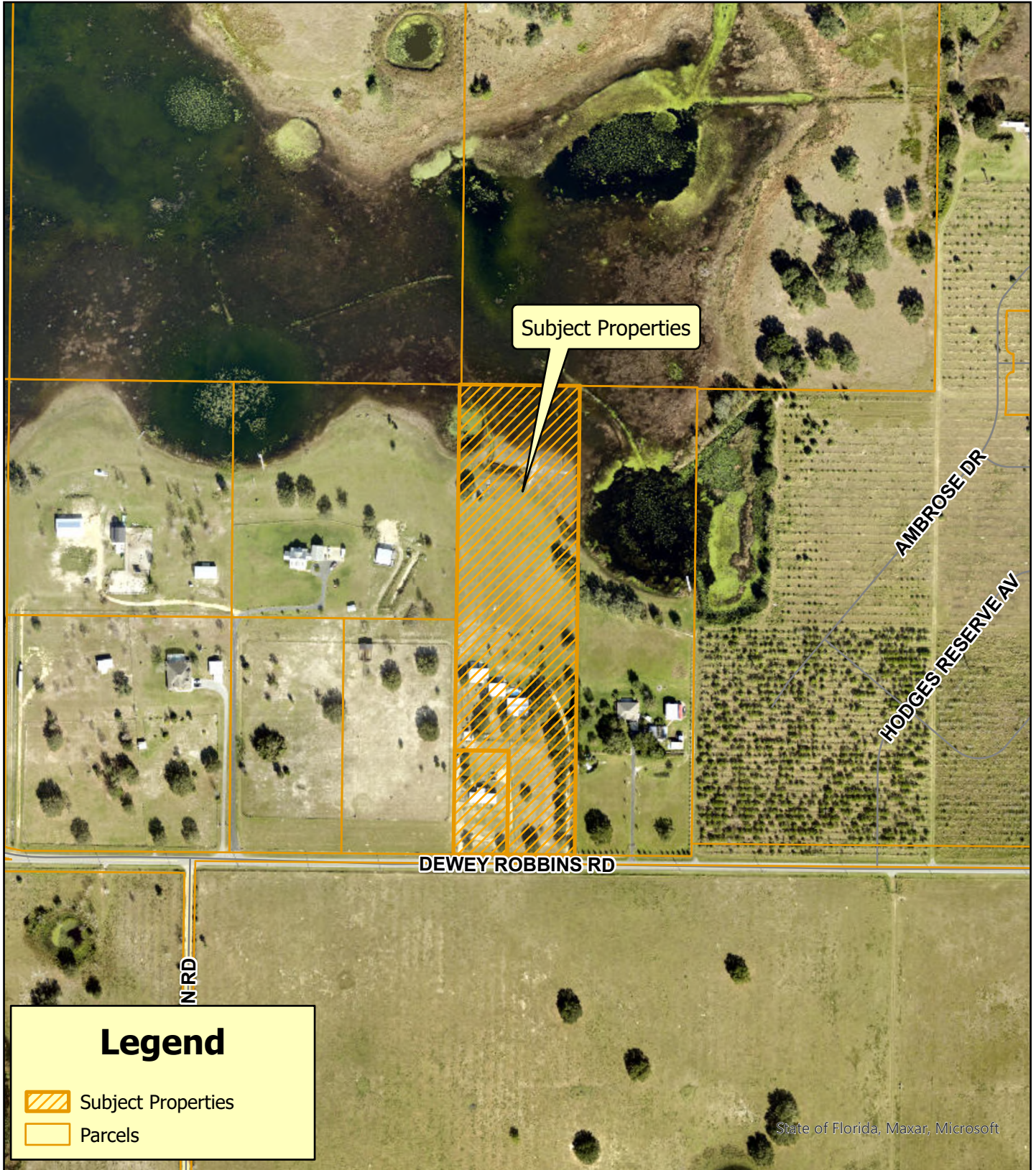


**Planning
& Zoning
Division**

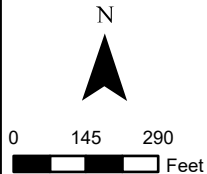


Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 9, 2024

Aerial

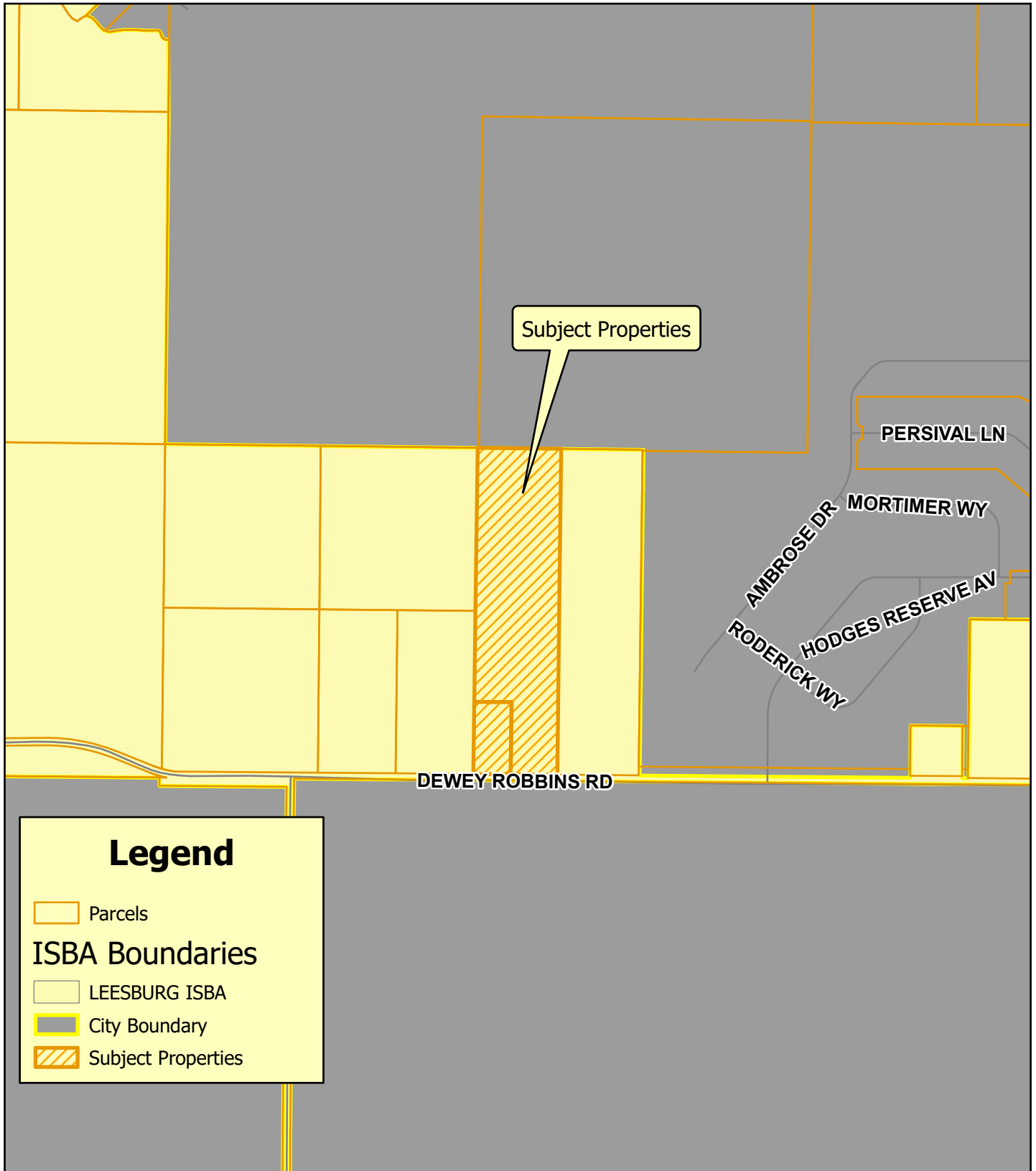


**Planning
& Zoning
Division**

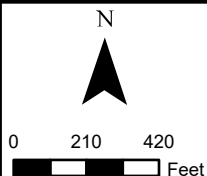


Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 9, 2024

City Boundary and ISBA



**Planning
& Zoning
Division**

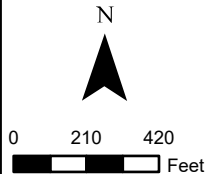


Cronin-Dewey Robbins
Case #s ANN-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 16, 2024

Commission District



**Planning
& Zoning
Division**



Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 13, 2024

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.2.

Meeting Date: February 24, 2025

From: Dan Miller, (Planning and Zoning Director), Max Vanallen, (Planner)

Subject: 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 9.94 +/- acres from Lake County Rural to City of Leesburg Low Density Residential, for a property generally located north of Dewey Robbins Road, east of U.S. Highway 27, lying in Section 31, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Cronin-Dewey Robbins SSCP)

Staff Recommendation:

The Planning & Zoning Staff recommend approval of the proposed small-scale comp plan amendment of the City's Future Land Use Map on 9.94 +/- acres from Lake County Rural to City of Leesburg Low Density Residential. The Planning Commission recommended **DENIAL** of the proposed Small-Scale Comprehensive Plan Amendment at the regularly scheduled meeting held November 21, 2024.

Analysis:

The project site is approximately 9.94 acres. The property is generally located north of Dewey Robbins Road, east of U.S. Highway 27. Currently, the property is developed with two (2) manufactured homes, one (1) utility building, one (1) carport. The proposed use is for 48 townhomes and 15,000 square feet of commercial. The surrounding Future Land Use Map designations of Lake County Rural, Rural Transition; and City of Leesburg Estate Residential, and Neighborhood Mixed Use are compatible, as conditioned in the SPUD zoning, with the proposed future land use designation of City Low Density Residential. The proposed zoning designation of City SPUD (Small Planned Unit Development) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property, and surrounding future development.

This property lies within the ISBA (Interlocal Service Boundary Area) agreement. This agreement, which was approved by City Commission on November 24, 2014, allows property within the ISBA area but outside the current city limits to be annexed and obtain City of Leesburg utility services.

Surrounding future land use designations include Non-Agricultural Acreage, Pasture Improved Hay Acreage, Residential, and Orange Grove. The property is surrounded by Lake County A (Agriculture), RP (Residential Professional), and Leesburg PUD (Planned Unit Development). Under the conditions of the SPUD (Planned Unit Development) zoning case which is also on this agenda, no negative impacts are

anticipated to adjacent properties.

The Planning & Zoning Staff recommend approval of the proposed small-scale comp plan amendment from Lake County Rural to City of Leesburg Low Density Residential. The Planning Commission held a public hearing on the application on November 21, 2024, and recommended **DENIAL**, citing concerns including the location, density and intensity of the residential and commercial uses proposed.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from Lake County Rural to City of Leesburg Low Density Residential; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no direct fiscal impact to the City for this action. Future development of the property will increase this anticipated impact from collection of impact fees, ad valorem taxes and utility charges.

ORDINANCE NO. _____

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 9.94 +/- ACRES FROM LAKE COUNTY RURAL TO CITY OF LEESBURG LOW DENSITY RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED NORTH OF DEWEY ROBBINS ROAD, EAST OF U.S. HIGHWAY 27, LYING IN SECTION 31, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (CRONIN-DEWEY ROBBINS SSCP)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner;

The Future Land Use Map is amended by changing the designation of approximately 9.94 acres of land generally located north of Dewey Robbins Road, east of U.S. Highway 27 from Lake County Rural to City of Leesburg Low Density Residential, as shown on the revised map of said area, lying in Section 31, Township 20 South, Range 25 East, Lake County, Florida;

Section 2.

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed;

Section 3.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 24th day of February 2025.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

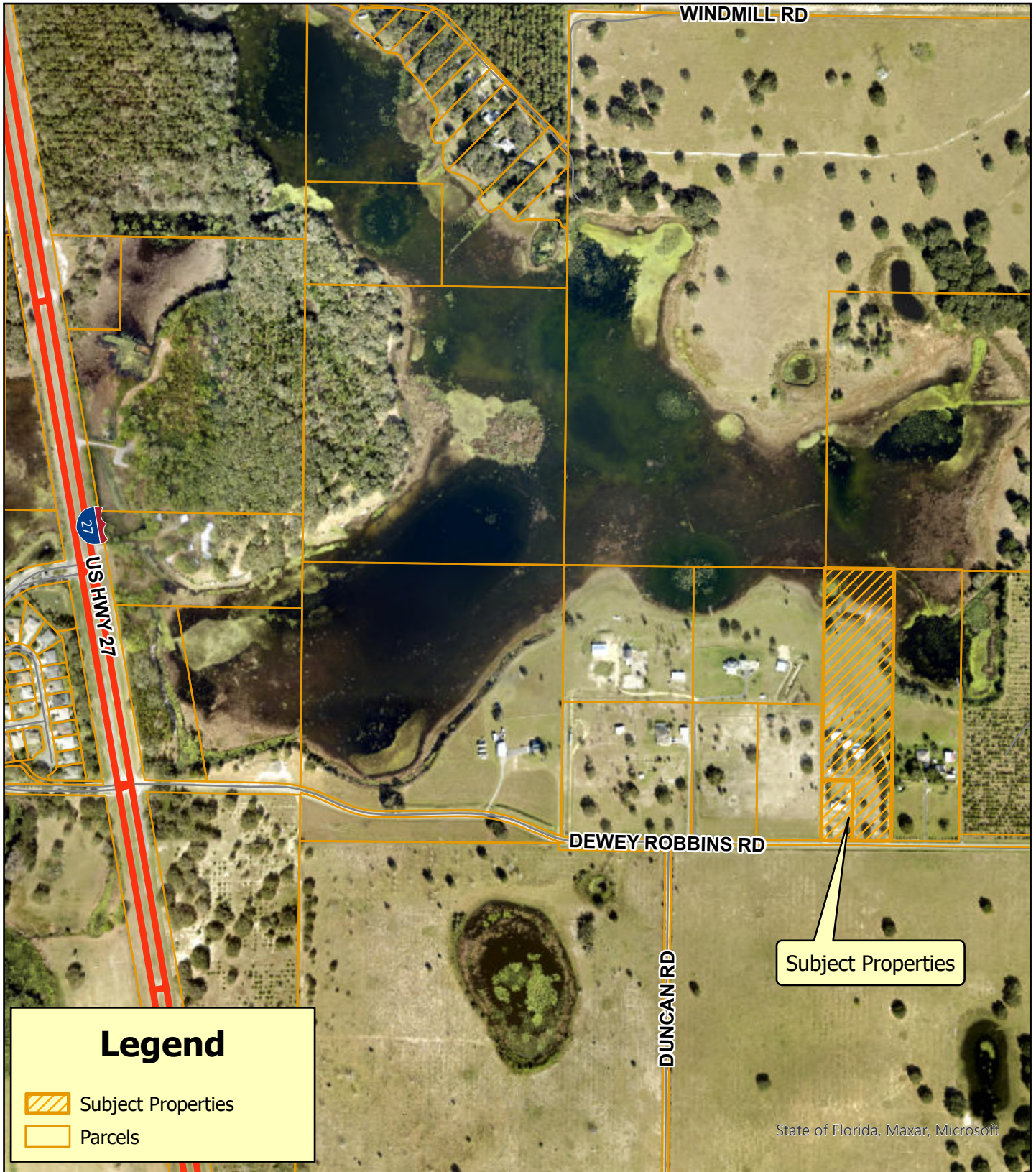
Cronin-Dewey Robbins
(*Annexation*), Small Scale Comprehensive Plan Amendment, SPUD Rezoning
(*ANNX-24-283*); SSCP-24-284; SPUD-24-285
AK#: 1030226 & 3881453
Legal Description Provided by Applicant
December 4, 2024

Legal Description

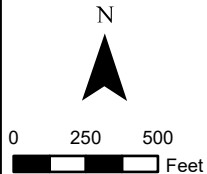
Alternate Keys: 1030226 & 3881453

THE WEST $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF
SECTION 31, TOWNSHIP 20 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA.

Extended Aerial

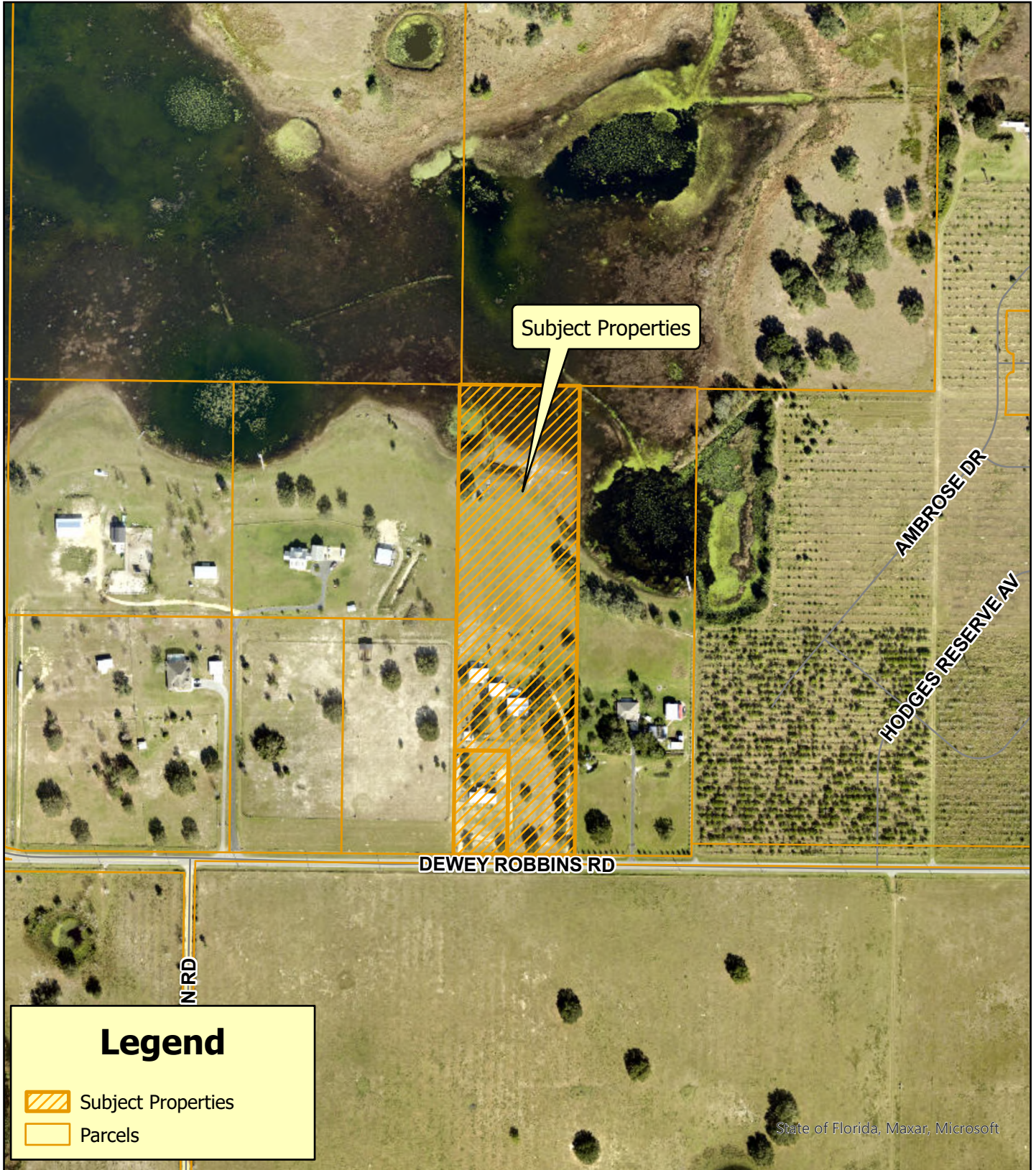


**Planning
& Zoning
Division**

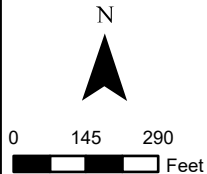


Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 9, 2024

Aerial

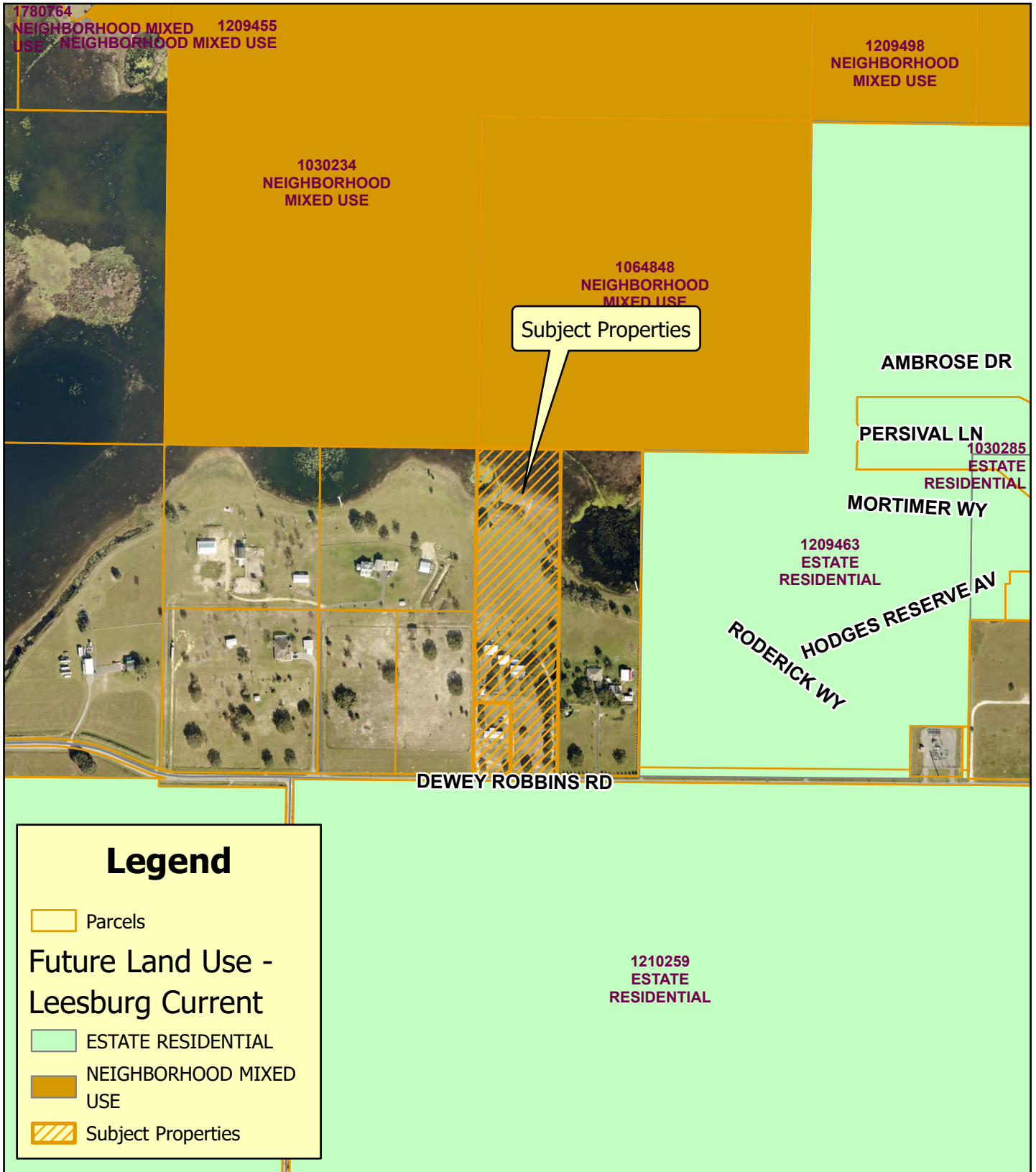


**Planning
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Division**

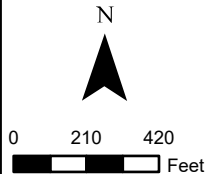


Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 9, 2024

City of Leesburg Future Land Use

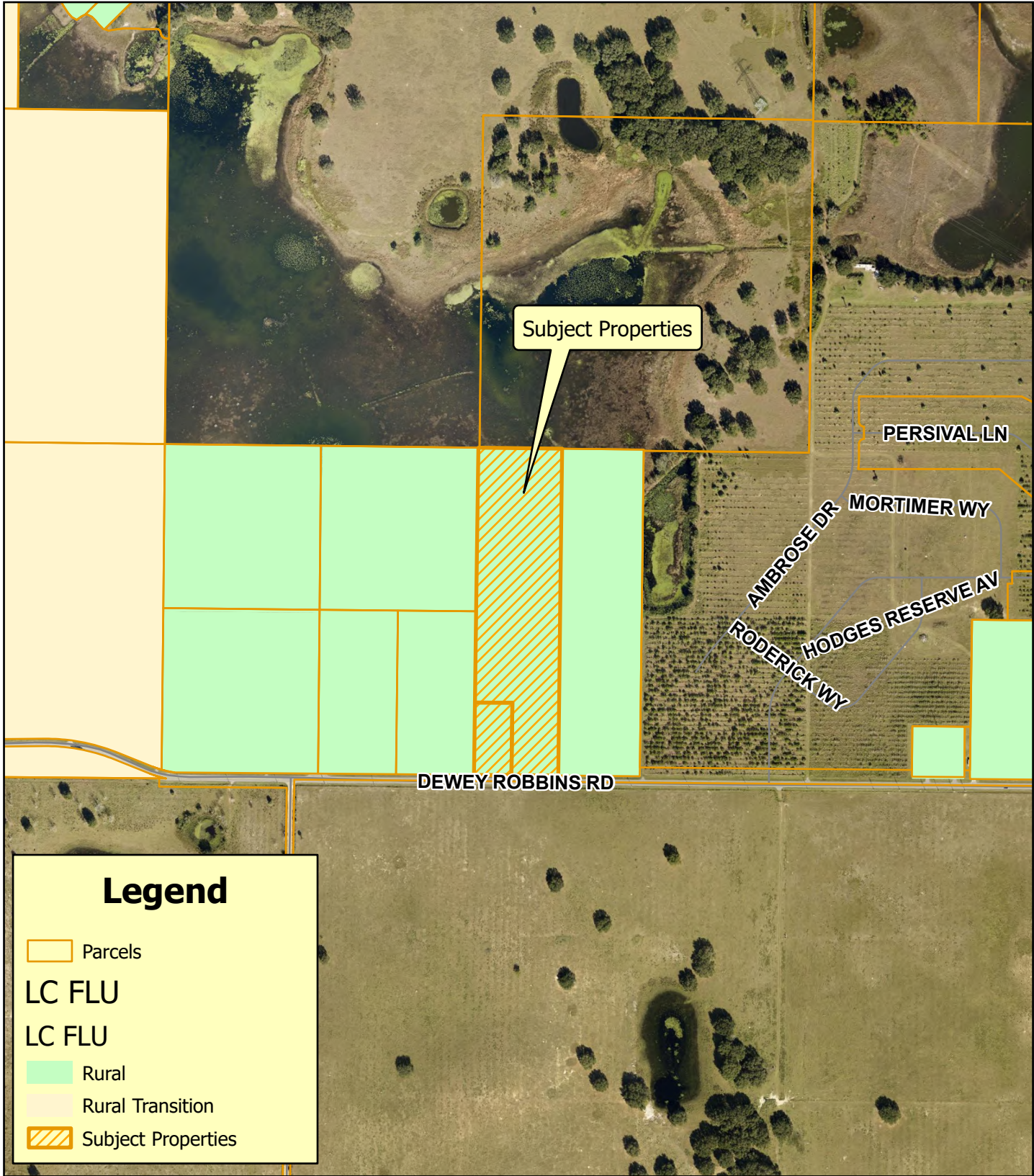


**Planning
& Zoning
Division**

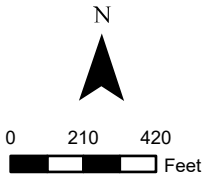


Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 13, 2024

Lake County Future Land Use



**Planning
& Zoning
Division**

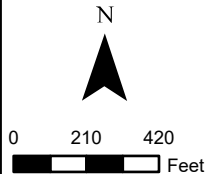


Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 13, 2024

Proposed Future Land Use



**Planning
& Zoning
Division**

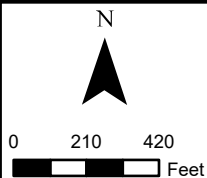


Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 13, 2024

Surrounding Land Uses



**Planning
& Zoning
Division**



Cronin-Dewey Robbins
Case #s ANN-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 16, 2024

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: November 21, 2024

OWNER: Michael J. Cronin and Kim R. Cronin

PETITIONER: Michael J. Cronin and Kim R. Cronin

PROJECT: Cronin-Dewey Robbins

REQUEST: Amend the Comprehensive Plan from Lake County Rural to City of Leesburg Low Density Residential and Rezone from Lake County A (Agriculture) to City SPUD (Small Planned Unit Development) to allow townhomes and retail commercial.

CASE NO.: (ANNX-24-283); SSCP-24-284; SPUD-24-285

GENERAL LOCATION: North of Dewey Robbins Road, east of US Highway 27.

FUTURE LAND USE DESIGNATION: Lake County Rural

SURROUNDING FUTURE LAND USE DESIGNATION:

North – City of Leesburg Neighborhood Mixed Use
South – City of Leesburg Estate Residential
East – Lake County Rural; City of Leesburg Estate Residential
West – Lake County Rural, Rural Transition

PROPOSED FUTURE LAND USE DESIGNATION: City of Leesburg Low Density Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture)

SURROUNDING ZONING DESIGNATIONS:

North – City of Leesburg PUD (Planned Unit Development)
South – City of Leesburg PUD (Planned Unit Development)
East – Lake County A (Agriculture)
West – Lake County A (Agriculture), RP (Residential Professional)

PROPOSED ZONING DESIGNATION: City SPUD (Small Planned Unit Development)

EXISTING LAND USE: Residential, including two (2) manufactured homes, one (1) utility building, one (1) carport.

SURROUNDING LAND USE:

North – Non-Agricultural Acreage
South – Pasture Improved Hay Acreage
East – Residential; Orange Grove
West – Residential; Pasture Improved Hay Acreage

PROPOSED LAND USE: 48 townhomes and 15,000 square feet of retail commercial.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: November 21, 2024
OWNER: Michael J. Cronin and Kim R. Cronin
PETITIONER: Michael J. Cronin and Kim R. Cronin
PROJECT: Cronin-Dewey Robbins
REQUEST: Amend the Comprehensive Plan from Lake County Rural to City of Leesburg Low Density Residential and Rezone from Lake County A (Agriculture) to City SPUD (Small Planned Unit Development) to allow townhomes and retail commercial.
CASE NO.: (ANNX-24-283); SSCP-24-284; SPUD-24-285

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 11/15/2024.

FIRE

In reference to Case Number ANNX-24-283, SSCP-24-284, SPUD-24-285

NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, 2020 Edition. The subject property referenced in Case Number ANNX-24-283, SSCP-24-284, SPUD-24-285 is outside the recommended four-minute response time for initial responding fire apparatus.

4.1 Fire Department Organizational Statement.

4.1.2.1

The fire department shall establish the following performance objectives for the first-due response zones that are identified by the AHJ:

- (1) Alarm handling time completion in accordance with 4.1.2.3
- (2) 80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response
- (3)* 240 seconds or less travel time for the arrival of the first engine company at a fire suppression incident
- (4) 360 seconds or less travel time for the arrival of the second company with a minimum staffing of 4 personnel at a fire suppression incident
- (5) For other than high-rise, 480 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (6) For high-rise, 610 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (7) 240 seconds or less travel time for the arrival of a unit with first responder with automatic external defibrillator (AED) or higher-level capability at an emergency medical incident
- (8) 480 seconds or less travel time for the arrival of an advanced life support (ALS) unit at an emergency medical incident, where this service is provided by the fire department provided a first responder with an AED or basic life support (BLS) unit arrived in 240 seconds or less travel time

- Captain Amanda Stevenson, 11/15/2024

ELECTRIC

This is outside Leesburg electric service territory. We have no comments. – Steve Davis, 10/30/2024.

GAS

Gas Department – No Comment – Wayne Williams. 10/30/2024

GIS

No comments received as of 11/15/2024.

BUILDING

No comments received as of 10/18/2024.

PUBLIC WORKS

No comments received as of 11/15/2024.

GIS/ADDRESSING

No comments received as of 11/15/2024.

HOUSING & REDEVELOPMENT

No comments received as of 11/15/2024.

LAKE COUNTY SCHOOLS

This project would be subject to school concurrency review. Please have the applicant contact myself or Helen LaValley for more information. – Heather Croney, 10/30/2024.

LAKE COUNTY PUBLIC WORKS

See attached letter.

PUBLIC RESPONSES

Approval

Disapproval

2

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL):

1. "City of Leesburg,

Please do not approve this. It's not conforming to our road. It's bad enough that you're developing anything on Dewey Robbins Road. Now I understand why these builders came to you after being denied through the count. Don't you want to keep a decent name for yourself? What needs to really happen for you guys to NOT move forward with this? Please advise,"

-Russell & Lori Brown, 11/12/2024

2. "Dear:

Our property borders Cronin's property. We oppose the annexation for the following reasons:

1. This property is located within the Yalaha-Lake Apopka Rural Protection Area.
2. The traffic generated from this development would significantly impact Dewey Robbins Road.
3. The density of the townhomes needs to be reduced or single-family homes should be built.
4. Commercial/retail/daycare businesses should be located on Highway 27 to better serve the area.

I am pleading with you to reduce the density, build single family homes, and exclude commercial/retail structures."

-Randy/Joyce Graham 11/7/2024



Department of Public Works, Engineering Division
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

October 31, 2024

Max VanAllen
Planner
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Cronin Dewey Robbins / Planned Unit Development
CASE NO.: PUD-24-285

Thank you for requesting our comments on this planned unit development.

The below information neither constitutes an approval nor a denial by Lake County Board of County Commissioners or Lake County staff. Specifically, the County Commissioners have neither discussed nor voted on this project. These recommendations are only from the Lake County Department of Public Works. The Office of Planning and Zoning, Office of Building Services, Office of Fire Rescue, and other associated offices have NOT provided comments on this development. Further input by these groups may be required.

Major comments for Dewey Robbins Road

- Turn Lanes are required on Dewey Robbins Road at the development's proposed access.
- Additional right-of-way may be required for Dewey Robbins Road.
- A traffic impact study is recommended to be provided and reviewed prior to the PUD hearing.

P 352.253.6000 • F 352.253.9025
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

Lake County Department of Public Works recommended requirements for the Cronin Dewey Robbins PUD impacts to roadways and drainage systems:

Dewey Robbins Road:

- Access off Dewey Robbins Road will need to meet Lake County access management requirements.
- Left and Right Turn Lanes on Dewey Robbins Road at the proposed entrances to this development will be required.
- A sidewalk along Dewey Robbins Road frontage will be required to meet City of Leesburg and Lake County requirements.
- Additional right-of-way for Dewey Robbins Road may be required to meet the minimum requirements for a collector roadway and to accommodate the offsite road improvements while maintaining the road drainage. Further evaluation will be performed with subdivision plans based on impacts due to drainage, sidewalk, turn lanes, shoulders, etc.
- Dewey Robbins Road is defined with a functional road classification of 'collector rural' by the Lake County Comprehensive Plan and adopted Lake-Sumter Metropolitan Planning Organization (LSMPO) Plan.

Traffic:

- A Traffic Impact Study (TIS) will be required of this development for review by the Lake-Sumter MPO and Lake County Public Works Department. The TIA will need to follow the Lake-Sumter MPO Traffic Impact Analysis Methodology and Guideline the methodology will need to be worked out prior to TIS submittal.
- The TIS is highly recommended to be provided for review by Lake-Sumter MPO and Lake County prior to public hearings for the PUD.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and to Dewey Robbins Road.

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands or onto county roads.

RE: PROJECT: Cronin Dewey Robbins/ Planned Unit Development
CASE NO.: PUD-24-285

Please be advised that this letter pertains to transportation, access management, stormwater, and floodplain related impacts foreseen from the proposed PUD application as reviewed by Lake County Department of Public Works. This letter does not include any land use, zoning, or any other elements that may be addressed by other departments, such as Lake County Department of Economic Growth - Office of Planning and Zoning.

Please contact me if you have any questions concerning the comments and recommendations provided in this letter.

Sincerely,



Seth Lynch
Development Engineer/Project Manager
Lake County Department of Public Works
Engineering Division
slynch@lakecountvfl.gov

Cc Jeff Earhart, Engineering Manager for Lake County
Mike Fitzgerald, Planning Director for Lake County
Janie Barron, Chief Planner for Lake County
Dan Miller, Planning Manager for City of Leesburg



CITY OF LEESBURG PLANNING & ZONING DEPARTMENT RECOMMENDATIONS

DATE: November 21, 2024
OWNER: Michael J. Cronin and Kim R. Cronin
PETITIONER: Michael J. Cronin and Kim R. Cronin
PROJECT: Cronin-Dewey Robbins
REQUEST: Amend the Comprehensive Plan from Lake County Rural to City of Leesburg Low Density Residential to allow townhome and retail commercial uses.
CASE NO.: SSCP-24-284

THE PLANNING & ZONING DEPARTMENT RECOMMENDS:

APPROVAL of the request for the following reason(s):

1. This project meets the requirements of Chapter 163.3187 Florida Statutes, for Small Scale Comprehensive Plan Amendments.
2. The proposed request is compatible with the adjacent Future Land Use designations of City of Leesburg Neighborhood Mixed Use, Estate Residential, Lake County Rural, and Rural Transition.
3. The request is compatible with the proposed zoning of City of Leesburg SPUD (Small Planned Unit Development) and surrounding zoning districts.
4. The proposed request is compatible with the City's Comprehensive Plan, Future Land Use Element, Goal 1, Objective 1.6.

Action Requested:

1. Vote to **approve** the Small Scale Comprehensive Plan amendment from Lake County Rural to City of Leesburg Low Density Residential, and forward the recommendation to the City Commission for consideration.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.3.

Meeting Date: February 24, 2025

From: Dan Miller, (Planning and Zoning Director), Max Vanallen, (Planner)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 9.94 +/- acres from Lake County A (Agriculture) to City of Leesburg SPUD (Small Planned Unit Development) to allow for 48 townhomes and 15,000 square feet of commercial for a property generally located north of Dewey Robbins Road, east of U.S. Highway 27, lying in Section 31, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Cronin-Dewey Robbins SPUD)

Staff Recommendation:

Planning and Zoning Staff recommend approval of the request to rezone the subject property from Lake County A (Agriculture) to City of Leesburg SPUD (Small Planned Unit Development) to allow 48 townhomes and 15,000 square feet of commercial uses.

Analysis:

The project site is approximately 9.94 +/- acres, and is generally located north of Dewey Robbins Road, east of U.S. Highway 27 as shown on the attached maps. At this time, the property is developed with two (2) manufactured homes, one (1) utility building, one (1) carport. The proposal will allow for 48 townhomes and 15,000 square feet of commercial. The existing land uses surrounding the property include non-agricultural acreage, pasture improved hay acreage, residential, and orange grove. City of Leesburg utilities are available nearby.

The Planning & Zoning Staff recommend approval of the proposed rezoning from Lake County A (Agriculture) to City of Leesburg SPUD (Small Planned Unit Development). The Planning Commission at the public hearing held on November 21, 2024, recommended **DENIAL** of the proposed SPUD (Small Planned Unit Development) rezoning.

Procurement Analysis:

N/A

Options:

1. Approve the proposed rezoning to SPUD (Small Planned Unit Development) or,
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

New development on this site will create a positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 9.94 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG SPUD (SMALL PLANNED UNIT DEVELOPMENT) TO ALLOW FOR 48 TOWNHOMES AND 15,000 SQUARE FEET OF COMMERCIAL FOR A PROPERTY GENERALLY LOCATED NORTH OF DEWEY ROBBINS ROAD, EAST OF U.S. HIGHWAY 27, LYING IN SECTION 31, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (CRONIN-DEWEY ROBBINS SPUD)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of Michael J. Cronin and Kim R. Cronin, Petitioners, "Permittee" of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County A (Agriculture) to City of Leesburg SPUD (Small Planned Unit Development), to-wit:

**(Legal Description)
(See Exhibit A)**

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 24th day of February 2025.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

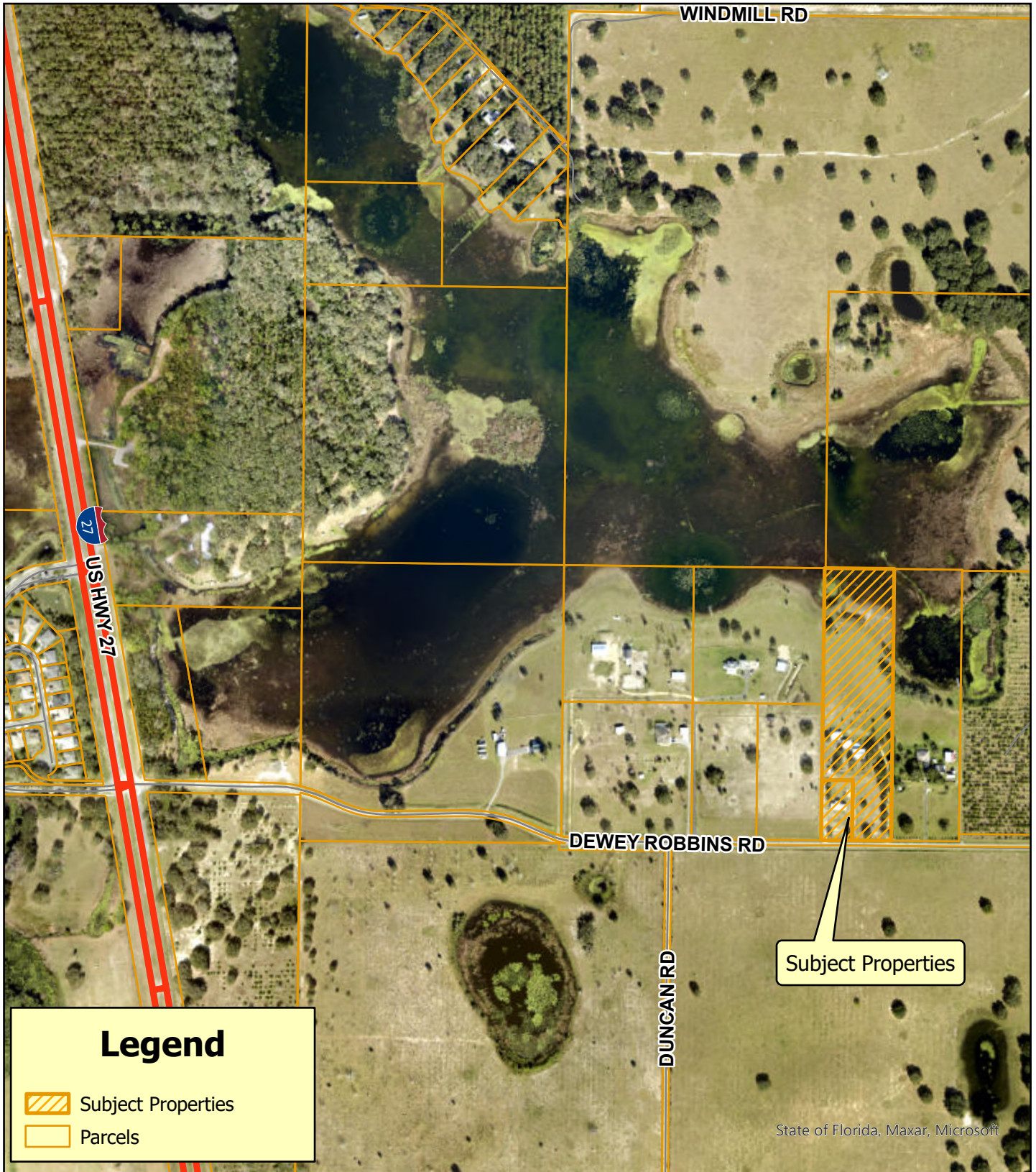
City Clerk



LEGAL DESCRIPTION

THE WEST $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF
SECTION 31, TOWNSHIP 20 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA.

Extended Aerial

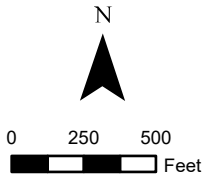


Legend

-  Subject Properties
-  Parcels

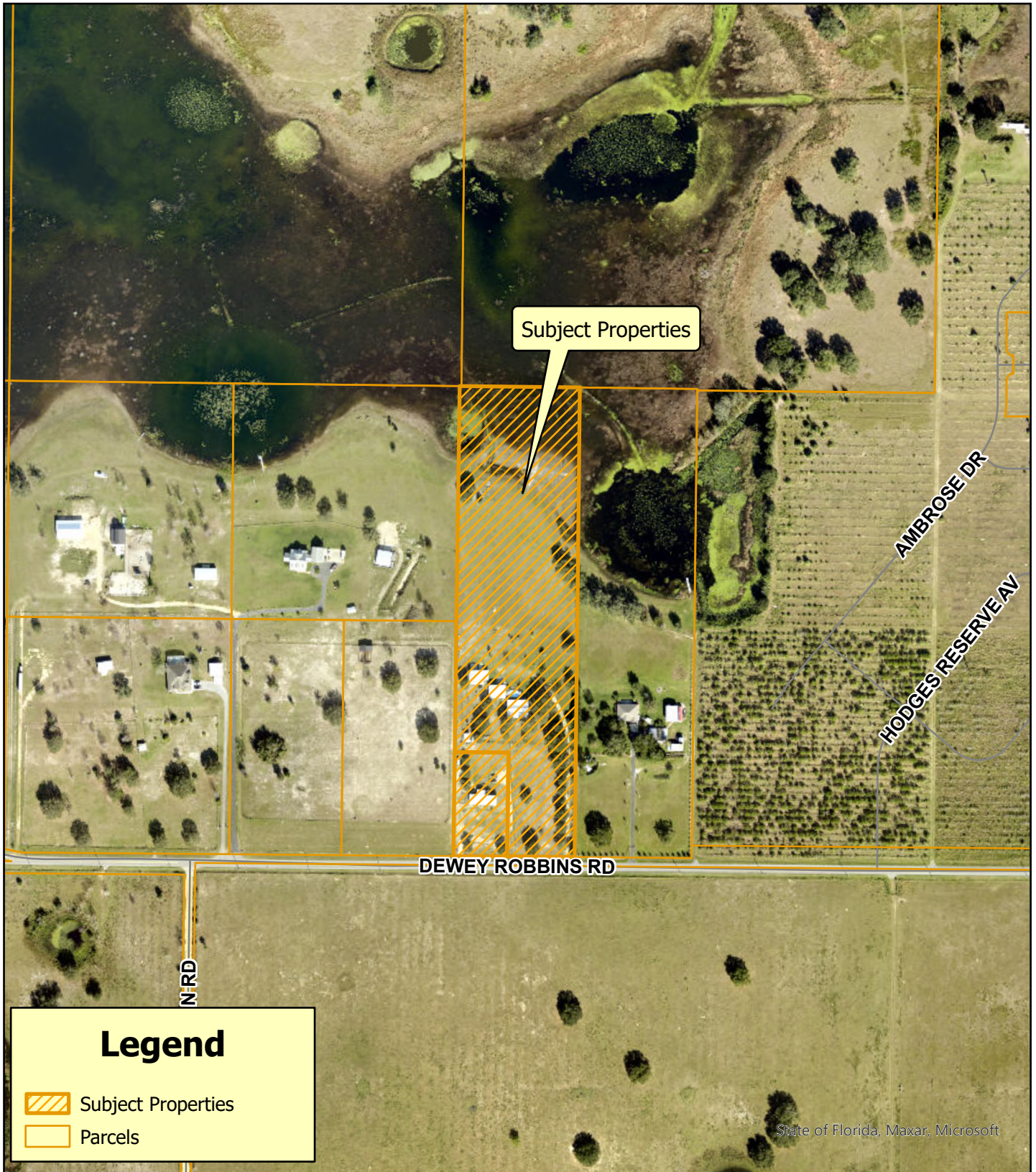


**Planning
& Zoning
Division**

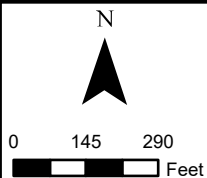


Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 9, 2024

Aerial



**Planning
& Zoning
Division**



Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
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Section 31, Township 20 South, Range 25 East
September 9, 2024



Close up of Sign on Property from Dewey Robbins Road.



Looking north into the property from Dewey Robbins Road.



Looking east along Dewey Robbins Road.



Looking south across Dewey Robbins Road.

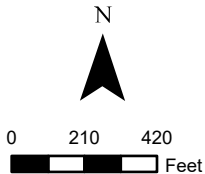


Looking west along Dewey Robbins Road.

City of Leesburg Zoning

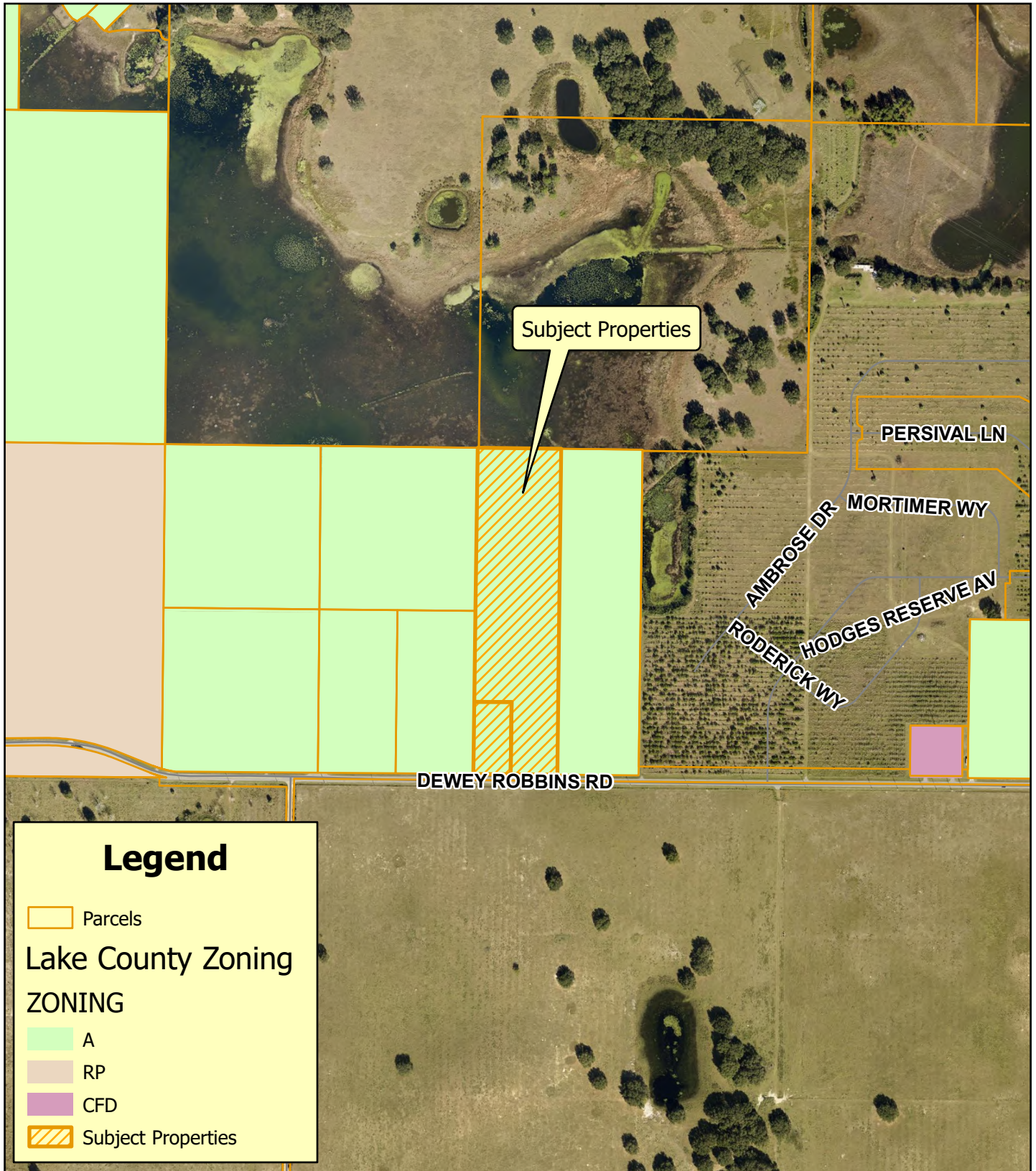


**Planning
& Zoning
Division**

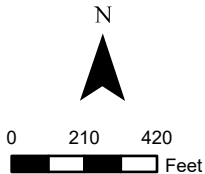


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Lake County Zoning



**Planning
& Zoning
Division**

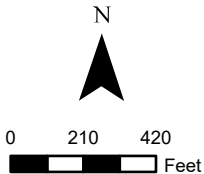


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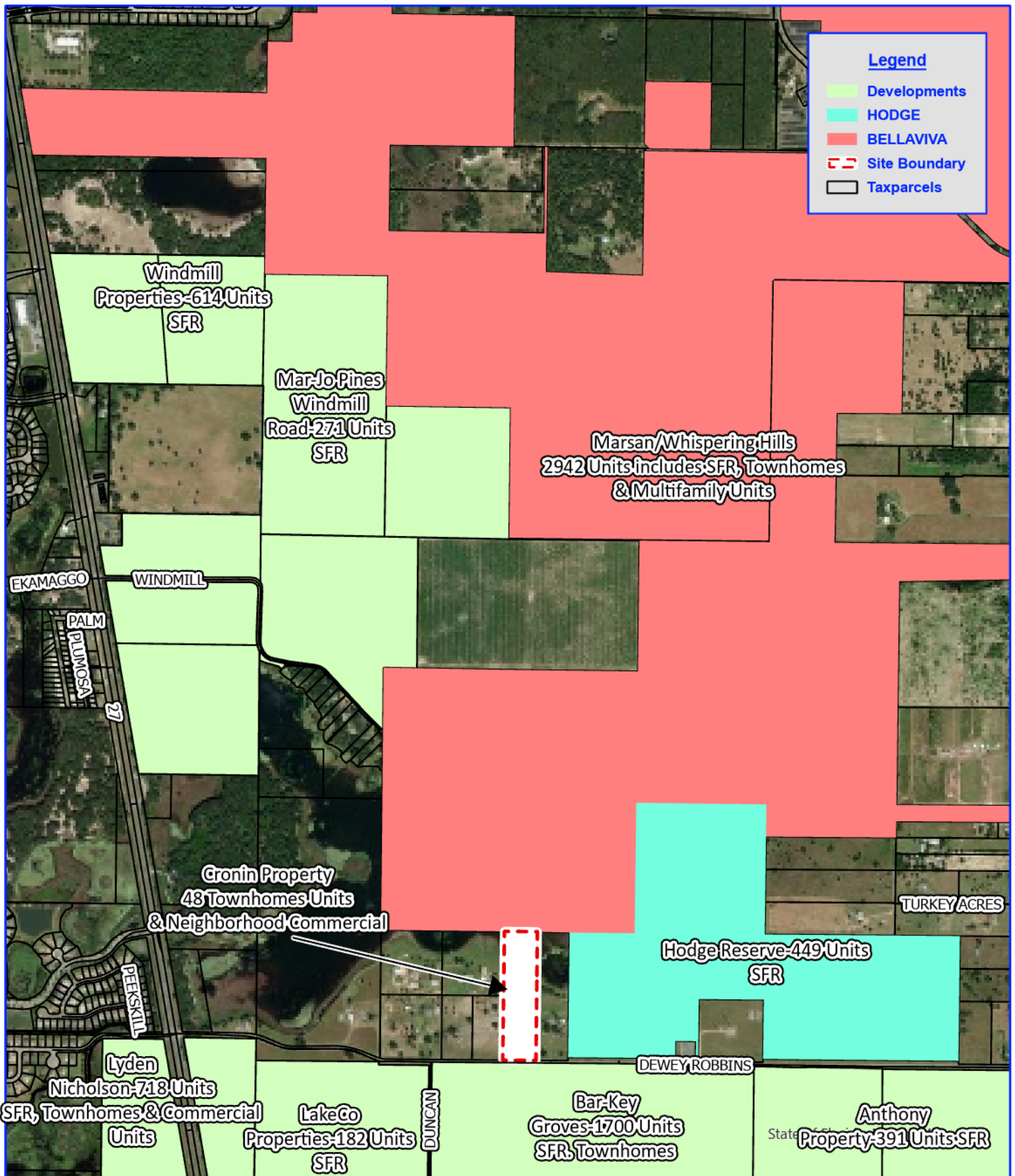
Proposed Zoning



**Planning
& Zoning
Division**



Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
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330 0 330 650 980 1,300 1,600
 Scale: 1:2,500 Feet

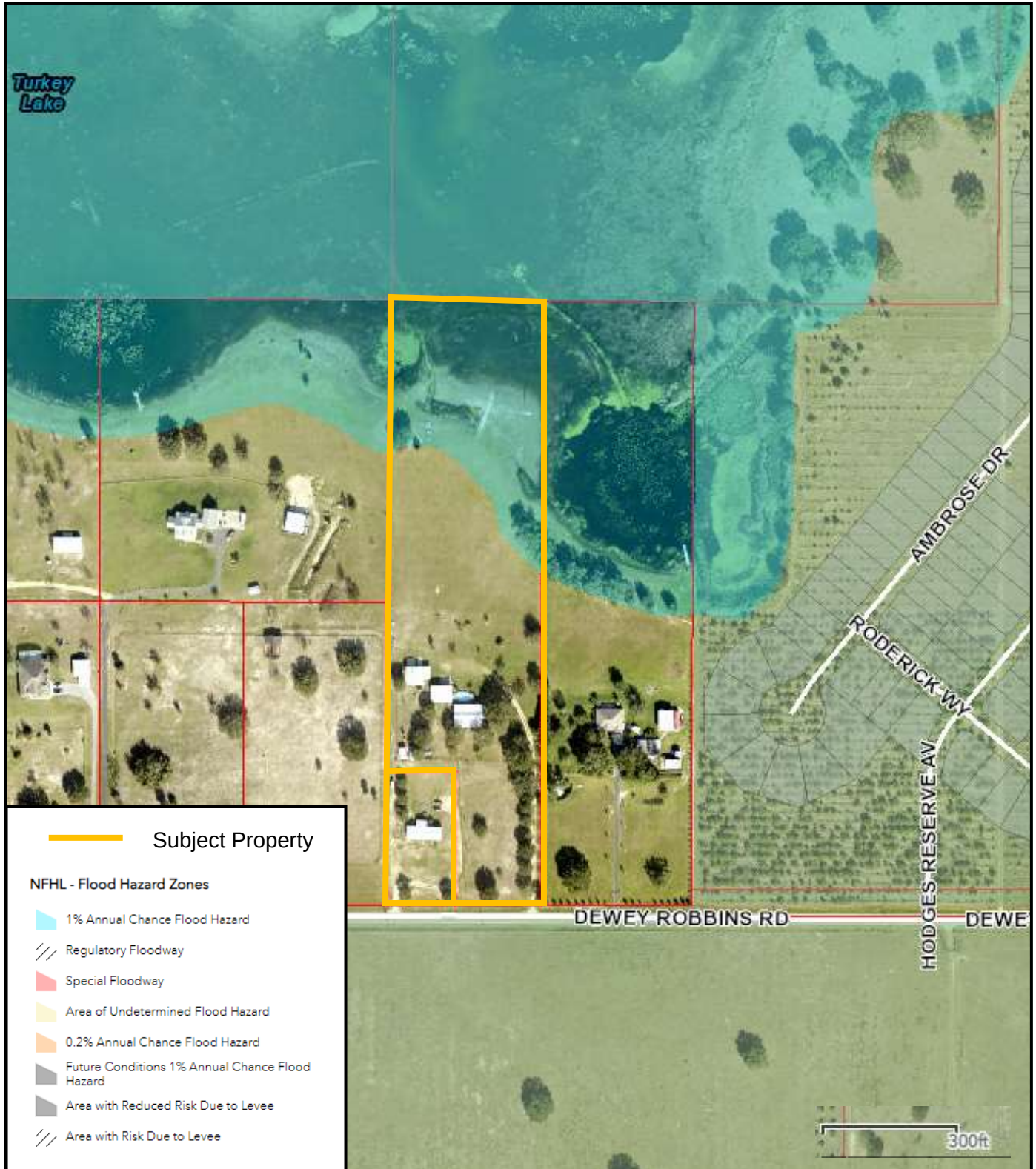
Michael J. Cronin Nearby Development

Lake County, Florida
Leesburg

Project: 2098 -1
 File: Cronin
 Name: Aerial
 PM: H. Urwiller
 Date: December 6th, 2024
 Created By: T. Kalebaugh



Flood Zone

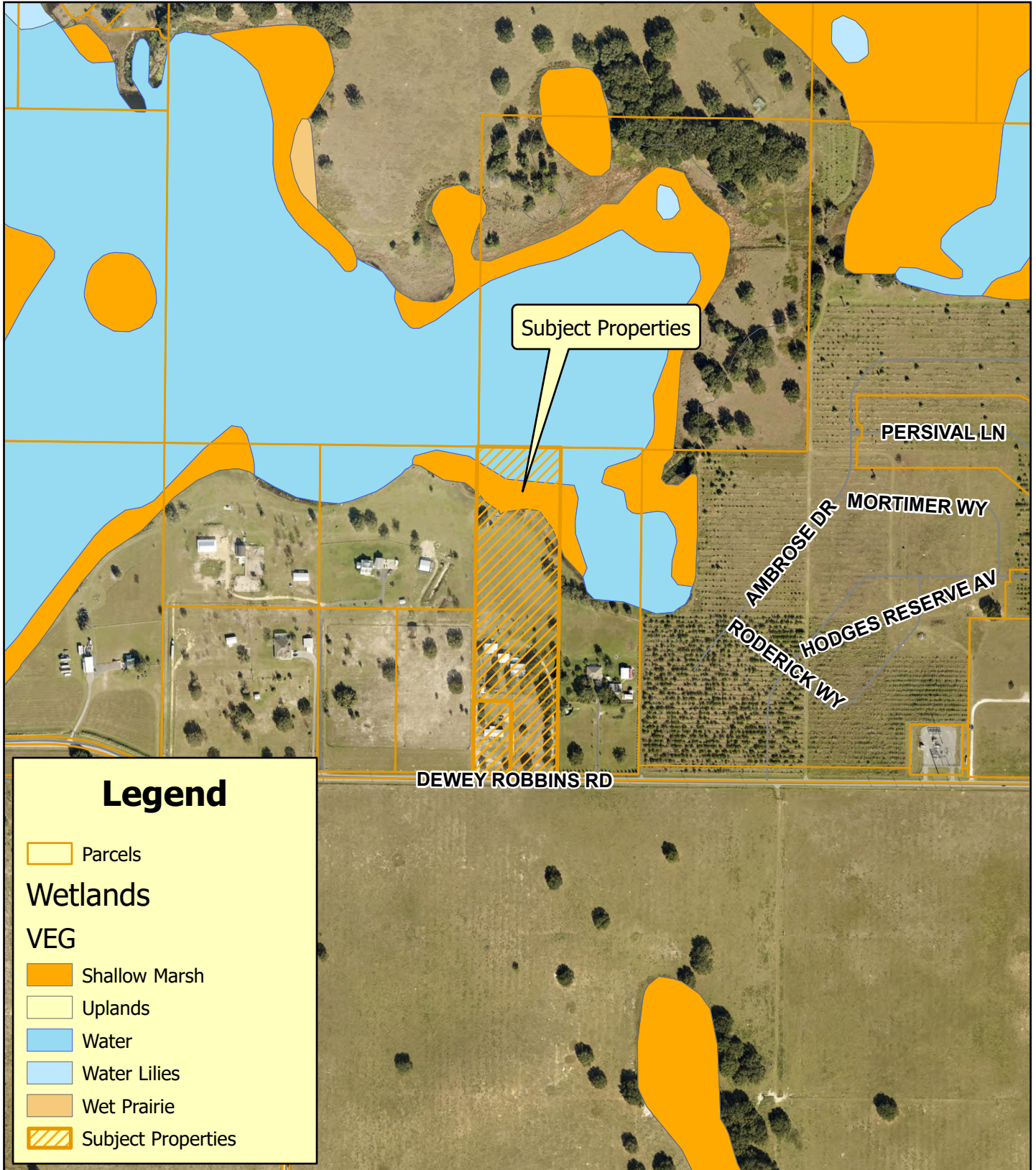


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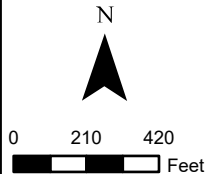


Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
Section 31, Township 20 South, Range 25 East
September 16, 2024

Wetlands



**Planning
& Zoning
Division**



Cronin-Dewey Robbins
Case #s ANNX-24-283; SSCP-24-284; SPUD-24-285
Alternate Key #s: 1030226 & 3881453
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**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

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This is outside Leesburg electric service territory. We have no comments. – Steve Davis, 10/30/2024.

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Gas Department – No Comment – Wayne Williams. 10/30/2024

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PUBLIC WORKS

No comments received as of 11/15/2024.

GIS/ADDRESSING

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HOUSING & REDEVELOPMENT

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LAKE COUNTY SCHOOLS

This project would be subject to school concurrency review. Please have the applicant contact myself or Helen LaValley for more information. – Heather Croney, 10/30/2024.

LAKE COUNTY PUBLIC WORKS

See attached letter.

PUBLIC RESPONSES

Approval

Disapproval

2

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL):

1. "City of Leesburg,

Please do not approve this. It's not conforming to our road. It's bad enough that you're developing anything on Dewey Robbins Road. Now I understand why these builders came to you after being denied through the count. Don't you want to keep a decent name for yourself? What needs to really happen for you guys to NOT move forward with this? Please advise,"

-Russell & Lori Brown, 11/12/2024

2. "Dear:

Our property borders Cronin's property. We oppose the annexation for the following reasons:

1. This property is located within the Yalaha-Lake Apopka Rural Protection Area.
2. The traffic generated from this development would significantly impact Dewey Robbins Road.
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-Randy/Joyce Graham 11/7/2024



Department of Public Works, Engineering Division
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

October 31, 2024

Max VanAllen
Planner
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Cronin Dewey Robbins / Planned Unit Development
CASE NO.: PUD-24-285

Thank you for requesting our comments on this planned unit development.

The below information neither constitutes an approval nor a denial by Lake County Board of County Commissioners or Lake County staff. Specifically, the County Commissioners have neither discussed nor voted on this project. These recommendations are only from the Lake County Department of Public Works. The Office of Planning and Zoning, Office of Building Services, Office of Fire Rescue, and other associated offices have NOT provided comments on this development. Further input by these groups may be required.

Major comments for Dewey Robbins Road

- Turn Lanes are required on Dewey Robbins Road at the development's proposed access.
- Additional right-of-way may be required for Dewey Robbins Road.
- A traffic impact study is recommended to be provided and reviewed prior to the PUD hearing.

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Lake County Department of Public Works recommended requirements for the Cronin Dewey Robbins PUD impacts to roadways and drainage systems:

Dewey Robbins Road:

- Access off Dewey Robbins Road will need to meet Lake County access management requirements.
- Left and Right Turn Lanes on Dewey Robbins Road at the proposed entrances to this development will be required.
- A sidewalk along Dewey Robbins Road frontage will be required to meet City of Leesburg and Lake County requirements.
- Additional right-of-way for Dewey Robbins Road may be required to meet the minimum requirements for a collector roadway and to accommodate the offsite road improvements while maintaining the road drainage. Further evaluation will be performed with subdivision plans based on impacts due to drainage, sidewalk, turn lanes, shoulders, etc.
- Dewey Robbins Road is defined with a functional road classification of 'collector rural' by the Lake County Comprehensive Plan and adopted Lake-Sumter Metropolitan Planning Organization (LSMPO) Plan.

Traffic:

- A Traffic Impact Study (TIS) will be required of this development for review by the Lake-Sumter MPO and Lake County Public Works Department. The TIA will need to follow the Lake-Sumter MPO Traffic Impact Analysis Methodology and Guideline the methodology will need to be worked out prior to TIS submittal.
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Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and to Dewey Robbins Road.

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands or onto county roads.

RE: PROJECT: Cronin Dewey Robbins/ Planned Unit Development
CASE NO.: PUD-24-285

Please be advised that this letter pertains to transportation, access management, stormwater, and floodplain related impacts foreseen from the proposed PUD application as reviewed by Lake County Department of Public Works. This letter does not include any land use, zoning, or any other elements that may be addressed by other departments, such as Lake County Department of Economic Growth - Office of Planning and Zoning.

Please contact me if you have any questions concerning the comments and recommendations provided in this letter.

Sincerely,

Seth Lynch

Seth Lynch
Development Engineer/Project Manager
Lake County Department of Public Works
Engineering Division
slynch@lakecountvfl.gov

Cc Jeff Earhart, Engineering Manager for Lake County
Mike Fitzgerald, Planning Director for Lake County
Janie Barron, Chief Planner for Lake County
Dan Miller, Planning Manager for City of Leesburg

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: November 21, 2024

OWNER: Michael J. Cronin and Kim R. Cronin

PETITIONER: Michael J. Cronin and Kim R. Cronin

PROJECT: Cronin-Dewey Robbins

REQUEST: Amend the Comprehensive Plan from Lake County Rural to City of Leesburg Low Density Residential and Rezone from Lake County A (Agriculture) to City SPUD (Small Planned Unit Development) to allow townhomes and retail commercial.

CASE NO.: (ANNX-24-283); SSCP-24-284; SPUD-24-285

GENERAL LOCATION: North of Dewey Robbins Road, east of US Highway 27.

FUTURE LAND USE DESIGNATION: Lake County Rural

SURROUNDING FUTURE LAND USE DESIGNATION:

North – City of Leesburg Neighborhood Mixed Use
South – City of Leesburg Estate Residential
East – Lake County Rural; City of Leesburg Estate Residential
West – Lake County Rural, Rural Transition

PROPOSED FUTURE LAND USE DESIGNATION: City of Leesburg Low Density Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture)

SURROUNDING ZONING DESIGNATIONS:

North – City of Leesburg PUD (Planned Unit Development)
South – City of Leesburg PUD (Planned Unit Development)
East – Lake County A (Agriculture)
West – Lake County A (Agriculture), RP (Residential Professional)

PROPOSED ZONING DESIGNATION: City SPUD (Small Planned Unit Development)

EXISTING LAND USE: Residential, including two (2) manufactured homes, one (1) utility building, one (1) carport.

SURROUNDING LAND USE:

North – Non-Agricultural Acreage
South – Pasture Improved Hay Acreage
East – Residential; Orange Grove
West – Residential; Pasture Improved Hay Acreage

PROPOSED LAND USE: 48 townhomes and 15,000 square feet of retail commercial.



CITY OF LEESBURG PLANNING & ZONING DEPARTMENT RECOMMENDATIONS

DATE: November 21, 2024
OWNER: Michael J. Cronin and Kim R. Cronin
PETITIONER: Michael J. Cronin and Kim R. Cronin
PROJECT: Cronin-Dewey Robbins
REQUEST: Rezone from Lake County A (Agriculture) to City SPUD (Small Planned Unit Development) to allow 48 townhomes and 15,000 square feet of commercial uses.
CASE NO.: SPUD-24-285

THE PLANNING & ZONING DEPARTMENT RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request for a SPUD (Small Planned Unit Development) zoning is compatible with the current surrounding zoning districts, and previously-zoned development, including City of Leesburg PUD (Planned Unit Development), Lake County A (Agriculture), and RP (Residential Professional).
2. The proposed request for the Future Land Use designation of Low Density Residential, is compatible with the proposed zoning of SPUD (Small Planned Unit Development).
3. The site is located near existing City utilities on US 27 and upcoming utility improvements along Dewey Robbins Road.
4. The proposed request does not appear to create a detriment to surrounding properties, based on the utility improvements and proximity to future development.

Action Requested:

1. Vote to **approve** the proposed rezoning from Lake County A (Agriculture) to City SPUD (Small Planned Unit Development), and forward this recommendation to the City Commission for consideration.

**CRONIN-DEWEY ROBBINS
PUD (PLANNED UNIT DEVELOPMENT) AGREEMENT
City of Leesburg, Florida
November 21, 2024**

These Planned Unit Development Conditions for a SPUD (Small Planned Unit Development) zoning district are granted by the City of Leesburg Planning Commission, Lake County, Florida to **Michael J. Cronin and Kim R. Cronin, 6531 Dewey Robbins Road, Howey in the Hills, FL 34737, as “Permittee” (Michael Rankin, LPG Urban and Regional Planners, 1162 Camp Ave, Mount Dora, FL 32757, Agent)**, for the purposes described herein, and subject to the terms and conditions as set forth in this document, pursuant to authority contained in Chapter 25 “Zoning”, Section 25-278 “Planned Unit Development” of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND

The "Permittee" is requesting a Small Planned Unit Development (SPUD) zoning district to allow future construction of a proposed residential development consisting of a maximum of 48 attached single-family residential units and a maximum of 15,000 square foot commercial component adjacent to Dewey Robbins, on approximately 9.94 +/- acres, generally located north of Dewey Robbins Road, east of US Highway 27, on a site within the City of Leesburg in accordance with their SPUD application and supplemental information.

PURPOSE

The purpose of this document is to provide appropriate zoning standards for a high-quality built environment through the application of flexible and diversified land development requirements, which shall be implemented in conjunction with a master site development plan and the City of Leesburg Code of Ordinances, therefore allowing for efficient and optimal use of the subject property, and to increase the overall economic opportunity and employment base of Leesburg, Florida.

CONDITIONS

The following conditions shall apply to the development proposed herein. In the event of any conflict between the conditions of this document and the City of Leesburg Code of Ordinances, this document shall prevail as the determining requirement.

1. **PERMISSION** is hereby granted to **Michael J. Cronin and Kim R. Cronin, 6531 Dewey Robbins Road, Howey in the Hills, FL 34737, as “Permittee” (Michael Rankin, LPG Urban and Regional Planners, 1162 Camp Ave, Mount Dora, FL 32757, Agent)**, to construct, operate, and maintain a Small Planned Unit Development in and on real property in the City of Leesburg, in accordance with the requirements set forth herein. The property is more particularly described below.
2. **LEGAL DESCRIPTION**

See attached **Exhibit B, Legal Description.**

3. **LAND USE**

The above-described property, containing approximately 9.94 acres, shall be used for single-family attached residential development, with a commercial component sited adjacent to Dewey Robbins Road, having a maximum of 15, 000 square feet of commercial development, pursuant to City of Leesburg development codes and standards.

A. **Permitted Residential Uses**

- 1) Attached single-family residential units (townhomes; front or rear loaded).
- 2) Detached single-family residential units, provided the lots are a minimum of 50-foot wide and meet all minimum development standards of the R-1 (Low Density Residential) zoning district.

B. **Permitted Commercial Uses**

- 1) Medical/Veterinary
- 2) Retail
- 3) Multi/Single-story Self Storage
- 4) Daycare or Elderly Daycare
- 5) Office Space/Professional Services
- 6) Insurance
- 7) Boat & RV Storage
- 8) Personal Services/Salon Suites
- 9) Assisted Living
- 10) Flex Space

C. Location of all permitted uses shall be substantially with the intent of the conceptual site plan shown in **Exhibit C.**

D. **Prohibited Uses**

- 1) Duplex/Triplex uses.
- 2) Multi-family units (apartments).
- 3) All other uses not specifically permitted within these conditions under Permitted Uses above shall be prohibited.

E. **Accessory Uses**

- 1) Accessory structures
- 2) Recreational Uses (Trails/Dog Park/Swimming pool/Volleyball Court, etc.)
- 3) Accessory retail within a recreation center or clubhouse, intended for the primary use of residents, such as a snack bar.
- 4) Temporary modular sales center office (during construction and sales of new units) and construction offices, not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model townhomes may be used as sales centers during the duration of the project.

4. **DEVELOPMENT STANDARDS**

- A. The project shall contain a maximum of 48 single-family residential units, at a gross density not to exceed 4.82 units per acre on the approximately 9.94-acre site, as shown on **Exhibit C, Conceptual Site Plan**.
- B. Attached single-family lot width sizes shall include minimum 20-foot lots.
- C. Detached single-family residential lots shall be minimum of 50-foot wide, and meet all minimum development standards of the R-1 (Low Density Residential) zoning district, per City of Leesburg Code of Ordinances, Chapter 25, Section 25-280, Table 4-2.
- D. The maximum impervious surface for the project shall be 65%. Community and private swimming pools shall not count toward the impervious surface calculation.
- E. The minimum lot development standards for attached single-family units (townhome lots) shall be:
 - 1. For 20-foot minimum townhome lots (Front- or rear-loaded):
 - a. Minimum living area (under roof): 1,000 square feet.
 - b. Each additional bedroom to the above the minimum house size shall be a minimum of 120 square feet, including closet.
 - c. Maximum building height: 2 stories, or 35-feet
 - d. Minimum lot size shall be 2,000 square feet.
 - e. Minimum width:
 - Interior lot – 20 feet;
 - End unit lot – minimum 22 feet
 - f. Minimum depth 100 feet
 - g. Minimum building setbacks:
 - Front – 25 feet;
 - Rear – 20 feet;
 - Side (between buildings) – 15 feet;
 - Side (street) – 15 feet.
 - 2. For all structures:
 - a. Each dwelling unit shall have a minimum two off-street parking spaces.
 - b. Accessory structures shall have a minimum rear and side setback of 5-feet and single accessory structures that are not attached to the principal structure shall not occupy more than 30 percent of the required rear yard.
 - c. As part of the site plan approval process, city staff shall review final site design standards in accordance with the approved SPUD (Small Planned Unit Development) zoning conditions set forth herein.

5. DESIGN/ARCHITECTURAL STANDARDS

- A. All buildings shall utilize at least five (5) of the following design features to provide visual relief along all elevations of the buildings. Designs may vary throughout the development.
 - 1) Dormers

- 2) Gables
 - 3) Recessed or raised entries
 - 4) Covered porch entries
 - 5) Cupolas
 - 6) Pillars or decorative posts
 - 7) Bay window (minimum 12-inch projections)
 - 8) Eaves (minimum 6-inch projections)
 - 9) Front windows with arched glass tops and minimum 4-inch trim.
 - 10) Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc.
 - 11) Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc.
 - 12) Stone accents
 - 13) Shutters
 - 14) Board and batten siding
 - 15) Hardy board siding
 - 16) Raised banding
 - 17) Craftsman style garage doors
- B. Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
- 1) At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 - 2) At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
 - 3) All textured stucco, provided there are unique design features such as recessed garages, tile or metal roofs, arched windows, porches, etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Community Development Director for compliance.
- C. Other similar design variations meeting the intent of this section may be approved by the Community Development Director or designee.
- D. The conceptual architectural styles and facades shown in **Exhibit D, Building Elevations** herein are considered to meet the requirements of this section.

- E. The Permittee shall utilize “Dark Sky” lighting principles when selecting lighting fixtures for all street lighting. Such lighting shall achieve the overall effect of containing and shielding excessive light pollution from adjacent properties. Appropriate designs are shown on as **Exhibit E**, attached hereto.

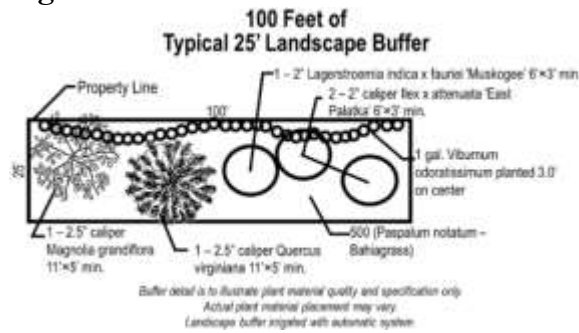
6. **OPEN SPACE, LANDSCAPING & BUFFER REQUIREMENTS**

- A. A minimum of 35% open space shall be provided throughout the development. Open space may consist of buffers, wetlands, retention and recreation areas.
- B. A minimum twenty-five (25) foot buffer tract with plantings as shown in Figures A and B below, shall be provided along the northern and southern boundaries of the property, unless otherwise provided for within these standards.
- C. A minimum ten (10) foot buffer tract with plantings as shown in Figures A and B below, shall be provided along the eastern and western boundaries of the property, unless otherwise provided for within these standards.
- D. Residential unit landscaping requirements:
One (1) understory tree per residential unit shall be planted interspersed between the town home buildings at no less than 50’ spacing along the front. The balance of required trees shall be located between the townhome buildings.
- E. A four (4) foot decorative fence or six (6) foot high privacy fence shall be provided to the east and west of the property, and between the southern commercial portion adjacent to Dewey Robbins Road, and the northern residential area. The samples shown in **Figures 1 & 2** on **Exhibit F, Acceptable Fence Samples** shall be considered to meet these fencing requirements. Variations to the fencing requirements of the code may be approved by the Planning & Zoning Director or designee, as long as the intent of the SPUD is maintained
- F. All other landscaping requirements within development:
All landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances, Section 25-329, and at a minimum shall contain the following plantings as noted in Figures A and B below. The number trees required under Section 6 C *Residential unit landscaping requirements*, shall not count toward the minimum required in Figures A and B below:

Figure A

Canopy Trees (per 100 l.f.)	2 per 100 linear ft
Tree CAL/Height	2" cal, 12' overall height
Optional Ornamental Trees (per 100 l.f.)	3 per 100 linear ft
Tree CAL/Height	2" cal, 7' overall height
Shrub Screen (per 100 l.f.)	
Square Ft. of Shrubs	(33) 3 gal plants, 18"—24" minimum at installation (depending on species); hedges to be 36"—42" high by thirty-six (36) inches wide hedge or continuous landscape screen with a ninety (90) percent opacity within one (1) year of planting
Container size	3 gal

Figure B



G. Variations to the landscape requirements of the code may be approved by the Planning & Zoning Director or designee, as long as the intent of the SPUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers.

H. The surveying of trees on the property shall be conducted as follows:

- 1) All specimen, heritage and historic trees shall be surveyed. Staff will review the tree survey and such trees shall be saved where possible during the site plan review process. This may include amending the site plan to save as many specimen, heritage and historic trees as feasible.
- 2) Site areas that are to preserve existing trees do not need to be included in the survey unless the trees are to be used in preservation/replacement requirements. Any preserved trees outside the perimeter landscape buffer will count toward the minimum requirements in Section 6, Item C.
- 3) The tree survey shall be completed by a licensed surveyor.

7. **SITE ACCESS AND SIGNAGE**

A. Access locations depicted on the Master Development Plan are conceptual and subject to Lake County approval. Actual location and design of the roads shall be determined at the site plan review process and shall include consideration of, and connection to, sidewalks, recreation paths, etc. All other access shall be reviewed for necessity and requirements through Lake County and the City of Leesburg development and permitting processes. Any additional access points shall be subject site plan application review process.

- 1) The primary vehicular access to the development shall be constructed as a divided boulevard type entrance.
- 2) The main divided boulevard type vehicular access shall be at Dewey Robbins Road, Lake County Access requirements permitting.
- 3) Offsite road improvements on existing roads adjacent to the property may be required based on finalized access locations. Such improvements may include, but are not limited to, left and right turn lanes, right-of-way

- dedication, and pavement rehabilitation. Any proposed offsite road improvements must be approved by Lake County Public Works.
- 4) Prior to completion of the subdivision design plans, the developer shall work with the Lake County Department of Public Works to ensure all appropriate required roadway and access improvements for the development are made part of the plans submitted to the City of Leesburg.
 - 5) The Master Development Plan, and the access points proposed thereon, are considered conceptual until the appropriate engineering and site plan reviews, along with any required upgrades are completed for the project.
- B. All access points are subject to review and approval by the appropriate permitting agency, including FDOT, Lake-Sumter Metropolitan Planning Organization, Lake County and the City of Leesburg as applicable. The developer shall be responsible for on and offsite improvements required as a result of any access points. The developer shall be responsible for all on and offsite improvements required as a result of any access points.
- C. The primary access point shall provide a decorative entry feature to include a concrete, brick or stucco wall at least five (5) feet in height, on each side of the entryway. This may be used for signage per City of Leesburg Code of Ordinances, as amended.
- D. Alternative designs for the ground enclosure supports and bases of a monument sign may be approved by the Planning & Zoning Director or designee, where the architectural style would be in keeping with the intent of these sign regulations.

8. TRANSPORTATION IMPROVEMENTS

- A. Any transportation improvements or rights-of-way that may be required shall be based on projected needs and shall be contingent upon site plan approval by City staff during the development review and permitting process. The plan review process shall include consideration of sidewalks, recreation paths etc.
- B. A traffic/transportation study shall be submitted prior to site plan approval for review and determination of any necessary access improvements, including any off-site improvements required by Lake County, the Lake-Sumter MPO or the City of Leesburg. Said improvements will be the responsibility of the Permittee.
- C. The Permittee shall provide necessary traffic improvements within and adjacent to the development as required by Lake County, the Lake-Sumter MPO and City of Leesburg.
- D. All roads within the development shall be designed and constructed to meet the City of Leesburg requirements.
- E. The Permittee shall be responsible for obtaining all necessary Lake County permits and a copy of all permits shall be provided to the City of Leesburg.

- F. The City of Leesburg will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements. Should the Permittee desire to dedicate the proposed project's internal road system to the City of Leesburg; the City, at its discretion, may accept or not accept the road system. Prior to acceptance, the Permittee shall demonstrate to the City that the road system is in suitable condition and meets City of Leesburg requirements. As a condition of accepting the roadway system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project and may require bonds or other financial assurance of maintenance for some period of time.
- G. Sidewalks shall be provided on both sides of the boulevard entrance road and throughout the development. Sidewalks shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain sidewalks on both sides of the road. All sidewalks shall be constructed in accordance with City of Leesburg Codes.

9. **UTILITIES**

Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Water, wastewater and natural gas services will be provided by the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
- B. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of all utility infrastructure and other improvements related to the use and development of the property, including such off-site improvements required by the City and all other appropriate government agencies. All such requirements shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction.
- C. The City of Leesburg intends to service the property with water and wastewater services at this time. At the time of connection, all regulations in place at the time of the request shall be required, including but not limited to impact fees, connection and utility service deposit charges. The cost of supplying water and wastewater lines and other necessary infrastructure, such as lift stations for the development shall be the responsibility of the applicant.

10. **STORMWATER/DRAINAGE MANAGEMENT**

All drainage shall be designed and constructed in a manner to meet all State of Florida and City of Leesburg codes, including the requirement that all stormwater runoff is contained

within the boundaries of the properties, and does not create a detriment to surrounding properties. Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
- B. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
- C. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowner's association is an acceptable maintenance entity.
- D. The existing 100-year flood plain shown shall be shown on all plans and lots.
- E. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and /or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.
- F. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District shall be provided to the City during the site plan review process.
- G. Should the Permittee desire to dedicate the proposed project's stormwater management system to the City of Leesburg; the City, at its discretion, may accept or not accept the stormwater management system. Prior to acceptance, the Permittee shall demonstrate to the City the stormwater management system is in a suitable condition and meets City of Leesburg and St. Johns River Water Management District requirements. As a condition of accepting the system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project.

11. WETLANDS, FLOOD ZONES & WILDLIFE

- A. All wetlands on the project site shall be identified by a jurisdictional wetland boundary line, and the location and extent of each wetland shall be determined by the Department of Environmental Protection, St. Johns River Water Management District and/or U.S. Army Corp of Engineers. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the site plan application process.
- B. To the extent practicable, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, the St. Johns River Water

Management District or another legal entity such as a homeowners association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to the St. Johns River Water Management District or another legal entity such as a homeowners association for ownership and maintenance.

- C. Buildings or structures shall be a minimum of 50 feet from any wetland jurisdiction boundary.
- D. Wetlands shall have an average upland buffer of 25 feet, with a minimum of 15 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.
- E. Land uses allowed within the upland buffers for wetlands are limited to stormwater facilities as permitted by St. Johns River Water Management District.
- F. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.
- G. If no wetlands are discovered to be present within the development at the time of site plan review and subsequent site work/construction, Section 11, Items A-F (above) shall not apply. The remainder of Section 11 (below) shall still apply.
- H. A wildlife management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The wildlife management plan shall be submitted to the City as part of the site plan application process.
- I. A map indicating the location of the 100-year flood plain.
- J. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and/or a new 100 year flood elevation is established in reference to the applicable flood insurance rate map.
- K. There are currently FEMA flood zones located throughout the parcel. Through the site plan review process, the developer shall coordinate with the City of Leesburg, Lake County and all impacted government agencies regarding elevation determinations, compensatory storage and overall design of the subdivision within and near flood hazard boundary areas, to ensure compliance with all regulations.

12. **IRRIGATION & WATER USAGE**

- A. All landscaped areas shall be irrigated and designed to meet Section 25-337, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
- B. The use of St. Augustine grass, or other varieties of grass which require significant amounts of water are prohibited. The use of Bahia, Bermuda, Zoysia or other grasses which are more drought tolerant are permitted.

13. **RECREATIONAL REQUIREMENTS**

- A. Recreational development provided on the site may include active and passive uses, as well as enclosed or unenclosed recreational space, devoted to the joint use of the residents. Such recreational space shall consist of not less than 200 square feet of space per dwelling unit (9,600 square feet maximum), or 0.22 total acres.
- B. Recreational requirements shall include at least one primary common area, such as a pool with cabanas and dedicate parking, as shown on **Conceptual Site Plan, Exhibit C** shall not require a fence as described above.
 - a. The primary recreational facility shall be constructed in conjunction with and completed no later than the completion of the first 5 attached single-family residential units.
- C. Retention parks shall be included in the design of the subdivision and shall be designed such that park areas, which may consist of dry retention areas, may be used as open fields, playgrounds or trails, as shown on the attached **Conceptual Site Plan, Exhibit C**. Wet retention areas shall have a fountain or spray feature to enhance aesthetics and keep the retained water from stagnating.
 - a. Any trails within the development, including within the 25' exterior buffer shall be constructed to comply with ADA standards where required by law. Trails that are not required to meet ADA standards, such as natural or passive trails, shall be constructed to the extent feasible to ensure safety and accessibility, but full ADA compliance is not mandatory unless otherwise specified by Federal Regulations.
- D. Other recreation areas may include such uses as outdoor cooking facilities such as grills, outdoor exercise equipment, youth playgrounds, tot lots, trail/boardwalk overlooks, gazebos, play courts, dog parks, or other similar uses which will meet the intent of this document.

14. **MAINTENANCE**

- A. With the exception of any public utilities, maintenance of all site improvements, including but not limited to roadways, drives, internal sidewalks, landscaping and drainage shall be the responsibility of the property owner. A homeowner's association shall serve as an appropriate entity for all common properties within the development.

15. **DEVELOPMENT PHASING & IMPLEMENTATION**

- A. The proposed project may be constructed in phases in accordance with the Small Planned Unit Development Conditions and Conceptual Plan. Changes to the development conditions or conceptual plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.
- B. As part of the overall development review process, if the project is constructed in phases, the plat of the lots for each approved phase shall contain only portions of the development approved under the Site Plan Review Process, i.e. each phase platted shall match each phase submitted for site plan review.
- C. Upon approval of this SPUD by the City Commission, a development permit or building permit application must be submitted with the City for work related to one or more phases of the SPUD within four (4) years of this approval becoming final with no appeal pending or the SPUD will automatically expire, unless otherwise lawfully extended by the City or Section 252.363, Florida Statutes. In the event the SPUD expires, the Property shall be governed by the zoning regulations applicable to the RE-1 (Estate Density Residential) zoning district.

16. **MISCELLANEOUS CONDITIONS**

- A. The uses of the proposed project shall only be those uses identified in the approved Small Planned Unit Development Conditions. Any other proposed use must be specifically authorized in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with the Small Planned Unit Development conditions set forth herein, and with all City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in this SPUD Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Small Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These SPUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof,

and shall be binding upon the present owner and any successor, and shall be subject to each and every condition as set forth herein.

17. LEVELS OF SERVICE

A. Levels of Service

- 1) As submitted, the development resulting from the proposed zoning change may result in demands on public facilities which could exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid waste. However, no final development order (site plan and building permits) shall be granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

B. Utilities

1) Projected Capacities

- a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.
- b. If the development requires construction of new distribution or collection lines, the developer will be required to construct such facilities to provide service. The developer will bear the cost of design, permitting and construction. Any such facilities must be constructed in a fashion consistent with the City's master plans and to the City standards and specifications.

2) Commitment of Capacity

- a. There are no previous commitments of any existing or planned excess capacity for this property.

3) Ability to Provide Services

- a. At this time, the City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
- b. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

EXHIBIT B**LEGAL DESCRIPTION**

THE WEST $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 31, TOWNSHIP 20 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA.

Page 15 of 20

Cronin-Dewey Robbins– (*Annexation*), Small Scale Comprehensive Plan Amendment, SPUD Rezoning
– (*ANNX-24-283*); SSCP-24-284; SPUD-24-285

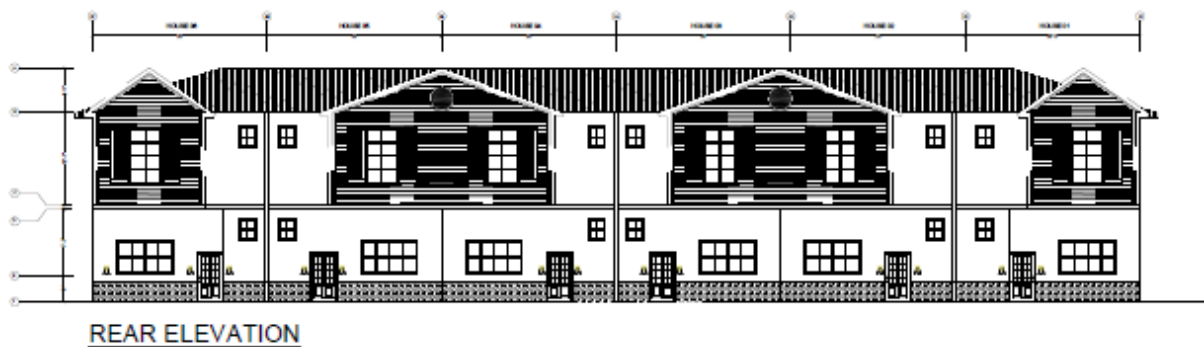
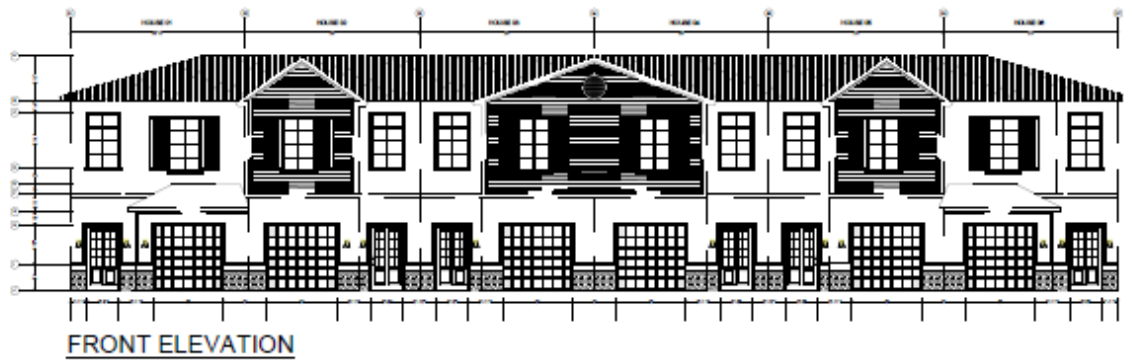


EXHIBIT G

TYPICAL DARK SKY LIGHTING FIXTURES

Examples of Acceptable / Unacceptable Lighting Fixtures





Figure 1 – Opaque vinyl fence option

Example Source Courtesy of Bespoke Fence & Shoreline Vinyl
<https://bespokefence.com/products/vinyl-fences/>; <https://shorelinevinyl.com/fencing-styles/caroline/>



Figure 2 – Split-rail fence option

Example Source Courtesy of Superior Outdoor Products & Peerless Fence
<https://superiorplasticproducts.com/3-rail-vinyl-fence>; <https://www.peerlessfence.com/residential/products/wood/post-rail>



Figure 3 - Aluminum rail fence option

Example Source Courtesy of Vinyl Fence.com
<https://www.buydirectvinylfence.com/5-tall-flat-top-3-rail-aluminum-fence.html>

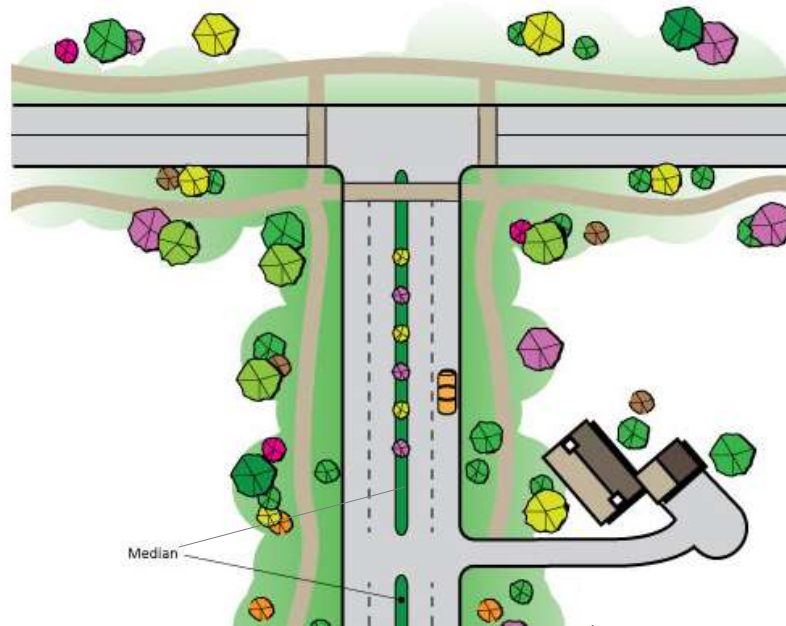


Figure 1 – Divided Boulevard Concept

Example Source Courtesy of Chester County Government

<https://www.chescoplanning.org/municorner/MultiModal/17-Boulevard.cfm>



Figure 2 – Planted Divided Boulevard

Example Source Courtesy of District Works

<https://districtworks.city/landscaping-and-groundskeeping/>



Figure 3 – Planted Divided Boulevard

Example Source Courtesy of Joshua Zeunert via ResearchGate

https://www.researchgate.net/figure/Planted-central-median-swale-used-in-the-Lynbrook-development_fig1_329116840

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.4.

Meeting Date: February 24, 2025

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, rezoning approximately 4.87+/- acres from SPUD (Small Planned Unit Development) to SPUD (Small Planned Unit Development) for a property generally located west of Lee Street, north of Herndon Street, East of Perkins Street, and south of West Line Street, as legally described in Section 26, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date.
(Lee School 2025 SPUD)

Staff Recommendation:

Staff recommends approval of the request to rezone the former Lee School from SPUD (Small Planned Unit Development) to SPUD (Small Planned Unit Development) with revised conditions.

Analysis:

The Lee School property consists of 5 +/- acres generally located north of Herndon Street, south of West Line Street, east of Perkins Street and west of Line Street. The developer is requesting a rezoning to allow for the development of a 102 unit multifamily complex.

Lee School was retired from school use in the early 2000s. In 2015, the property was sold by the school board to an investor who rezoned the property next year, under ordinance 16-01. This zoning allowed assisted and independent living, memory care, and medical offices. In 2018, the property was sold to another investor, who rezoned the property in 2021 under Ordinance 21-19, which allowed 49 townhouses and 14 apartments. Since being abandoned as a school and sold, and despite significant efforts, no investors were found to be interested in development of the properties under either zoning district. With that in mind, in 2024, the Leesburg Historic Preservation Board did vote to allow the buildings to be demolished.

At the January 27, 2025, meeting, the City Commission did vote to approve the proposed expansion of the Downtown Mixed Use Future Land Use category. This action significantly expanded the current Downtown Mixed Use area from its current boundaries to include areas northward to the Leesburg Wildwood Trail, eastward along Pine Street and portions of Rambo Street to the hospital, then southward to Dixie Avenue and westward to include this site. The purpose of this expansion is to help create investment opportunities for the areas in and adjacent to downtown.

This rezoning, as presented, will provide 102 residential units, with two access points, significant green space, along with adequate parking, buffering, fencing and recreation opportunities for residents. In addition, this action will create an economic benefit for people to live and work in downtown Leesburg. Currently, the development team is working with Beacon College to potentially secure a significant number of units for student housing.

The Planning Commission held a public hearing on the application on January 23, 2025, and recommended **approval** by a vote of 5-2. The Planning Commission's recommendation of approval included a motion to limit the structure height from the requested four (4) floors to three (3) floors.

Procurement Analysis:

N/A

Options:

1. Approve the request to rezone the Lee School site from SPUD (Small Planned Unit Development) to SPUD (Small Planned Unit Development), or
2. Other action the Commission may choose.

Fiscal Impact:

Staff anticipates a positive fiscal impact for the city, from ad valorem taxes, impact fees and utility charges, as well as additional economic activity for downtown Leesburg, as a result of this project.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 4.87+/- ACRES FROM SPUD (SMALL PLANNED UNIT DEVELOPMENT) TO SPUD (SMALL PLANNED UNIT DEVELOPMENT) FOR A PROPERTY GENERALLY LOCATED WEST OF LEE STREET, NORTH OF HERNDON STREET, EAST OF PERKINS STREET, AND SOUTH OF WEST LINE STREET, AS LEGALLY DESCRIBED IN SECTION 26, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.
(LEE SCHOOL 2025 SPUD)**

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of Michael J. Rankin, Land Planning Group, Mt. Dora Florida, the Petitioner, on behalf of Prospera Senior Living, LLC, 112 Northeast 12th Street, Ocala, Florida, 34470, the owner of the property hereinafter described, which has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from SPUD (Small Planned Unit Development) to SPUD (Small Planned Unit Development), to-wit:

**(Legal Description)
(See Exhibit A)**

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 24th day of February 2025.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

LEGAL DESCRIPTION

EXHIBIT A

All of Block 6, CITY OF LEESBURG, according to the map or plat thereof as recorded in Plat Book 2, Page 19, Public Records of Lake County, Florida, LESS the South 15 feet of Lots 7 and 8, and the East 15 feet of Lots 1, 4, 5 and 8, all in Block 6, CITY OF LEESBURG, conveyed to the City of Leesburg as street right of way.

Parcel Identification Number: 2619243900-006-00000

Current Lake County Alternate Key 1263671

LEE STREET VILLAGE
SPUD (SMALL PLANNED UNIT DEVELOPMENT) AGREEMENT
PLANNED DEVELOPMENT CONDITIONS
January 23, 2025

These Planned Development Conditions for an SPUD (Small Planned Unit Development) zoning District are granted by the City of Leesburg Planning Commission, Lake **County, Florida to Barry Mansfield, Cullison-Wright Development (Prospera Senior Living, LLC)** "Permittee" for the purposes and terms and conditions as set forth herein pursuant to authority contained in Chapter 25 "Zoning", Section 25-278 "Planned Development Process" of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND: The "Permittee" has submitted an application requesting an SPUD (Small Planned Unit Development) zoning district to allow a residential use project consisting of 102 multifamily units on an approximately five (5) +/- acre site within the City of Leesburg in accordance with their Planned Development application and supplemental information. The project proposes to re-develop the original Lee School property bounded by Lee Street on the east, Perkins Street on the west, West Line Street on the north, and Herndon Street on the south.

1. PERMISSION

Permission is hereby granted to Barry Mansfield, Cullison-Wright Development (Prospera Senior Living, LLC) to operate, and maintain a SPUD (Small Planned Unit Development) development in and on real property in the City of Leesburg. The property is generally located on the west side of Lee Street, south of West Line Street, east of Perkins Street and north of Herndon Street. The property is more particularly described as shown in the attached legal description below.

2. LEGAL DESCRIPTION

See attached legal Exhibit B

3. LAND USES

The above-described property shall be used for SPUD (Small Planned Unit Development) uses as limited herein, and pursuant to City of Leesburg development codes and standards. Uses shall be those listed as permitted uses in this document and shall occupy the approximate area as shown on the Conceptual Plan.

A. Permitted Uses

1. Multi-family uses (The project proposes a maximum of: 102 multi-family units.)

B. Accessory Uses

1. Accessory Uses shall be as follows: recreational, park and open space uses.

C. Prohibited Uses shall be as follows:

1. All uses not permitted by this SPUD (Small Planned Unit Development)
2. Other related uses may be included by written determination of the Planning & Zoning Director. Such uses shall be consistent with the intent and purpose of the zoning

requirements set forth in these SPUD conditions, and shall meet the parking standards as required herein. Parking availability may limit the permitted uses.

4. **SITE ACCESS**

- A. Access to the property shall be from Lee Street on the east and Herndon Street on the south. Any additional access points shall be subject to the City of Leesburg site plan application review process, including permitting and or review as required by Lake Sumter MPO, FDOT, Lake County and the City of Leesburg.

5. **HISTORIC DISTRICT AND DESIGN REQUIREMENTS**

- A. The following requirements shall take effect upon approval of this Small Planned Unit Conditions document by the City Commission.
1. All construction taking place on the site shall maintain the general historic character of the area, and be constructed in harmony with the Leesburg Historic District requirements of Chapter 30, City of Leesburg, Code of Ordinances.
 2. All construction on the property shall, where possible, preserve or enhance the historic design, features and character of the general area.
 3. Unique design features or variations meeting the intent of this section may be approved at the discretion of the Leesburg Historic Preservation Board.
 4. In recognition of the historic Lee School, a fenced park area, which creates a “Memorial Park” shall be required. This park shall utilize and feature the existing cornerstone of the south building, the two (2) historic memorial plaques currently located on the east side of the south building, and the memorial marker located on the southeast corner of the property. This park shall be in addition to the requirements of *Section 6. A.5. Playground Area/Memorial*, of this document.
 5. All buildings on the property shall have a common architectural theme for each phase, and the side of the buildings which face residential areas or streets shall be finished in the same materials as used in the front of the buildings.
 6. Mechanical units and roof equipment should be screened from view with parapet or other screening methods so that it is no seen from the public right of way and the adjacent properties.

6. **DEVELOPMENT STANDARDS**

- A. Minimum development standards shall be as required by these conditions. For any standard, requirement or code not covered herein, the standard not covered shall default to the City of Leesburg Code of ordinances, as amended. Any inconsistencies between the Conceptual Site Plan and this document shall be resolved in favor of this document.

1. **Setbacks**

- a. Front- 50 feet
- b. Side- 50 feet
- c. Rear – 50 feet

2. **Building Height**

- a. Maximum Four stories/55 feet,

3. **Spacing**

- a. Minimum spacing between buildings shall be 30 feet

4. Impervious Coverage

The Impervious surface coverage for this site shall not exceed sixty-five (65) percent of the gross site area.

5. Open Space

A minimum of thirty-five (35) percent of the site shall be developed as open space, including retention areas, buffer and landscaped areas. Open space may consist of buffers, wetlands and retention areas. Parking areas and vehicle access areas shall not be considered in calculating open space.

6. Playground Area/Memorial

- a. The overall site design shall include property dedicated to playground/exercise area(s) consisting of not less than 10,000 total square feet, which shall contain a children's playground, swimming pool and dog park plus a general amenities area, including items such as exercise equipment, BBQ grills, pavilions, etc.
- b. A memorial dedicated to the Lee School Building shall be constructed using the items outlined under Section 3 herein, and as seen in the attached Exhibit E.

7. Crosswalk/Speed Table

- a. Subject to approval by the Public Works Department, the applicant shall provide 1) crosswalk striping at the northeast corner of the property, and 2) a speed table which crosses Lee Street, to be located approximately equidistant between West Line Street and Herndon street. Both of these improvements shall be constructed prior to issuance of the Certificate of Occupancy, and are shown on the attached Conceptual Site Plan.

8. Dark Sky Lighting

- a. The Permittee shall utilize "Dark Sky" lighting principles when selecting lighting fixtures for all street lighting. Such lighting shall achieve the overall effect of containing and shielding excessive light pollution from adjacent properties.

- B. Variations to these requirements which meet the intent of this SPUD (Small Planned Unit Development) zoning and the Leesburg Historic District requirements may be reviewed and adjusted by the Planning and Zoning Director in consultation with the City Manager.

7. **PARKING/SIGNAGE**

- A. The permittee shall have off-street parking spaces within the property per the conceptual site plan, this document, and pursuant to the City of Leesburg Code of Ordinances, as amended, which shall include the required number of handicapped parking spaces. The location and design of the proposed parking area will be reviewed during the site plan review process to provide adequate parking per City of Leesburg Code of Ordinance requirements for each use. Specifically, parking shall be required per the following rate:
 1. 1 bedroom 1.5 spaces per unit,
 2. 2 bedrooms 1.75 spaces per unit,
 3. 3 bedrooms 2 spaces per unit (*COL Code requires 1.5 for 1 & 2 BR, 2 for 3BR*)
 4. Parking spaces dimensions shall be a minimum of 9.5 x 18 feet.

- B. All ground signage will consist of decorative entry features of concrete or brick construction, architecturally compatible with the construction style of the building(s), no greater than five (5) feet in height, and otherwise consistent with the requirements of the sign regulations of the City of Leesburg. Wall signs shall be designed and constructed to comply with the standards and requirements of the sign regulations of the City of Leesburg code of Ordinances, as amended.

8. WETLANDS

- A. Should wetlands exist on the site; the following requirements shall apply. Prior to disturbance or development of any wetland area, the "Permittee" shall submit and receive approval from all affected governmental agencies to include, but not limited to, St. John's River Water Management District and the State of Florida Department of Environmental Regulation. Any notice of violation from any affected agency shall be cause for a cease and desist order on permits issued by the City of Leesburg until such time as the violation has been resolved with the appropriate agency(s).

9. DRAINAGE AND UTILITIES

- A. Prior to receiving Final Development Plan Approval, the "Permittee" shall submit, if applicable, a Master Site Drainage Plan and Utility Implementation Plan acceptable to the City of Leesburg. Prior to removal, renovation or demolition of any existing development on the site, the permittee shall provide:
 - 1. A detailed site plan demonstrating no direct discharge of stormwater runoff generated by the development into any natural surface waters or onto adjacent properties.
 - 2. A detailed site plan indicating all provisions for electric, water, sewer, and natural gas in accordance with the site plan review process as required by the City of Leesburg Code of Ordinances.

10. TRANSPORTATION

- A. All transportation improvements shall be based on a current traffic analysis and shall be contingent upon Site Plan approval by City staff during the development review and permitting process.
- B. Vehicular access to the project site shall be provided by a minimum of two access points; one to the east on Lee Street, and one to the south on Herndon Street. Actual number, location and design of the access points shall be consistent with the site plan as determined during the Site Plan Review process.
- C. The Permittee shall provide all necessary improvements/signalization or other improvements adjacent to the development as required by the Lake-Sumter MPO, FDOT, Lake County and City of Leesburg.
- D. The Permittee shall be responsible for obtaining all necessary FDOT, Lake County and City of Leesburg permits and a copy of all permits shall be provided to the City of Leesburg prior to construction plan approval.
- E. A traffic/transportation analysis shall be submitted prior to preliminary site plan approval for review and determination of any necessary access improvements. Said improvements will be the responsibility of the Permittee.

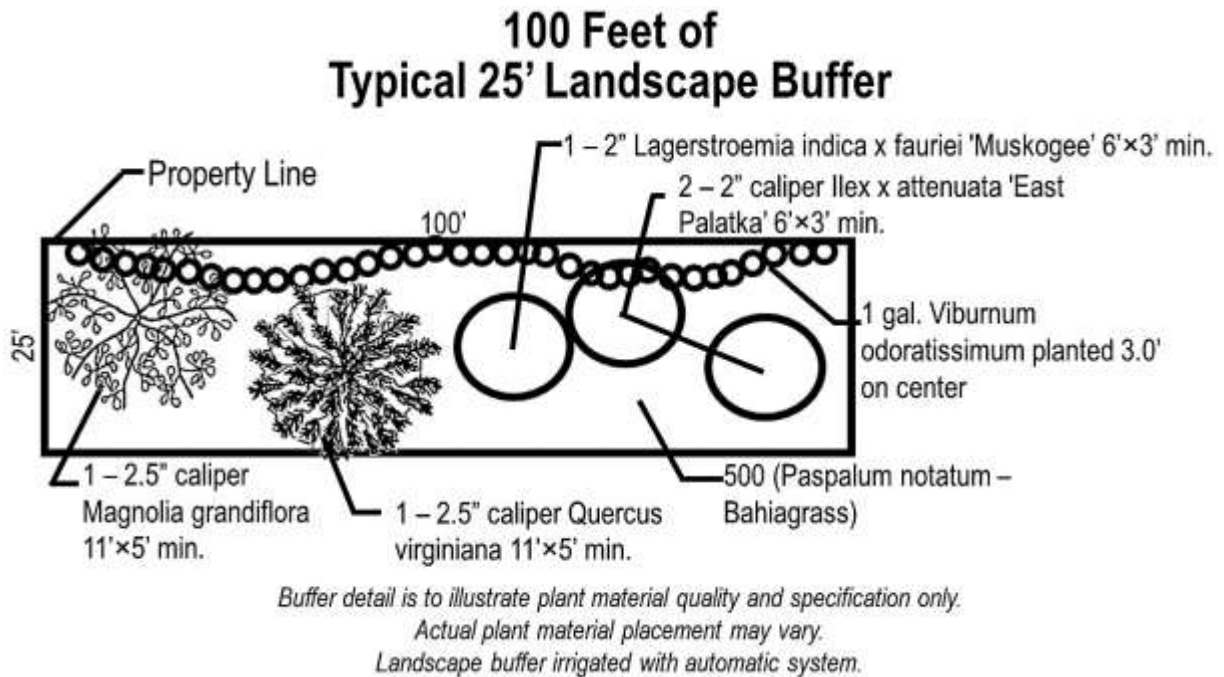
11. **LANDSCAPING, BUFFER & FENCING REQUIREMENTS**

- A. A minimum twenty-five-foot (25) foot wide vegetative buffer shall be required along exterior boundaries of the development. The buffer shall retain existing healthy trees, shrubs and ground cover and shall include additional plantings where needed as provided in Section B. below.
- B. All landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances except as provided under these conditions:
1. For each one hundred (100) linear feet, or fraction thereof, of boundary, the following plants shall be provided in accordance with the planting standards and requirements of the Land Development Code as seen in Figure A below.
 - a. Two (2) canopy trees
 - b. Two (2) ornamental trees
 2. Thirty (30) shrubs
 3. The remainder of the buffer area shall be landscaped with grass, groundcover, and/or other landscape treatment.
 4. Existing vegetation in the required buffer shall be protected during construction.
 5. Existing vegetation in the required buffer shall be protected during any construction.

Figure A

Canopy Trees (per 100 l.f.)	2 per 100 linear ft
Tree CAL/Height	2" cal, 12' overall height
Optional Ornamental Trees (per 100 l.f.)	3 per 100 linear ft
Tree CAL/Height	2" cal, 7' overall height
Shrub Screen (per 100 l.f.)	
Square Ft. of Shrubs	(33) 3 gal plants, 18"—24" minimum at installation (depending on species); hedges to be 36"—42" high by thirty-six (36) inches wide hedge or continuous landscape screen with a ninety (90) percent opacity within one (1) year of planting
Container size	3 gal

Figure B



- C. All landscaped areas shall be irrigated and designed to meet Section 25-327, Waterwise and Florida Friendly Landscaping, City of Leesburg, Code of Ordinances. The use of St Augustine grass, or other varieties of grass which require significant amounts of water are prohibited. The use of Bahia, Bermuda, Zoysia or other grasses which are more drought tolerant are permitted.
- D. The exterior of the property shall be bounded by a wrought iron fence, with stone/brick columns. Said fence shall have a minimum height of 30 inches, with a maximum height of 72 inches.
- E. Variations to the landscape, buffer and fencing requirements of this document may be approved by the Planning and Zoning Director as long as the intent of the PUD and the Landscaping Code are maintained.

12. MAINTENANCE

- A. With the exception of public utilities, maintenance of all site improvements, including but not limited to drives, internal sidewalks, landscaping and drainage shall be the responsibility of the owner.

13. DEVELOPMENT PHASING

- A. The proposed project may be constructed in phases in accordance with these Small Planned Unit Development Conditions and Conceptual Plan. Changes to the Development Plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Development review process.

- B. Upon approval of this SPUD by the City Commission, a site development permit or building permit application must be submitted with the City for work related to one or more phases of the SPUD within four (4) years of this approval becoming final, with no appeal pending or the SPUD will automatically expire, unless otherwise lawfully extended by the City or Section 252.363, Florida Statutes. In the event the SPUD expires, the Property shall be governed by the zoning regulations applicable to the RE-1 (Estate Density Residential) zoning district.

14. MISCELLANEOUS CONDITIONS

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Development Conditions of this document. Any other proposed use must be specifically authorized in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in this Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Small Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These SPUD Agreement Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.

15. LEVELS OF SERVICE

As submitted, the proposed zoning change may result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to roads, sewage, water supply, drainage, solid waste, parks and recreation, schools and emergency medical facilities. However, no final development order (site plan and building permits) shall be granted for a proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

- A. Utilities
 - 1. Projected Capacities
 - a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City

develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.

- b. If development on this site is cause for off-site improvements for water and wastewater, the developer will bear the cost of design, permitting and construction of any such improvements. The developer shall receive no impact fee credits for any such required off-site improvements. The developer and the City may enter into a pioneering agreement with the developer, if appropriate.

B. Commitment of Capacity

There are no previous commitments of any existing or planned excess capacity.

C. Ability to Provide Services

- 1. The City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.

LEGAL DESCRIPTION

EXHIBIT B

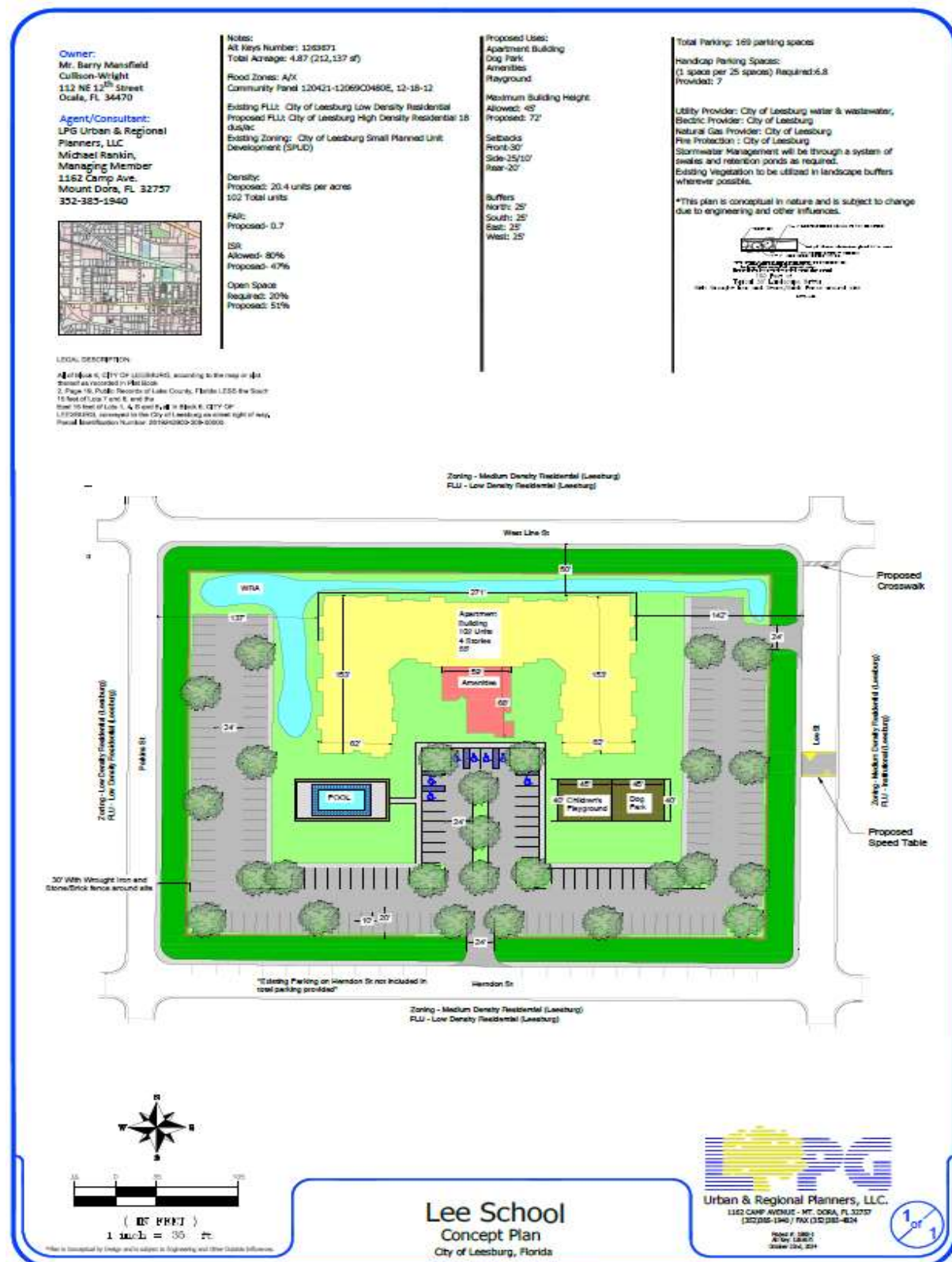
All of Block 6, CITY OF LEESBURG, according to the map or plat thereof as recorded in Plat Book 2, Page 19, Public Records of Lake County, Florida, LESS the South 15 feet of Lots 7 and 8, and the East 15 feet of Lots 1, 4, 5 and 8, all in Block 6, CITY OF LEESBURG, conveyed to the City of Leesburg as street right of way.

Parcel Identification Number: 2619243900-006-00000

Current Lake County Alternate Key 1263671

CONCEPTUAL SITE PLAN

EXHIBIT C



Keeping with the style of Lee School

PRIMARY MATERIALS TO BE USED:

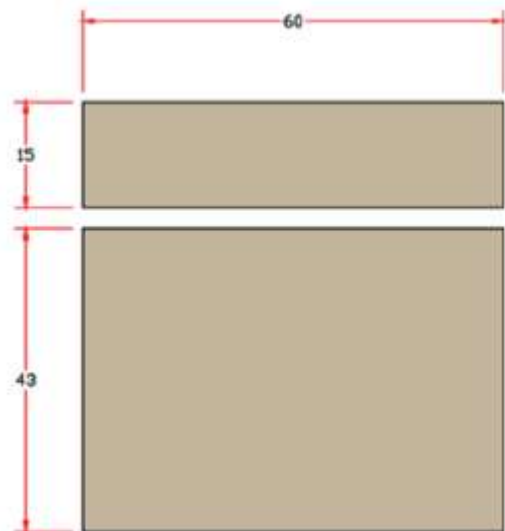
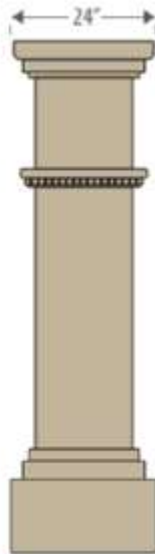
- FOUNDATION- Brick or concrete
- WALLS- Brick with wood siding
- DOORS- Prominent made from wood and Glass
- ORNAMENTATION- Columns made from wood
- ROOF TYPE AND MATERIAL- Hip and gable roof features
- LANDSCAPING- Wrought iron with Brick



EXAMPLES FACADES:









LEE SCHOOL EST. 1915; 1923

VANISHED LEESBURG

Lee School was built in 1915 (South Building) and 1923 (North Building) in the Colonial Revival architectural style by the architect, W.H. Carr. It was originally located on this site at 207 North Lee Street was the first modern educational facility within Leesburg. As the City's oldest educational institution, it was closely tied to its historical development.¹ During the second decade of the twentieth century, economic prosperity prompted the County Board of Public Instruction to build a series of centralized "modern" schools. Students in rural areas were transported to these schools to benefit the improved facilities.¹

The South Building housed all grades until 1918 when the County Board of Public Instruction commissioned the North Building which became the high school. Lee School's population had increased so much that its students were moved to other schools. It served as a grade/elementary school until 1974 when it became known as the Lee Adult Education Center before being sold in 2015.¹



1918 Sanborn Fire Insurance Map for Leesburg, Florida shows Lee School was labeled as "Leesburg High School", but it was also a grammar school.²



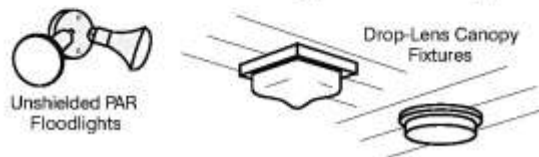
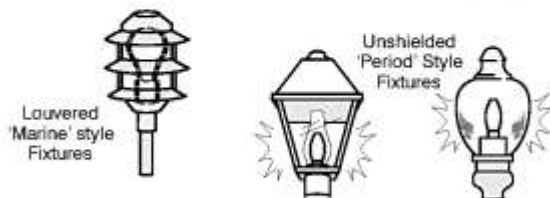
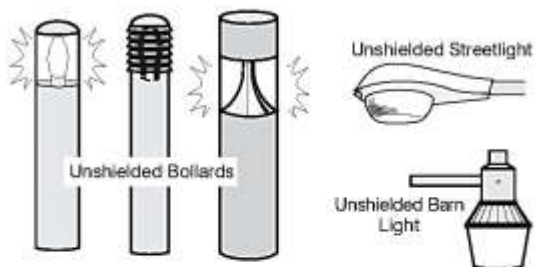
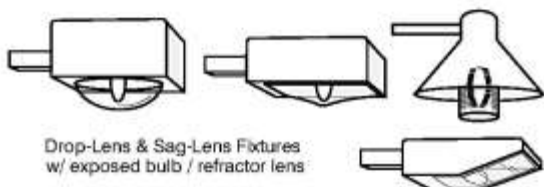
1. National Register of Historic Places Registration Form for Lee School, United States Department of the Interior National Park Service
2. 1918 Leesburg, Florida Sanborn Fire Insurance Map, Library of Congress

PATHWAYS TO HISTORY

Examples of Acceptable / Unacceptable Lighting Fixtures

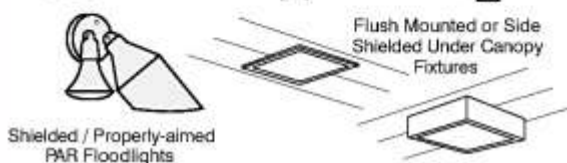
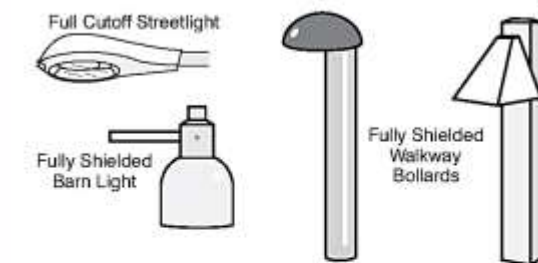
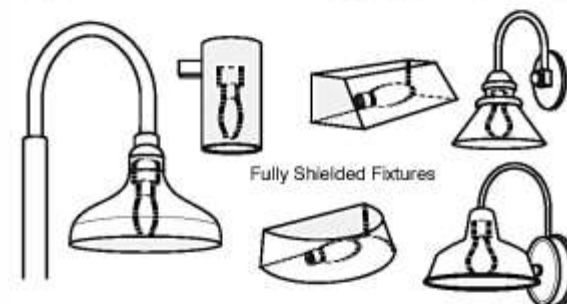
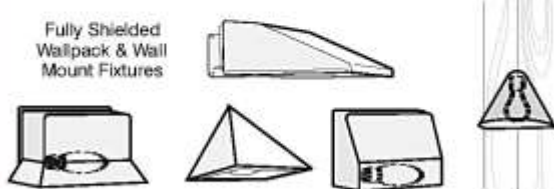
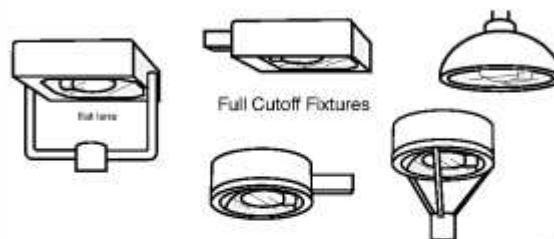
Unacceptable / Discouraged

Fixtures that produce glare and light trespass



Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



Illustrations by Bob Crelin © 2005. Rendered for the Town of Southampton, NY. Used with permission

Owner:

Mr. Barry Mansfield
Cullison-Wright
112 NE 12th Street
Ocala, FL 34470

Agent/Consultant:

LPG Urban & Regional
Planners, LLC
Michael Rankin,
Managing Member
1162 Camp Ave.
Mount Dora, FL 32757
352-385-1940



Notes:

Alt Keys Number: 1263671
Total Acreage: 4.87 (212,137 sf)

Flood Zones: A/X
Community Panel 120421-12069C0480E, 12-18-12

Existing FLU: City of Leesburg Low Density Residential
Proposed FLU: City of Leesburg High Density Residential 18
dus/ac
Existing Zoning: City of Leesburg Small Planned Unit
Development (SPUD)

Density:
Proposed: 20.4 units per acres
102 Total units

FAR:
Proposed- 0.7

ISR
Allowed- 80%
Proposed- 47%

Open Space
Required: 20%
Proposed: 51%

Proposed Uses:

Apartment Building
Dog Park
Amenities
Playground

Maximum Building Height
Allowed: 45'
Proposed: 72'

Setbacks
Front-30'
Side-25/10'
Rear-20'

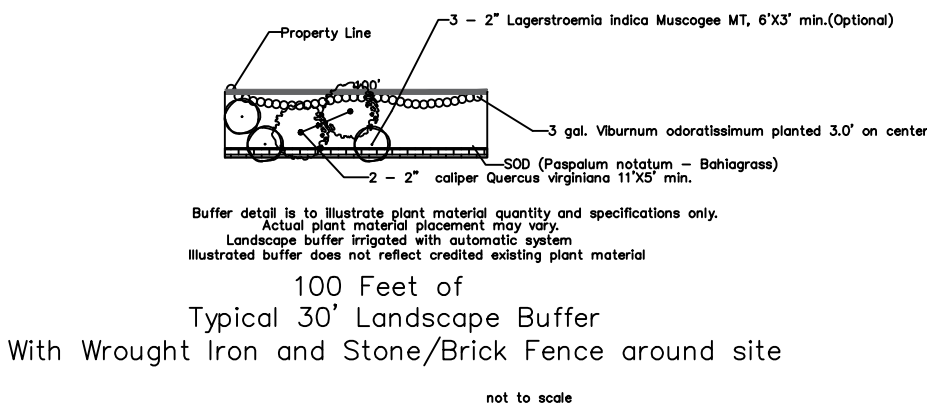
Buffers
North: 25'
South: 25'
East: 25'
West: 25'

Total Parking: 169 parking spaces

Handicap Parking Spaces:
(1 space per 25 spaces) Required:6.8
Provided: 7

Utility Provider: City of Leesburg water & wastewater,
Electric Provider: City of Leesburg
Natural Gas Provider: City of Leesburg
Fire Protection : City of Leesburg
Stormwater Management will be through a system of
swales and retention ponds as required.
Existing Vegetation to be utilized in landscape buffers
wherever possible.

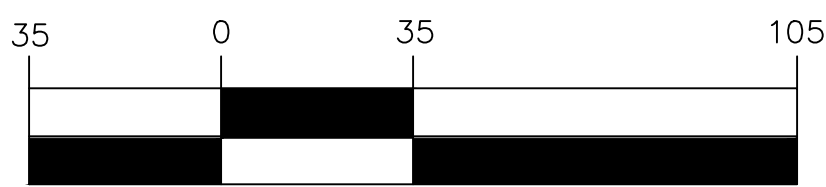
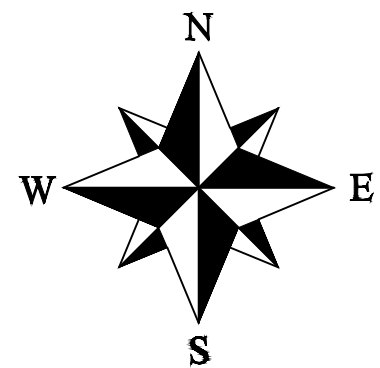
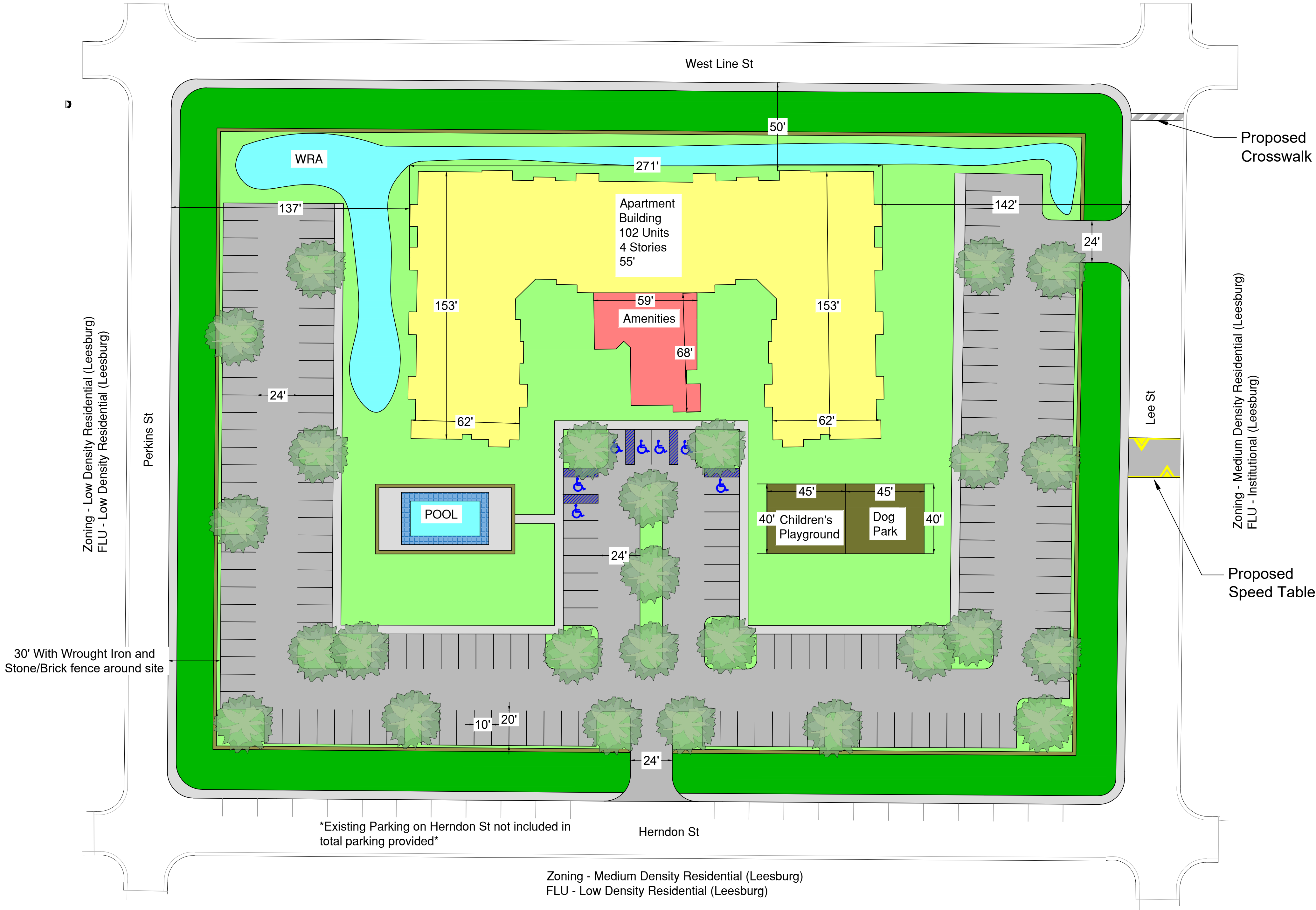
*This plan is conceptual in nature and is subject to change
due to engineering and other influences.



LEGAL DESCRIPTION:

All of Block 6, CITY OF LEESBURG, according to the map or plat
thereof as recorded in Plat Book
2, Page 19, Public Records of Lake County, Florida LESS the South
15 feet of Lots 7 and 8, and the
East 15 feet of Lots 1, 4, S and 8, all in Block 6, CITY OF
LEESBURG, conveyed to the City of Leesburg as street right of way.
Parcel Identification Number: 2619243900-006-00000

Zoning - Medium Density Residential (Leesburg)
FLU - Low Density Residential (Leesburg)



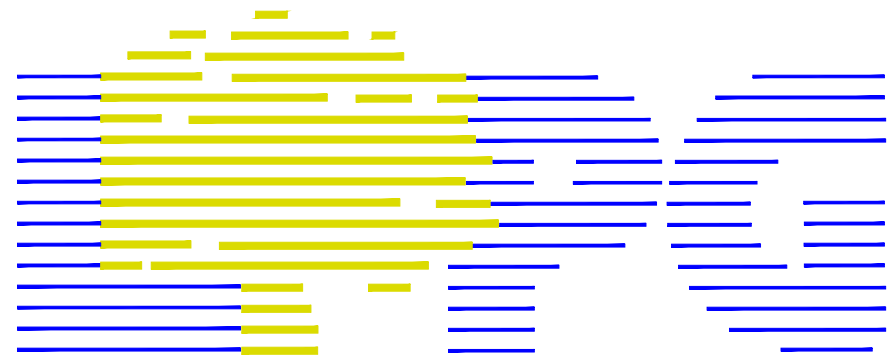
(IN FEET)
1 inch = 35 ft.

*Plan is Conceptual by Design and is subject to Engineering and Other Outside Influences.

Lee School

Concept Plan

City of Leesburg, Florida



Urban & Regional Planners, LLC.
1162 CAMP AVENUE - MT. DORA, FL 32757
(352)385-1940 / FAX (352)383-4824

Project #: 1883-1
Alt Key: 1263671
October 22nd, 2024

Owner:

Mr. Barry Mansfield
Cullison-Wright
112 NE 12th Street
Ocala, FL 34470

Agent/Consultant:

LPG Urban & Regional
Planners, LLC
Michael Rankin,
Managing Member
1162 Camp Ave.
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352-385-1940



Notes:

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dus/ac
Existing Zoning: City of Leesburg Small Planned Unit
Development (SPUD)

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102 Total units

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Allowed- 80%
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Open Space
Required: 20%
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Proposed Uses:

Apartment Building
Dog Park
Amenities
Playground

Maximum Building Height
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Proposed: 72'

Setbacks
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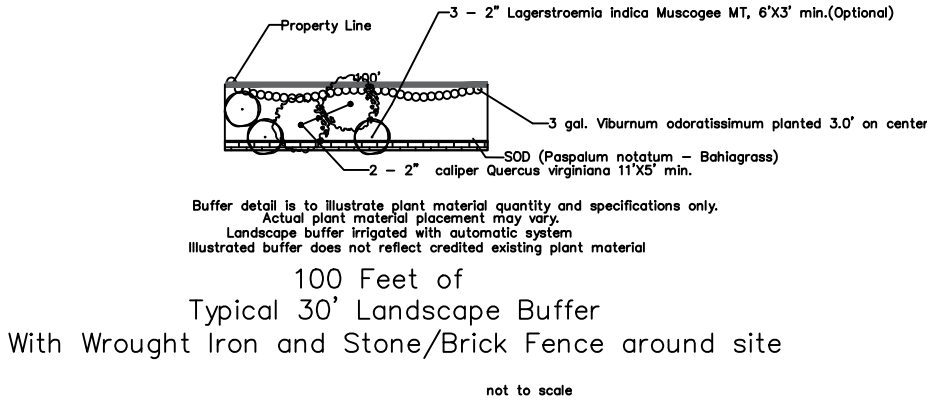
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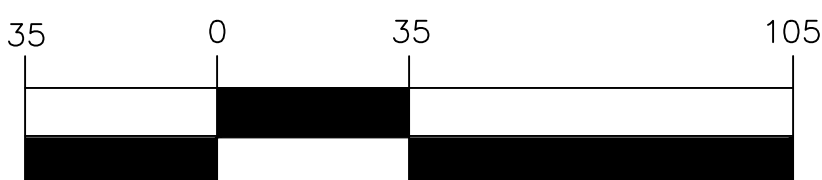
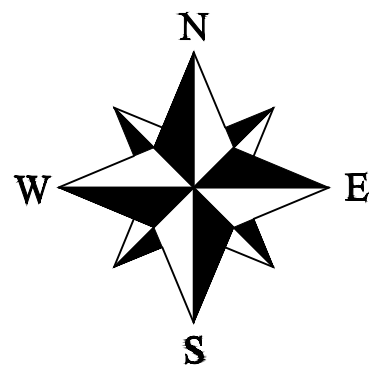
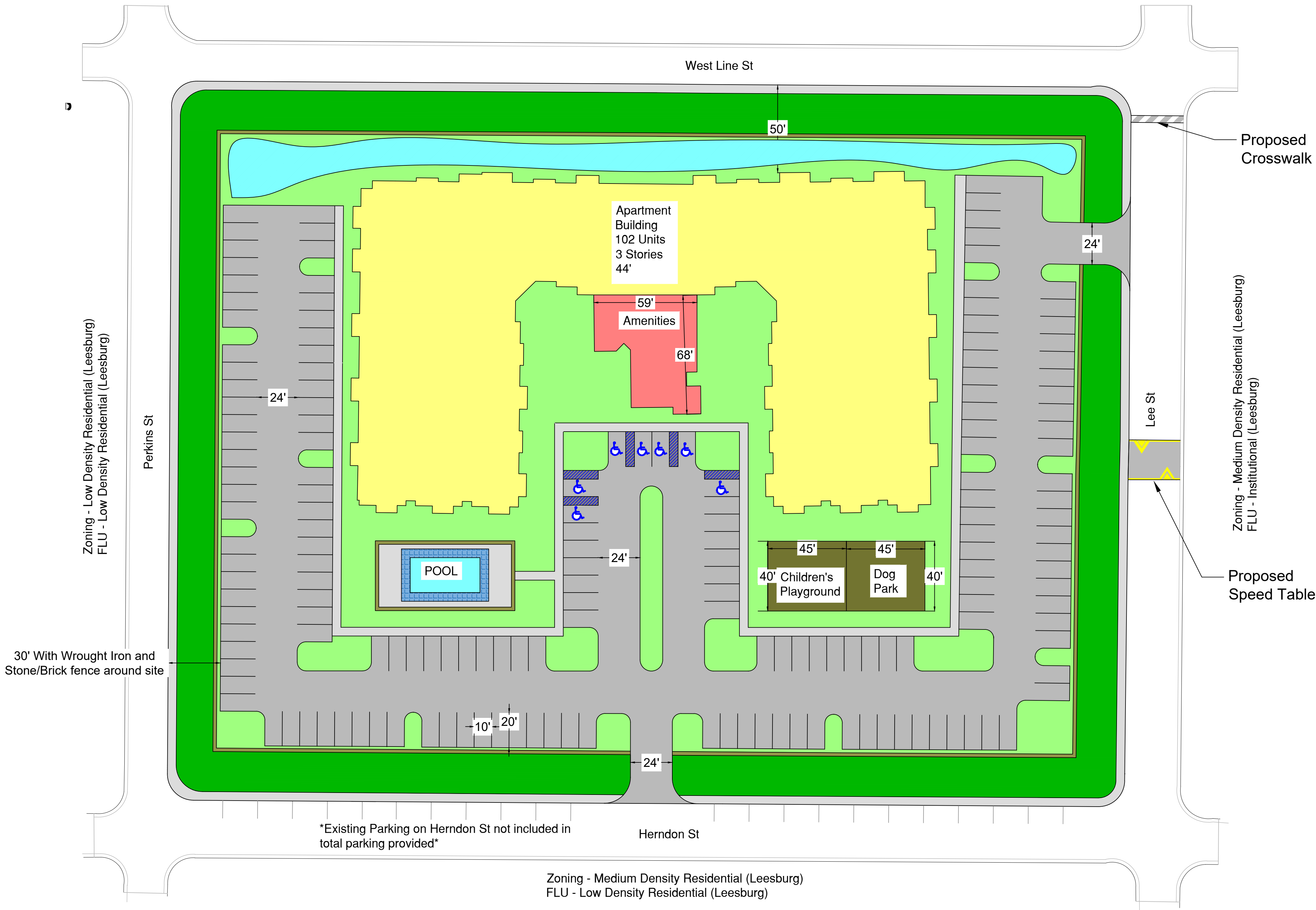
*This plan is conceptual in nature and is subject to change
due to engineering and other influences.



LEGAL DESCRIPTION:

All of Block 6, CITY OF LEESBURG, according to the map or plat thereof as recorded in Plat Book 2, Page 19, Public Records of Lake County, Florida LESS the South 15 feet of Lots 7 and 8, and the East 15 feet of Lots 1, 4, S and 8, all in Block 6, CITY OF LEESBURG, conveyed to the City of Leesburg as street right of way. Parcel Identification Number: 2619243900-006-00000

Zoning - Medium Density Residential (Leesburg)
FLU - Low Density Residential (Leesburg)



(IN FEET)
1 inch = 35 ft.

*Plan is Conceptual by Design and is subject to Engineering and Other Outside Influences.

Lee School Concept Plan

City of Leesburg, Florida



Urban & Regional Planners, LLC.
1162 CAMP AVENUE - MT. DORA, FL 32757
(352)385-1940 / FAX (352)383-4824

Project #: 1883-1
Alt Key: 1263671
October 22nd, 2024



CITY OF LEESBURG PLANNING & ZONING DEPARTMENT RECOMMENDATIONS

DATE: January 23, 2025
OWNER: Barry Mansfield, Prospera Senior Living LLC
PETITIONER: Michael Rankin, Owner/Managing Member, LPG Urban & Regional Planners, Inc.
PROJECT: Lee School Site Apartments
REQUEST: A Modification to SPUD (Small Planned Unit Development)
CASE NO.: SPUD-24-212

THE PLANNING & ZONING DEPARTMENT RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request for a SPUD (Small Planned Unit Development) zoning, as conditioned, is compatible with the current surrounding City of Leesburg zoning districts of R-1 (Low Density Residential), R-2 (Medium Density Residential), C-2 (Community Commercial), and CBD (Central Business District).
2. This recommendation is subject to approval by City Commission of the proposed expansion of the Downtown Mixed-Use Future Land Use. The Downtown Mixed-Use Future Land Use Expansion Area was approved by Planning Commission on October 24, 2024 and is scheduled to be heard by City Commission for Second Reading (adoption) on January 27, 2025. Florida Commerce completed state review on January 10, 2025 and had no comment on the proposed amendment.
3. The proposed zoning designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to **approve** the proposed rezoning from City of Leesburg SPUD (Small Planned Unit Development) to City of Leesburg SPUD (Small Planned Unit Development) and forward the recommendation to the City Commission for consideration.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: January 23, 2025
OWNER: Barry Mansfield, Prospera Senior Living LLC
PETITIONER: Michael Rankin, Owner/Managing Member, LPG Urban & Regional Planners, Inc.
PROJECT: Lee School Site Apartments
REQUEST: A Modification to SPUD (Small Planned Unit Development)
CASE NO.: SPUD-24-212

GENERAL LOCATION: South of West Line Street and East of Lee Street.

FUTURE LAND USE DESIGNATION: Low Density Residential

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Low Density Residential
South – Low Density Residential; General Commercial
East – Institutional (Place of Worship); Low Density Residential; Recreational
West – Low Density Residential; General Commercial; Downtown Mixed

PROPOSED FUTURE LAND USE DESIGNATION: No change requested.

EXISTING ZONING DESIGNATION: SPUD (Planned Unit Development)

SURROUNDING ZONING DESIGNATIONS:

North – R-2 (Medium Density Residential)
South – R-2 (Medium Density Residential)
East – R-2 (Medium Density Residential); (P) Public; CBD (Central Business District)
West – R-1 (Low Density Residential); R-2 (Medium Density Residential)

PROPOSED ZONING DESIGNATION: SPUD (Small Planned Unit Development)

EXISTING LAND USE: Private School (Vacant)

SURROUNDING EXISTING LAND USE:

North – Single Family Residential; Multi-Family Residential; City of Leesburg (recreational trail)
South – Multi-Family Residential; Single Family Residential; Vacant Institutional; Place of Worship
East – Place of Worship; Single Family Residential; Multi-Family Residential
West – Single Family Residential; Vacant Residential; Multi-Family Residential

PROPOSED LAND USE: No change requested.

**CITY OF LEESBURG PLANNING & ZONING DEPARTMENT
DEPARTMENTAL REVIEW SUMMARY**

DATE: January 23, 2025
OWNER: Barry Mansfield, Prospera Senior Living LLC
PETITIONER: Michael Rankin, Owner/Managing Member, LPG Urban & Regional Planners, Inc.
PROJECT: Lee School Site Apartments
REQUEST: A Modification to SPUD (Small Planned Unit Development)
CASE NO.: SPUD-24-212

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments – As of 01/17/2025

FIRE

No comments – As of 01/17/2025

ELECTRIC

Electric has no objections. – Steve Davis 01/06/2025

GAS

No comments – As of 01/17/2025

GIS

GIS has no comments. – Nicholas Tota 01/03/2025

BUILDING

I approve. – Ann Kinsey 01/06/2025

PUBLIC WORKS

Public Works has no issues with this item. – Clifford Kelsey 01/06/2025

ADDRESSING

No comments – As of 01/17/2025

HOUSING & REDEVELOPMENT

No comments – As of 01/17/2025

LAKE COUNTY PUBLIC WORKS

I have no comment. – Seth Lynch 01/14/2025

LAKE COUNTY SCHOOLS

The Lee School Apartments are subject to school concurrency review.
Proportionate share mitigation may be required at time of submittal.

Please refer the applicant to the school district for more information on the process.

Thanks,

Helen LaValley

01/17/2025

PUBLIC RESPONSES

Approval

No comments – As of 01/17/2025

Disapproval

No comments – As of 01/17/2025

No comment

No comments – As of 01/17/2025

Notice of Appearance filed:

No comments – As of 01/17/2025

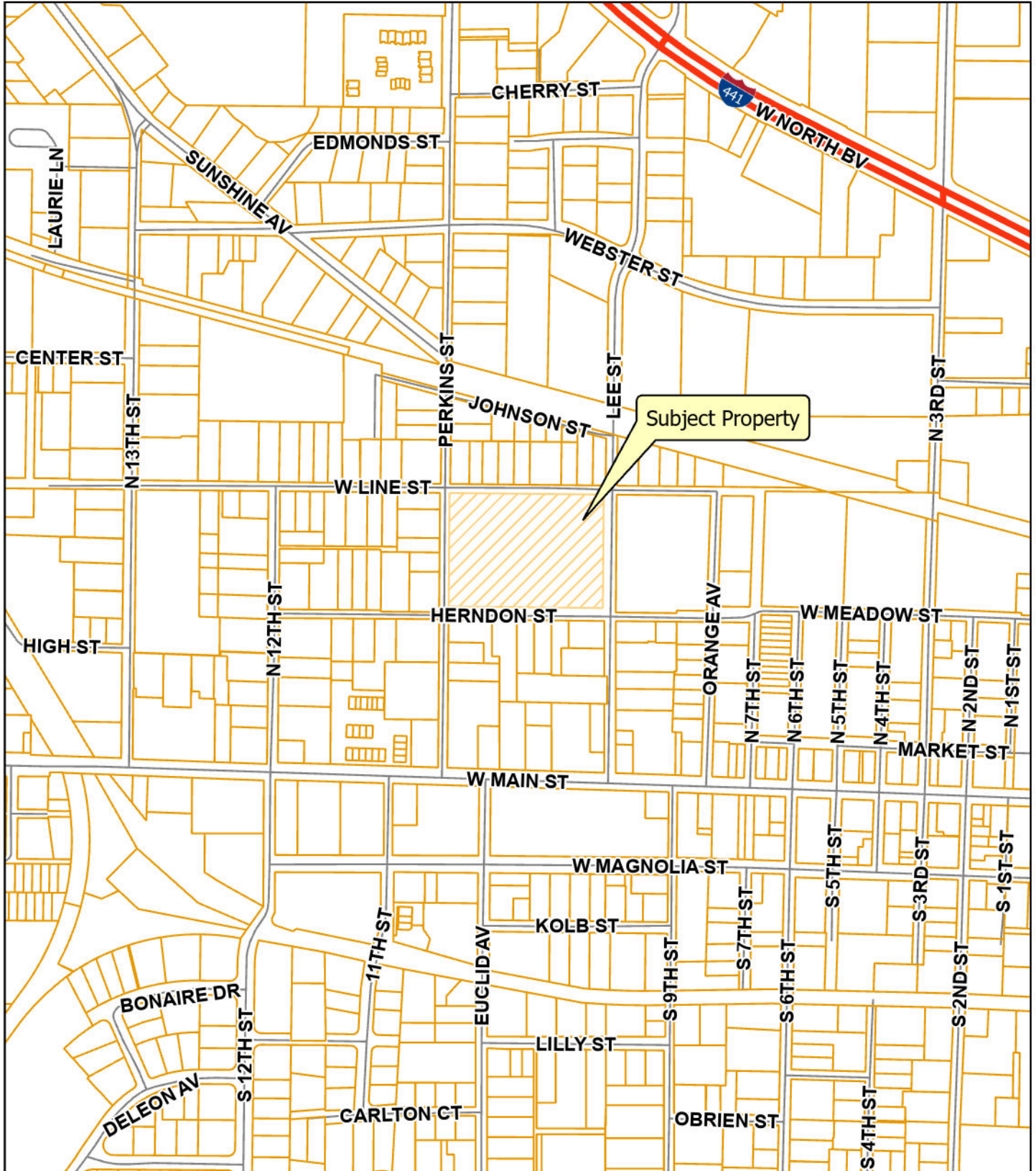
PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

No comments – As of 01/17/2025

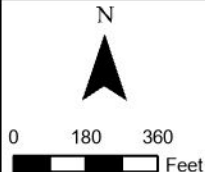
PUBLIC COMMENTS (DISAPPROVAL)

No comments – As of 01/17/2025

Locator



**Planning
& Zoning
Division**



SPUD-24-212 Lee School

207 Lee Street

AK#: 1263671

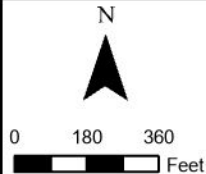
Section 26, Township 19 South, Range 24 East

December 31, 2024

Aerial



**Planning
& Zoning
Division**



SPUD-24-212 Lee School

207 Lee Street

AK#: 1263671

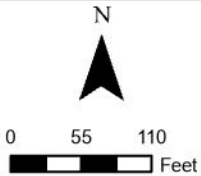
Section 26, Township 19 South, Range 24 East

December 31, 2024

Proposed Zoning



**Planning
& Zoning
Division**

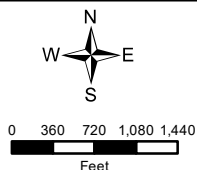


SPUD-24-212 Lee School
207 Lee Street
AK#: 1263671
Section 26, Township 19 South, Range 24 East
December 31, 2024

1 Mile Walk (15-Minutes)



**Planning
& Zoning
Division**

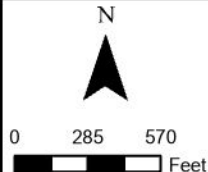


SPUD-24-212 Rezoning
207 Lee Street, Leesburg, FL 34748
Alternate Key #: 1263671
Section 26, Township 19 South, Range 24 East
October 21, 2024

Extended Locator



Planning & Zoning Division



SPUD-24-212 Lee School

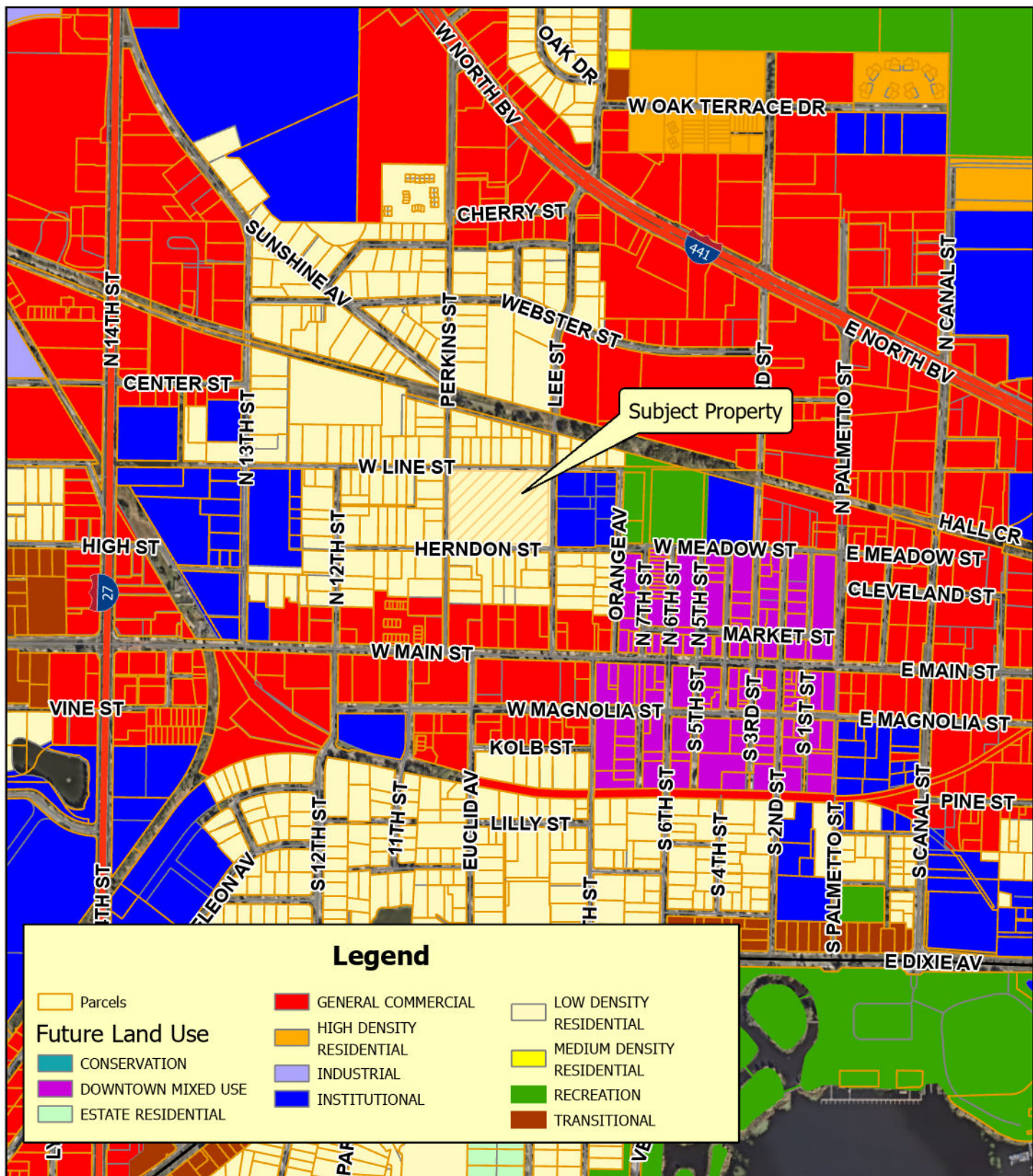
207 Lee Street

AK#: 1263671

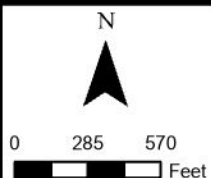
Section 26, Township 19 South, Range 24 East

December 31, 2024

Future Land Use



Planning & Zoning Division



SPUD-24-212 Lee School

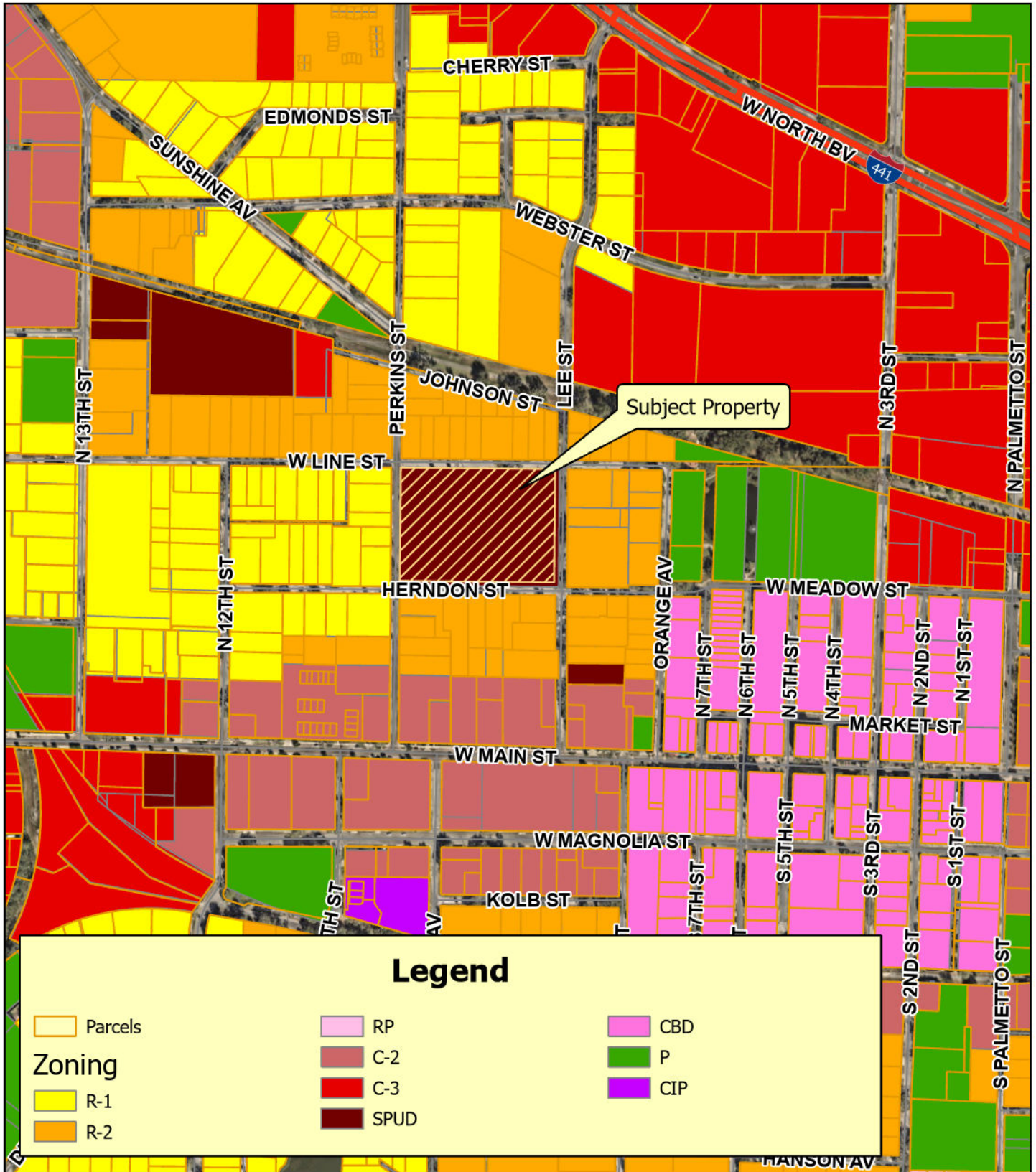
207 Lee Street

AK#: 1263671

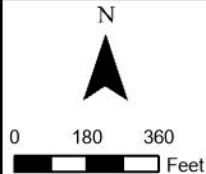
Section 26, Township 19 South, Range 24 East

December 31, 2024

Zoning



**Planning
& Zoning
Division**

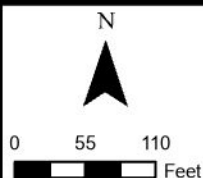


SPUD-24-212 Lee School
207 Lee Street
AK#: 1263671
Section 26, Township 19 South, Range 24 East
December 31, 2024

Surrounding Land Uses



Planning & Zoning Division



SPUD-24-212 Lee School

207 Lee Street

AK#: 1263671

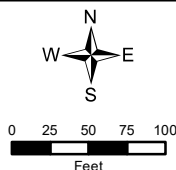
Section 26, Township 19 South, Range 24 East

December 31, 2024

Surrounding Land Uses

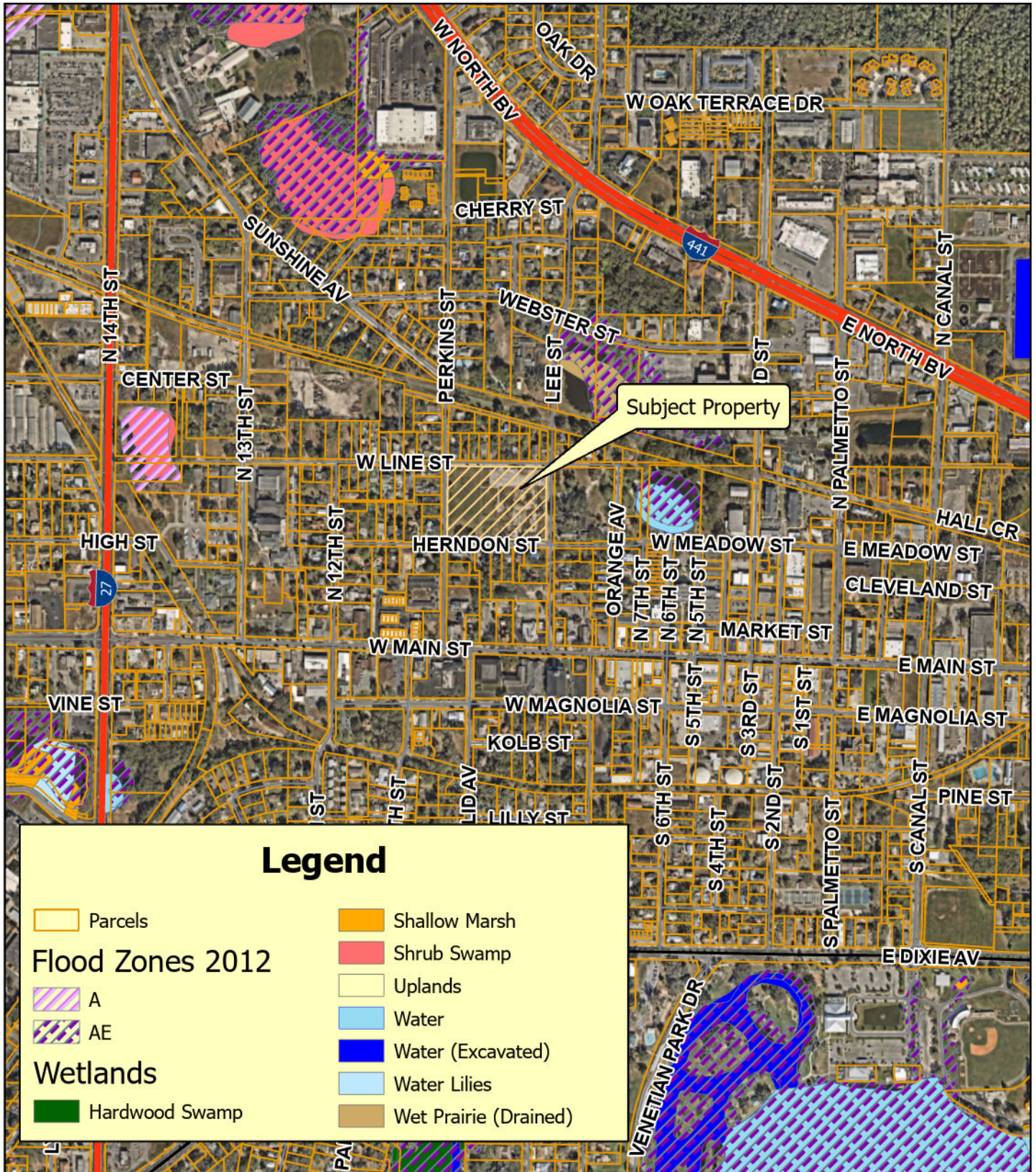


**Planning
& Zoning
Division**

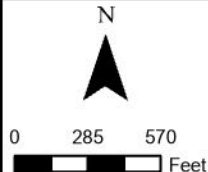


SPUD-24-212 Lee School
207 Lee Street, Leesburg, FL 34748
Alternate Key #: 1263671
Section 26, Township 19 South, Range 24 East
February 13, 2024

Flood Zones and Wetlands



**Planning
& Zoning
Division**



SPUD-24-212 Lee School
207 Lee Street
AK#: 1263671
Section 26, Township 19 South, Range 24 East
December 31, 2024

Historic District

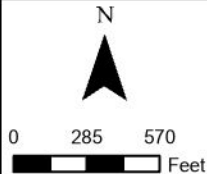


Legend

- Parcels
- Zoning Historic Preservation Overlay



Planning
& Zoning
Division

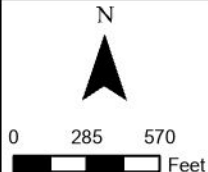


SPUD-24-212 Lee School
207 Lee Street
AK#: 1263671
Section 26, Township 19 South, Range 24 East
December 31, 2024

Community Redevelopment Area



**Planning
& Zoning
Division**



SPUD-24-212 Lee School

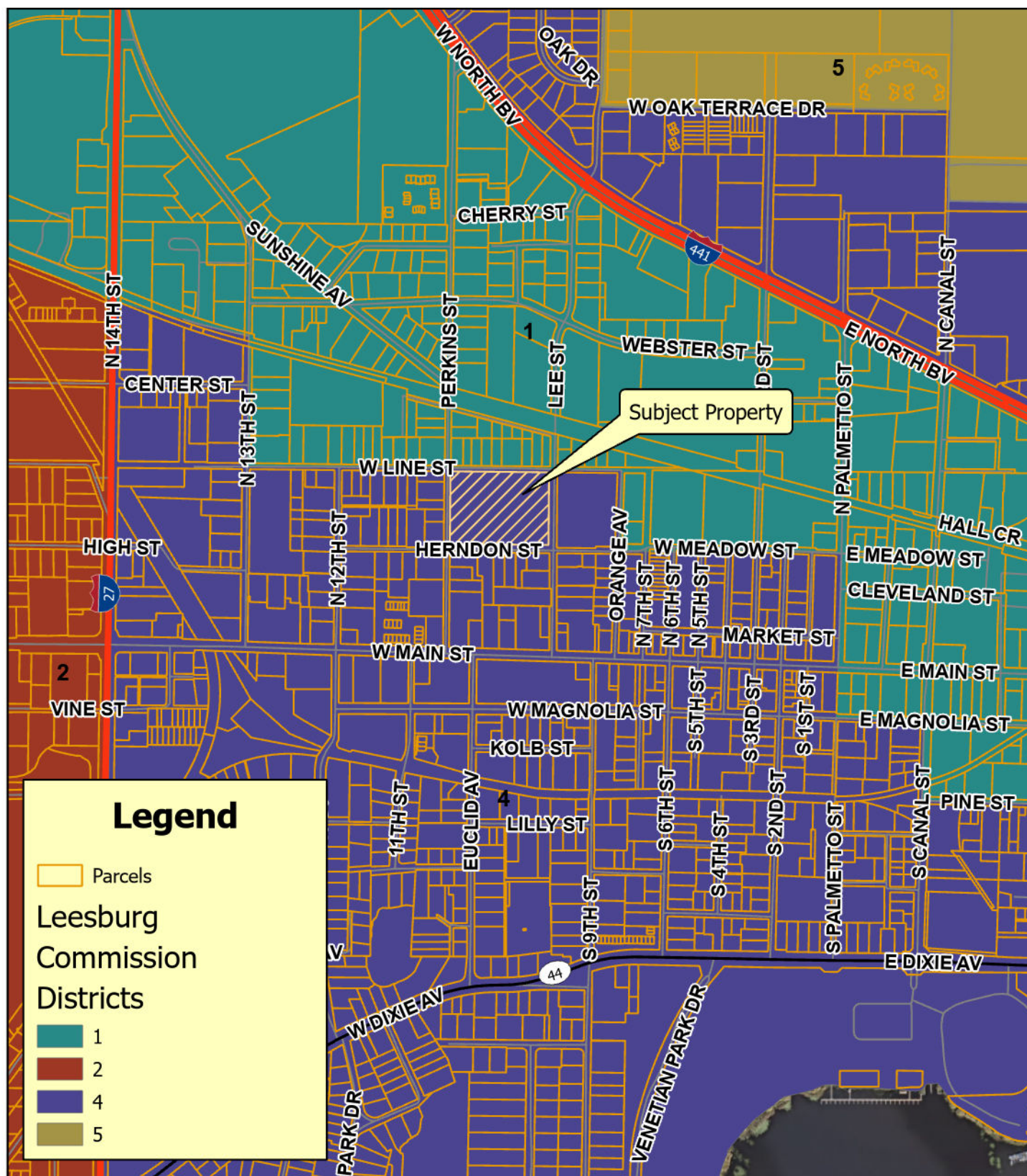
207 Lee Street

AK#: 1263671

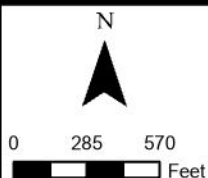
Section 26, Township 19 South, Range 24 East

December 31, 2024

Commission Districts



Planning & Zoning Division



SPUD-24-212 Lee School

207 Lee Street

AK#: 1263671

Section 26, Township 19 South, Range 24 East

December 31, 2024



Looking North along Perkins Street from Subject Property



Looking North along Lee Street from Subject Property



Looking East across Lee Street from Subject Property



Looking South along Lee Street from Subject Property



Looking West across Lee Street onto Subject Property



Looking North onto Subject Property from Herndon Street



Looking East along Herndon Street from Subject Property



Looking South across Herndon Street from Subject Property



Looking West along Herndon Street from Subject Property



Looking North across West Line Street from Subject Property



Looking East along West Line Street from Subject Property



Looking South across West Line Street onto Subject Property



Looking West along West Line Street from Subject Property



Looking North along Perkins Street from Subject Property



Looking East across Perkins Street onto Subject Property



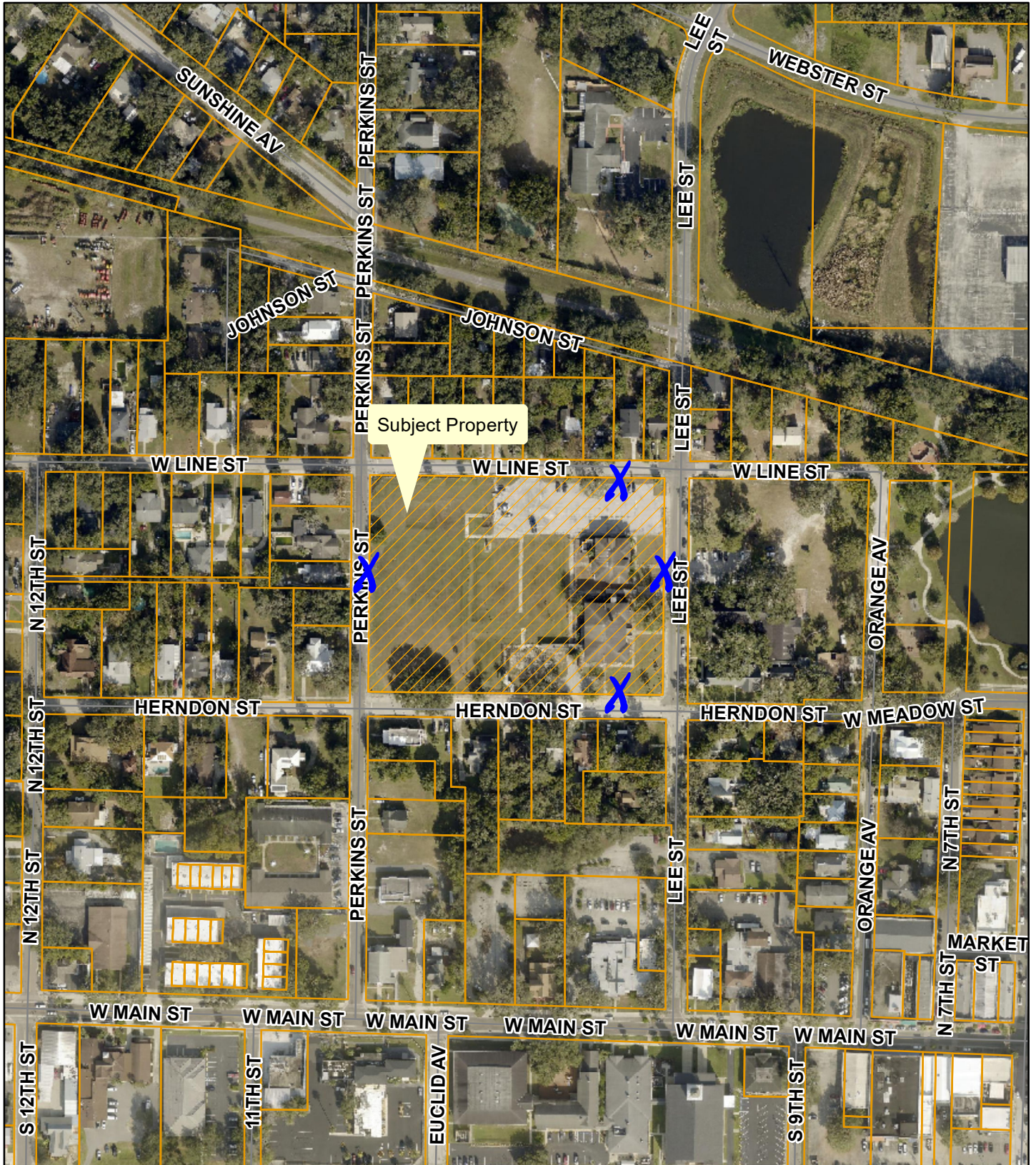
Looking South along Perkins Street from Subject Property



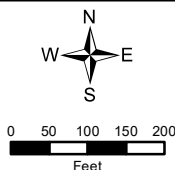
Looking West across Perkins Street from Subject Property

Aerial

Signs posted
01/10/2025



**Planning
& Zoning
Division**



207 Lee Street, Leesburg, FL 34748
Alternate Key #: 1263671
Section 26, Township 19 South, Range 24 East
February 13, 2024

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.C.1.

Meeting Date: February 24, 2025

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida suspending the Fluoride Injection system to the water distribution system; and providing an effective date.

Staff Recommendation:

Due to political shifts and financial accountability, the City Manager's office recommends the termination of the Fluoride Injection Project.

Analysis:

In recent days, many political activities associated with ending the fluoridation of public drinking water have occurred. Those actions are the introduction of Florida SB 700, which seeks to prohibit any additives being added to public drinking water that do not disinfect the water supply. In addition, similar orders may come from the Federal government with the appointment of Robert F. Kennedy, Jr. to serve as Secretary of Health and Human Services. At this time, there are no official directives from the State or Federal government to stop fluoridation of public drinking water; however, it seems highly likely that such action is imminent. With that being said, it is now impractical and outside our fiduciary responsibility to continue the fluoridation project.

At this time, the City Manager has ordered, administratively, the halt of the project, and the purpose of this item being considered by the Commission is to formally cease the project.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA SUSPENDING THE FLUORIDE INJECTION SYSTEM TO THE
WATER DISTRIBUTION SYSTEM; AND PROVIDING AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the City Commission hereby authorizes the suspension of the Fluoride Injection System into the Water Distribution system.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 24th day of February 2025.

Mayor

ATTEST:

City Clerk

13-00671B-25

2025700__

Florida Statutes, to read:

403.852 Definitions; ss. 403.850-403.864.—As used in ss.
403.850-403.864:

(19) "Water quality additive" means any chemical or
additive which is used in a public water system for the purpose
of removing contaminants or increasing water quality. The term
does not include additives used for health-related purposes.

Section 32. Subsection (8) is added to section 403.859,
Florida Statutes, to read:

403.859 Prohibited acts.—The following acts and the causing
thereof are prohibited and are violations of this act:

(8) The use of any additives in a public water system which
do not meet the definition of a water quality additive as
defined in s. 403.852, or the use of any additives included
primarily for health-related purposes.

Section 33. Subsection (10) of section 482.111, Florida
Statutes, is amended to read:

482.111 Pest control operator's certificate.—

(10) In order to renew a certificate, the certificateholder
must complete 2 hours of approved continuing education on
legislation, safety, pesticide labeling, and integrated pest
management and 2 hours of approved continuing education in each
category of her or his certificate or must pass an examination
that the department shall provide in person and remotely through
a third-party vendor. The third-party vendor may collect and
retain a convenience fee ~~given by the department~~. The department
may not renew a certificate if the continuing education or
examination requirement is not met.

(a) Courses or programs, to be considered for credit, must

By Senator Truenow

13-00671B-25

2025700__

A bill to be entitled

An act relating to the Department of Agriculture and Consumer Services; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from the Career Service System; amending s. 186.801, F.S.; requiring an electric utility to submit a 10-year site plan for a proposed power plant on certain lands to the county commission where such proposed power plant is located; requiring a county commission receiving such site plans to fulfill certain requirements; amending s. 193.461, F.S.; revising requirements for land to be classified as agricultural; amending s. 201.25, F.S.; conforming a provision to changes made by the act; amending s. 330.41, F.S.; defining terms; prohibiting a person from knowingly or willfully performing certain actions on lands classified as agricultural; providing criminal penalties; providing applicability; prohibiting a person from knowingly or willfully performing certain actions on private property, state wildlife management lands, or a sport shooting and training range; providing criminal penalties; providing applicability; creating s. 366.20, F.S.; requiring that certain lands acquired by an electric utility be offered for sale for less than fee simple acquisition of development rights by the state; requiring that certain lands owned by an electric utility be offered for sale for less than fee simple acquisition of development rights by this state before

13-00671B-25

2025700__

30 certain circumstances; providing retroactive
31 applicability; amending s. 366.94, F.S.; defining the
32 term "electric vehicle charging station"; authorizing
33 the department to adopt rules; requiring local
34 governmental entities to issue permits for electric
35 vehicle charging stations based on specified standards
36 and provisions of law; requiring an electric vehicle
37 charger to register with the department before being
38 placed into service for use by the public; providing
39 the department with certain authority relating to
40 electric vehicle charging stations; providing a
41 penalty; authorizing the department to issue an
42 immediate final order to an electric vehicle charging
43 station under certain circumstances; providing that
44 the department may bring an action to enjoin a
45 violation of specified provisions or rules; requiring
46 the court to issue a temporary or permanent injunction
47 under certain circumstances; amending s. 388.011,
48 F.S.; revising the definition of "board of
49 commissioners"; defining the term "program"; amending
50 s. 388.021, F.S.; making a technical change; amending
51 s. 388.181, F.S.; authorizing programs to perform
52 specified actions; amending s. 388.201, F.S.;
53 conforming provisions to changes made by the act;
54 requiring that the tentative work plan budget covering
55 the proposed operations and requirements for arthropod
56 control measures show the estimated amount to be
57 raised by county, municipality, or district taxes;
58 requiring that county commissioners' or a similar

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governing body's mosquito control budget be made and adopted pursuant to specified provisions and requiring that summary figures be incorporated into the county budgets as prescribed by the department; amending s. 388.241, F.S.; providing that certain rights, powers, and duties be vested in the board of county commissioners or similar governing body of a county, city, or town; amending s. 388.261, F.S.; increasing the amount of state funds, supplies, services, or equipment for a certain number of years for any new program for the control of mosquitos and other arthropods which serves an area not previously served by a county, municipality, or district; conforming a provision to changes made by the act; amending s. 388.271, F.S.; requiring each program participating in arthropod control activities to file a tentative integrated arthropod management plan with the department by a specified date; conforming provisions with changes made by the act; amending s. 388.281, F.S.; requiring that all funds, supplies, and services released to programs be used in accordance with the integrated arthropod management plan and certified budget; requiring that such integrated arthropod management plan and certified budget be approved by both the board of county commissioners and appropriate representative; conforming provisions to changes made by the act; amending s. 388.291, F.S.; providing that a program may perform certain source reduction measures in any area providing that the department has

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approved the operating or construction plan as outlined in the integrated arthropod management plan; conforming provisions to changes made by the act; amending s. 388.301, F.S.; revising the schedule by which state funds for the control of mosquitos and other arthropods may be paid; conforming provisions to changes made by the act; amending s. 388.311, F.S.; conforming provisions to changes made by the act; amending s. 388.321, F.S.; conforming provisions to changes made by the act; amending s. 388.322, F.S.; requiring the department to maintain a record and inventory of certain property purchased with state funds for arthropod control use; conforming provisions to changes made by the act; amending s. 388.323, F.S.; providing that certain equipment no longer needed by a program be first offered for sale to other programs engaged in arthropod control at a specified price; requiring that all proceeds from the sale of certain property owned by a program and purchased using state funds be deposited in the program's state fund account; conforming provisions to changes made by the act; amending s. 388.341, F.S.; requiring a program receiving state aid to submit a monthly report of all expenditures from all funds for arthropod control by a specified timeframe as may be required by the department; conforming provisions to changes made by the act; amending s. 388.351, F.S.; conforming provisions to changes made by the act; amending s. 388.361, F.S.; conforming provisions to changes made

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by the act; amending s. 388.3711, F.S.; revising the department's enforcement powers; amending s. 388.381, F.S.; conforming provisions to changes made by the act; amending s. 388.391, F.S.; conforming provisions to changes made by the act; amending s. 388.401, F.S.; conforming provisions to changes made by the act; amending s. 388.46, F.S.; revising the composition of the Florida Coordinating Council on Mosquito Control; amending s. 403.067, F.S.; providing an exception for inspection requirements for certain agricultural producers; authorizing the department to adopt rules establishing an enrollment in best management practices by rule process; authorizing the department to identify best management practices for specified landowners; requiring the department to annually perform onsite inspections of a certain percentage of all enrollments that meet specified qualifications within a specified area; providing requirements for such inspections; requiring agricultural producers enrolled by rule in a best management practice to annually submit nutrient records to the department; requiring the department to collect and retain such records; amending s. 403.852, F.S.; defining the term "water quality additive"; amending s. 403.859, F.S.; providing that the use of certain additives in a water system which do not meet the definition of water quality additive or certain other additives is prohibited and violates specified provisions; amending s. 482.111, F.S.; revising requirements for the

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renewal of a pest control operator's certificate;
authorizing a third-party vendor to collect and retain
a convenience fee; amending s. 482.141, F.S.;
requiring the department to provide in-person and
remote testing for the examination through a third-
party vendor for an individual seeking pest control
operator certification; authorizing a third-party
vendor to collect and retain a convenience fee;
amending s. 482.155, F.S.; requiring the department to
provide in-person and remote testing for the
examination through a third-party vendor for an
individual seeking limited certification for a
governmental pesticide applicator or a private
applicator; authorizing a third-party vendor to
collect and retain a convenience fee; deleting
provisions requiring the department to make such
examination readily accessible and available to all
applicants on a specified schedule; amending s.
482.156, F.S.; requiring the department to provide in-
person and remote testing for the examination through
a third-party vendor for an individual seeking a
limited certification for commercial landscape
maintenance; authorizing a third-party vendor to
collect and retain a convenience fee; deleting
provisions requiring the department to make such
examination readily accessible and available to all
applicants on a specified schedule; amending s.
482.157, F.S.; revising requirements for issuance of a
limited certification for commercial wildlife

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management personnel; authorizing a third-party vendor to collect and retain a convenience fee; deleting provisions requiring the department to make an examination readily accessible and available to all applicants on a specified schedule; amending s. 482.161, F.S.; authorizing the department to take specified disciplinary action upon the issuance of a final order imposing civil penalties or a criminal conviction pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 487.044, F.S.; requiring the department to provide in-person and remote testing through a third-party vendor for the examination of an individual seeking a limited certification for pesticide application; authorizing a third-party vendor to collect and retain a convenience fee; amending s. 487.175, F.S.; providing that the department may suspend, revoke, or deny licensure of a pesticide applicator upon issuance of a final order to a licensee which imposes civil penalties or a criminal conviction under the Federal Insecticide, Fungicide, and Rodenticide Act; amending s. 496.404, F.S.; defining the terms "foreign country of concern" and "foreign source of concern"; amending s. 496.405, F.S.; revising which documents a charitable organization or sponsor must file before engaging in specified activities; requiring that any changes to such documents be reported to the department on a specified form in a specified timeframe; revising the requirements of the charitable organization's initial

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204 registration statement; authorizing the department to
205 investigate or refer to the Florida Elections
206 Commission certain violations of the charitable
207 organization or sponsor; amending s. 496.415, F.S.;
208 prohibiting specified persons from soliciting or
209 accepting anything of value from a foreign source of
210 concern; amending s. 496.417, F.S.; authorizing the
211 department to investigate or refer to the Florida
212 Elections Commission certain violations of a
213 charitable organization or sponsor; amending s.
214 496.419, F.S.; prohibiting a charitable organization
215 or sponsor from registering as a charitable
216 organization for a specified timeframe if the
217 charitable organization or sponsor submits a false
218 attestation; prohibiting specified persons from
219 serving in any capacity in the charitable organization
220 for a specified timeframe if such person was serving
221 in such charitable organization at the time the
222 charitable organization submitted a false attestation;
223 creating s. 496.431, F.S.; requiring the department to
224 create the Honest Service Registry to provide
225 residents with information relating to charitable
226 organizations; requiring a charitable organization
227 included in the Honest Services Registry to submit an
228 attestation statement to the department; requiring the
229 department to publish the Honest Services Registry on
230 the department's website; requiring the department to
231 adopt rules; amending s. 500.03, F.S.; revising the
232 definition of the term "cottage food product";

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amending s. 500.12, F.S.; providing that the department requires a food permit from any person or business that operates a food establishment; revising exceptions; revising the schedule for renewing certain food permits; authorizing the department to establish a single permit renewal date for certain food establishments; amending s. 500.166, F.S.; requiring certain persons engaged in interstate commerce to retain all records that show certain information for a specified timeframe; amending s. 500.172, F.S.; authorizing the department to facilitate the destruction of certain articles that violate specified provisions; prohibiting certain persons from certain actions without permission from, or in accord with a written agreement with, the department; creating s. 500.75, F.S.; providing that it is unlawful to import, sell, offer for sale, furnish, or give away certain spores or mycelium; providing a penalty for violations; creating s. 500.93, F.S.; defining terms; requiring the department to adopt rules to enforce the Food and Drug Administration's (FDA's) standard of identity for milk to prohibit the sale of plant-based products mislabeled as milk; providing a contingent effective date; requiring the department to adopt rules to enforce the FDA's standard of identity for meat, poultry, and poultry products to prohibit the sale of plant-based products mislabeled as meat; providing a contingent effective date; requiring the department to adopt rules; providing construction;

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repealing s. 501.135, F.S., relating to consumer unit pricing; amending s. 501.912, F.S.; revising the definition of "antifreeze"; creating s. 525.19, F.S.; requiring the department to create an annual petroleum registration program for petroleum owners or operators who own and operate vehicles for transporting petroleum; requiring the department to adopt rules for such registration which include specified information; requiring that the registration program be free for all registrants; authorizing the department to require registrants to provide certain information during a state of emergency; creating s. 526.147, F.S.; creating the Florida Retail Fuel Transfer Switch Modernization Grant Program within the department; requiring the grant program to provide funds up to a certain amount to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities; requiring the department to award funds based on specified criteria; requiring retail fuel facilities awarded grant funds to comply with specified provisions; requiring such facilities to install a transfer switch with specified capabilities; requiring retail fuel facilities to provide specified documentation before being awarded funding; prohibiting certain facilities from being awarded funding; requiring the department, in consultation with the Division of Emergency Management, to adopt rules; requiring that such rules include specified

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information; amending s. 531.48, F.S.; requiring that certain packages bear specified information on the outside of the package; amending s. 531.49, F.S.; revising requirements for the advertising of a packaged commodity; amending s. 570.07, F.S.; requiring the department to foster and encourage the employment and retention of qualified veterinary pathologists; providing that the department may reimburse the educational expenses of certain veterinary pathologists who enter into a certain agreement with the department; requiring the department to administer rules; requiring the department to extend certain opportunities to public school students enrolled in agricultural education to support Future Farmers of America programming; amending s. 570.544, F.S.; revising which provisions the director of the Division of Consumer Services must enforce; creating s. 570.546, F.S.; authorizing the department to create a process for the bulk renewal of licenses; authorizing the department to create a process that will allow licensees to align the expiration dates of licenses within a specified program; authorizing the department to change the expiration date for current licenses for a certain purpose; requiring the department to pro-rate the licensing fee for certain licenses; requiring the department to adopt rules; amending s. 570.822, F.S.; defining the term "declared emergency"; revising the definition of the term "program"; providing that loan

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funds from the department may be used to restock aquaculture; authorizing the department to renew a loan application under certain circumstances; authorizing the department to defer or waive loan payments under certain circumstances; conforming provisions to changes made by the act; creating s. 570.823, F.S.; defining terms; establishing the silviculture emergency recovery program within the department to administer a grant program to assist certain timber landowners; requiring that such grants be used for certain purposes; requiring that only timber lands located on agricultural property are eligible for the program; requiring the department to coordinate with state agencies to provide financial assistance to timber landowners after a specified declared emergency; providing construction; authorizing the department to adopt rules to implement this section; providing construction; amending s. 581.1843, F.S.; deleting provisions that exclude certain citrus nurseries from certain requirements; deleting provisions relating to regulated areas around the perimeter of commercial citrus nurseries; repealing ss. 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, F.S., relating to the Florida Boll Weevil Eradication Law; definitions; powers and duties of Department of Agriculture and Consumer Services; the entry of

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premises to carry out boll weevil eradication activities and inspections; reports by persons growing cotton; quarantine areas and the regulation of articles within a boll weevil eradication zone; the regulation of collection, transportation, distribution, and movement of cotton; cooperative programs for persons engaged in growing, processing, marketing, or handling cotton; the department's authority to designate eradication zones, prohibit planting of cotton, and require participation in eradication program; regulation of the pasturage of livestock, entry by persons, and location of honeybee colonies in eradication zones and other areas; eligibility for certification of cotton growers' organization; the certification of cotton growers' organization; a referendum; an assessment; the department's authority to enter agreements with the Farm Service Agency; liens; mandamus or injunction; penalty for violation; and the handling of moneys received, respectively; amending s. 595.404, F.S.; revising the department's powers and duties regarding school nutrition programs; amending s. 599.002, F.S.; renaming the Viticulture Advisory Council as the Florida Wine Advisory Council; revising the membership of the Florida Wine Advisory council; conforming provisions to changes made by the act; amending s. 599.003, F.S.; renaming the State Viticulture Plan as the State Wine Plan; conforming provisions to changes made by the act; amending s. 599.004, F.S.; making

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technical changes; providing that wineries that fail to recertify annually or pay a specified licensing fee are subject to certain actions and costs; conforming provisions to changes made by the act; amending s. 599.012, F.S.; conforming provisions to changes made by the act; amending s. 616.12, F.S.; deleting provisions requiring a person who operates a minstrel show in connection with any certain public fairs to pay specified license taxes; deleting a provision that exempts such person from paying specified taxes; creating s. 687.16, F.S.; providing a short title; defining terms; prohibiting a financial institution from discriminating in the provision of financial services to an agricultural producer based on an ESG factor; providing an inference with regard to a certain violation; providing that the financial institution may overcome the inference by making certain demonstrations regarding its denial or restriction of financial services to an agricultural producer; authorizing the Attorney General to enforce specified provisions; providing that a violation of specified provisions constitutes an unfair and deceptive trade practice; authorizing the Attorney General to investigate and seek remedies for such unfair trade practices; authorizing an aggrieved party to seek an action for damages; amending s. 741.0305, F.S.; conforming a cross-reference; amending s. 790.06, F.S.; revising the circumstances under which the department may temporarily suspend a person's

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license to carry a concealed weapon or concealed
firearm or the processing of an application for such
license; requiring the department to notify certain
licensees or applicants of his or her right to a
hearing; requiring that the hearing regarding such
suspension of license be for a limited purpose;
requiring the department to issue an order lifting the
suspension of an applicant's license upon a certain
disposition of the criminal case; requiring that the
suspension remain in effect upon a certain disposition
of the criminal case; providing construction;
providing legislative findings; revising the duties of
the department after the date of receipt of a
completed application for a license to carry a
concealed weapon or concealed firearm; requiring that
a license issued under this section be temporarily
suspended or revoked if the license was issued in
error or if the licensee commits certain actions;
amending s. 790.33, F.S.; specifying requirements for
the assessment of certain civil fines and attorney
fees and costs; amending s. 812.0151, F.S.; revising
the elements of third degree and second degree felony
retail fuel theft; creating s. 812.136, F.S.; defining
terms; providing elements for the crime of mail theft;
providing elements of theft of or unauthorized
reproduction of a mail depository key or lock;
providing criminal penalties; creating s. 1013.373,
F.S.; prohibiting a local government from adopting any
measure to limit the activities of public educational

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facilities or auxiliary facilities constructed by certain organizations; requiring that lands used for agricultural education or for the Future Farmers of America or 4-H activities be considered agricultural lands; reenacting s. 295.07(5)(a), F.S., relating to preference in appointment and retention, to incorporate the amendment made to s. 110.205, F.S., in references thereto; reenacting ss. 125.01(1)(r), 163.3162(3)(a)-(d), 163.3163(3)(c), 163.3164(4), 163.3194(5), 170.01(4), 193.052(2), 193.4615, 212.08(5)(a) and (19)(a), 373.406(2), 403.182(11)(a), 403.9337(4), 472.029(2)(d), 474.2021(5), 474.2165(4)(d), 487.081(6), 570.85(1), 570.87(1), 570.94(3), 582.19(1)(a), 586.055, 604.50(2)(a) and (d), 604.73(3)(b), 692.201(1), 741.30(5)(a) and (6)(a), 810.011(5)(a), and 823.14(6), F.S., relating to powers and duties; agricultural lands and practices; applications for development permits; community planning act; legal status of comprehensive plan; authority for providing improvements and levying and collecting special assessments against property benefited; preparation and serving of returns; assessment of obsolete agricultural equipment; storage tax; exemptions; local pollution control programs; the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes; authorization to enter lands of third parties; veterinary telehealth; ownership and control of veterinary medical patient records; exemptions; agritourism; agritourism participation

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impact on land classification; best management practices for wildlife; qualifications and tenure of supervisors; location of apiaries; nonresidential farm buildings; urban agriculture pilot projects; definitions; definitions; domestic violence; and the Florida Right to Farm Act, respectively, to incorporate the amendment made to s. 193.461, F.S., in references thereto; reenacting ss. 189.062(1)(a) and 388.261(7), F.S., relating to special procedures for inactive districts and state aid to counties and districts for arthropod control, respectively, to incorporate the amendment made to s. 388.271, F.S., in references thereto; reenacting ss. 482.072(3)(b) and 482.163, relating to pest control customer contact centers and responsibility for pest control activities of employee, respectively, to incorporate the amendment made to s. 482.161, F.S., in references thereto; reenacting s. 487.156, F.S., relating to governmental agencies, to incorporate the amendment made to s. 487.044, F.S., in a reference thereto; reenacting ss. 496.4055(2) and 496.406(2) and (4), F.S., relating to charitable organization or sponsor board duties and exemption from registration, respectively, to incorporate the amendment made to s. 496.405, F.S., in references thereto; reenacting s. 500.80(1)(a), F.S., relating to cottage food operations, to incorporate the amendment made to s. 500.12, F.S., in a reference thereto; reenacting s. 500.121(6), F.S., relating to disciplinary procedures,

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to incorporate the amendment made to s. 500.172, F.S.,
in a reference thereto; reenacting s. 790.061, F.S.,
relating to judges and justices, to incorporate the
amendment made to s. 790.06, F.S., in a reference
thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (m) of subsection (2) of section
110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not
covered by this part include the following:

(m) All assistant division director, deputy division
director, and bureau chief positions in any department, and
those positions determined by the department to have managerial
responsibilities comparable to such positions, which include,
but are not limited to:

1. Positions in the Department of Health and the Department
of Children and Families which are assigned primary duties of
serving as the superintendent or assistant superintendent of an
institution.

2. Positions in the Department of Corrections which are
assigned primary duties of serving as the warden, assistant
warden, colonel, or major of an institution or that are assigned
primary duties of serving as the circuit administrator or deputy
circuit administrator.

3. Positions in the Department of Transportation which are
assigned primary duties of serving as regional toll managers and

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managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

4. Positions in the Department of Environmental Protection which are assigned the duty of an Environmental Administrator or program administrator.

5. Positions in the Department of Health which are assigned the duties of Environmental Administrator, Assistant County Health Department Director, and County Health Department Financial Administrator.

6. Positions in the Department of Highway Safety and Motor Vehicles which are assigned primary duties of serving as captains in the Florida Highway Patrol.

7. Positions in the Department of Agriculture and Consumer Services which are assigned primary duties of serving as captains or majors in the Office of Agricultural Law Enforcement.

Unless otherwise fixed by law, the department shall set the salary and benefits of the positions listed in this paragraph in accordance with the rules established for the Selected Exempt Service.

Section 2. Present subsections (3) and (4) of section 186.801, Florida Statutes, are redesignated as subsections (4) and (5), respectively, a new subsection (3) is added to that section, and subsection (1) of that section is amended, to read:

186.801 Ten-year site plans.—

(1) Each electric utility shall submit to the Public Service Commission a 10-year site plan which shall estimate its power-generating needs and the general location of its proposed power plant sites. If the proposed power plant site is located

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on land that has, at any time during the previous 5 years, been classified as agricultural lands pursuant to s. 193.461, the electric utility must submit the plan to the county commission of the county in which the proposed site is located. The county commission shall comply with subsection (3). The 10-year plan shall be reviewed and submitted not less frequently than every 2 years.

(3) A county commission that receives 10-year site plans from electric utilities pursuant to subsection (1) must do all of the following:

(a) Adhere to the same processes and procedures provided in this section for the Public Service Commission.

(b) Provide the Public Service Commission with the county commission's findings upon completion of the preliminary study of the proposed plan.

Section 3. Paragraph (b) of subsection (3) of section 193.461, Florida Statutes, is amended to read:

193.461 Agricultural lands; classification and assessment; mandated eradication or quarantine program; natural disasters.—

(3)

(b) Subject to the restrictions specified in this section, only lands that are used primarily for bona fide agricultural purposes shall be classified agricultural. The term "bona fide agricultural purposes" means good faith commercial agricultural use of the land.

1. In determining whether the use of the land for agricultural purposes is bona fide, the following factors may be taken into consideration:

a. The length of time the land has been so used.

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b. Whether the use has been continuous.

c. The purchase price paid.

d. Size, as it relates to specific agricultural use, but a minimum acreage may not be required for agricultural assessment.

e. Whether an indicated effort has been made to care sufficiently and adequately for the land in accordance with accepted commercial agricultural practices, including, without limitation, fertilizing, liming, tilling, mowing, reforesting, and other accepted agricultural practices.

f. Whether the land is under lease and, if so, the effective length, terms, and conditions of the lease.

g. Such other factors as may become applicable.

2. Offering property for sale does not constitute a primary use of land and may not be the basis for denying an agricultural classification if the land continues to be used primarily for bona fide agricultural purposes while it is being offered for sale.

3. Lands owned or leased by an electric utility as defined in s. 361.11(2) which may also be the site of solar energy systems as defined in s. 212.02(26) and bona fide agricultural uses of the land, and which comply with all other provisions of this section, must be classified agricultural by the property appraiser.

Section 4. Subsection (3) of section 201.25, Florida Statutes, is amended to read:

201.25 Tax exemptions for certain loans.—There shall be exempt from all taxes imposed by this chapter:

(3) Any loan made by the Agriculture and Aquaculture Producers Emergency ~~Natural Disaster~~ Recovery Loan Program

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pursuant to s. 570.822.

Section 5. Present paragraphs (a) through (d) and (e) of subsection (2) and subsection (6) of section 330.41, Florida Statutes, are redesignated as paragraphs (b) through (e) and (j) of subsection (2) and subsection (8), respectively, new paragraphs (a) and (f) and paragraphs (g), (h), and (i) are added to subsection (2) and new subsection (6) and subsection (7) are added to that section, and paragraph (d) of subsection (4) of that section is amended, to read:

330.41 Unmanned Aircraft Systems Act.—

(2) DEFINITIONS.—As used in this act, the term:

(a) “Commercial property” means real property other than residential property. The term includes, but is not limited to, a property zoned multifamily residential which is composed of five or more dwelling units, and real property used for commercial, industrial, or agricultural purposes.

(f) “Private property” means any residential or commercial property.

(g) “Property owner” means the owner or owners of record of real property. The term includes real property held in trust for the benefit of one or more individuals, in which case the individual or individuals may be considered as the property owner or owners, provided that the trustee provides written consent. The term does not include persons renting, using, living, or otherwise occupying real property.

(h) “Residential property” means real property zoned as residential or multifamily residential and composed of four or fewer dwelling units.

(i) “Sport shooting and training range” has the same

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639 meaning as s. 790.333(3)(h).

640 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

641 (d) This subsection and paragraph (2)(b) ~~paragraph (2)(a)~~
642 shall sunset 60 days after the date that a process pursuant to
643 s. 2209 of the FAA Extension, Safety and Security Act of 2016
644 becomes effective.

645 (6) PROTECTION OF AGRICULTURAL LANDS.—

646 (a) A person may not knowingly or willfully do any of the
647 following on lands classified as agricultural lands pursuant to
648 s. 193.461:

649 1. Operate a drone.

650 2. Allow a drone to make contact with any person or object
651 on the premises of or within the boundaries of such lands.

652 3. Allow a drone to come within close enough distance of
653 such lands to interfere with or cause a disturbance to
654 agricultural production.

655 (b) A person who violates paragraph (a) commits a
656 misdemeanor of the second degree, punishable as provided in s.
657 775.082 or s. 775.083. A person who commits a second or
658 subsequent violation commits a misdemeanor of the first degree,
659 punishable as provided in s. 775.082 or s. 775.083.

660 (c) This subsection does not apply to actions identified in
661 paragraph (a) which are committed by:

662 1. The owner of the agricultural lands, or a person acting
663 under the prior written consent of the owner of the agricultural
664 lands.

665 2. A law enforcement agency that is in compliance with s.
666 934.50 or a person under contract with or otherwise acting under
667 the direction of such law enforcement agency.

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668 3. A federal, state, or other governmental entity, or a
669 person under contract with or otherwise acting under the
670 direction of a federal, state, or other governmental entity.

671 (7) PROTECTION OF PRIVATE PROPERTY AND STATE HUNTING
672 LANDS.—

673 (a) A person may not knowingly or willfully do any of the
674 following on private property, state wildlife management lands,
675 or a sport shooting and training range:

676 1. Operate a drone.

677 2. Allow a drone to make contact with such property or any
678 person or object on the premises of or within such property with
679 the intent to harass.

680 (b) A person who violates paragraph (a) commits a
681 misdemeanor of the second degree, punishable as provided in s.
682 775.082 or s. 775.083. A person who commits a second or
683 subsequent violation commits a misdemeanor of the first degree,
684 punishable as provided in s. 775.082 or s. 775.083.

685 (c) A person who violates paragraph (a) and records video
686 of the private property, state wildlife management lands, or
687 sport shooting and training range, including any person or
688 object on the premises of or within the private property, state
689 wildlife management lands, or sport shooting and training range,
690 commits a misdemeanor of the first degree, punishable as
691 provided in s. 775.082 or s. 775.083. A person who commits a
692 second or subsequent violation commits a felony of the third
693 degree, punishable as provided in s. 775.082, s. 775.083, or s.
694 775.084.

695 (d) This subsection does not apply to actions identified in
696 paragraph (a) which are committed by:

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697 1. The property owner of the private property or sport
698 shooting and training range, or a person acting under the prior
699 written consent of the property owner.

700 2. A law enforcement agency that is in compliance with s.
701 934.50 or a person under contract with or otherwise acting under
702 the direction of such law enforcement agency.

703 3. A federal, state, or other governmental entity, or a
704 person under contract with or otherwise acting under the
705 direction of a federal, state, or other governmental entity.

706 Section 6. Section 366.20, Florida Statutes, is created to
707 read:

708 366.20 Sale and management of lands owned by electric
709 utilities.—

710 (1) Lands acquired by an electric utility as defined in s.
711 361.11(2) which have been classified as agricultural lands
712 pursuant to s. 193.461 at any time in the 5 years preceding the
713 acquisition of the land by the electric utility, must be offered
714 for less than fee simple acquisition of development rights by
715 the state.

716 (2) Lands owned by an electric utility as defined in s.
717 361.11(2) which were classified as agricultural lands pursuant
718 to s. 193.461 at any time in the 5 years preceding the date of
719 acquisition of the land by the electric utility must be offered
720 for less than fee simple acquisition of development rights by
721 this state before offering for sale or transferring the land to
722 a private individual or entity.

723 (3) This section is retroactive to January 1, 2024.

724 Section 7. Present paragraphs (3) and (4) of section
725 366.94, Florida Statutes, are redesignated as subsections (4)

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and (5), respectively, a new subsection (3) is added to that section, and subsection (2) of that section is amended, to read:

366.94 Electric vehicle charging.—

(2) (a) As used in this section, the term “electric vehicle charging station” means the area in the immediate vicinity of electric vehicle supply equipment and includes the electric vehicle supply equipment, supporting equipment, and associated parking spaces. The regulation of electric vehicle charging stations is preempted to the state.

(b) ~~(a)~~ A local governmental entity may not enact or enforce an ordinance or regulation related to electric vehicle charging stations.

(3) (a) ~~(b)~~ The Department of Agriculture and Consumer Services shall adopt rules to implement this subsection and to provide requirements for electric vehicle charging stations to allow for consistency for consumers and the industry.

(b) The department may adopt rules to protect the public health, safety, and welfare and establish standards for the placement, design, installation, maintenance, and operation of electric vehicle charging stations.

(c) Local governmental entities shall issue permits for electric vehicle charging stations based solely upon standards established by department rule and other applicable provisions of state law. The department shall prescribe by rule the time period for approving or denying permit applications.

(d) Before a charger at an electric vehicle charging station is placed into service for use by the public, the charger must be registered with the department on a form prescribed by department rule.

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(e) The department shall have the authority to inspect electric vehicle charging stations, conduct investigations, and enforce the provisions of this subsection and any rules adopted under this subsection. The department may impose one or more of the following penalties against a person who violates this subsection or any rule adopted under this subsection:

1. Issuance of a warning letter.

2. Imposition of an administrative fine in the Class II category pursuant to s. 570.971 for each violation.

(f) If the department determines that an electric vehicle charging station or any associated equipment presents a threat to the public health, safety, or welfare, the department may issue an immediate final order prohibiting the use of the electric vehicle charging station or any portion thereof.

(g) In addition to the remedies provided in this subsection, and notwithstanding the existence of any adequate remedy at law, the department may bring an action to enjoin a violation of this subsection or rules adopted under this subsection in the circuit court of the county in which the violation occurs or is about to occur. Upon demonstration of competent and substantial evidence by the department to the court of the violation or threatened violation, the court shall immediately issue the temporary or permanent injunction sought by the department. The injunction shall be issued without bond.

Section 8. Present subsections (10) and (11) of section 388.011, Florida Statutes, are redesignated as subsections (11) and (12), respectively, a new subsection (10) is added to that section, and subsections (2) and (5) of that section are amended, to read:

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388.011 Definitions.—As used in this chapter:

(2) "Board of commissioners" means the governing body of any mosquito control programs ~~district~~, and may include boards of county commissioners, city councils, municipalities, or other similar governing bodies when context so indicates.

(5) "District" means any mosquito control special district established in this state by law for the express purpose of controlling arthropods within boundaries of said districts.

(10) "Program" means any governmental jurisdiction that conducts mosquito control, whether it be a special district, county, or municipality.

Section 9. Section 388.021, Florida Statutes, is amended to read:

388.021 Creation of mosquito control special districts.—

(1) The abatement or suppression of arthropods, whether disease-bearing or merely pestiferous, within any or all counties of this state is advisable and necessary for the maintenance and betterment of the comfort, health, and welfare of the people thereof and is found and declared to be for public purposes. Areas where arthropods incubate, hatch, or occur in significant numbers so as to constitute a public health, welfare, or nuisance problem may be controlled or abated as provided in this chapter or the rules promulgated hereunder. Therefore, any municipality ~~city~~, town, or county, or any portion or portions thereof, whether such portion or portions include incorporated territory or portions of two or more counties in the state, may be created into a special taxing district for the control of arthropods under the provisions of this chapter.

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(2) It is the legislative intent that those mosquito control districts established prior to July 1, 1980, pursuant to the petition process contained in former s. 388.031, may continue to operate as outlined in this chapter. However, on and after that date, no mosquito control districts may be created except pursuant to s. 125.01.

Section 10. Section 388.181, Florida Statutes, is amended to read:

388.181 Power to do all things necessary.—The respective programs ~~districts~~ of the state are hereby fully authorized to do and perform all things necessary to carry out the intent and purposes of this law.

Section 11. Subsections (1), (2), (4), and (5) of section 388.201, Florida Statutes, are amended to read:

388.201 Program ~~District~~ budgets; hearing.—

(1) The fiscal year of programs ~~districts~~ operating under the provisions of this chapter shall be the 12-month period extending from October 1 of one year through September 30 of the following year. The governing board of the programs ~~district~~ shall before July 15 of each year complete the preparation of a tentative detailed work plan budget covering its proposed operations and requirements for arthropod control measures during the ensuing fiscal year and, for the purpose of determining eligibility for state aid, shall submit copies as may be required to the department for review and approval. The tentative detailed work plan budget shall set forth, classified by account number, title and program items, and by fund from which to be paid, the proposed expenditures of the program ~~district~~ for construction, for acquisition of land, and other

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purposes, for the operation and maintenance of the program's
~~district's~~ works, the conduct of the program ~~district~~ generally,
to which may be added an amount to be held as a reserve.

(2) The tentative detailed work plan budget shall also show
the estimated amount which will appear at the beginning of the
fiscal year as obligated upon commitments made but uncompleted.
There shall be shown the estimated unobligated or net balance
which will be on hand at the beginning of the fiscal year and
the estimated amount to be raised by county, municipality, or
district taxes and from any and all other sources for meeting
the program's ~~the district's~~ requirements.

(4) The governing board:

(a) Shall consider objections filed against adoption of the
tentative detailed work plan budget and in its discretion may
amend, modify, or change such budget; and

(b) Shall by September 30 adopt and execute on a form
furnished by the department a certified budget for the programs
~~district~~ which shall be the operating and fiscal guide for the
program ~~district~~. Certified copies of this budget shall be
submitted by September 30 to the department for approval.

(5) County commissioners' mosquito and arthropod control
budgets or the budgets of or similar governing body of said
county, city, or town's shall be made and adopted as prescribed
by subsections (1) and (2); summary figures shall be
incorporated into the county budgets as prescribed by the
Department of Financial Services.

Section 12. Section 388.241, Florida Statutes, is amended
to read:

388.241 Board of county commissioners vested with powers

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and duties of board of commissioners in certain counties.—In those counties or cities where there has been no formation of a separate or special board of commissioners, all the rights, powers, and duties of a board of commissioners as conferred in this chapter shall be vested in the board of county commissioners or similar governing body of said county or city.

Section 13. Subsections (1), (2), and (5) through (8) of section 388.261, Florida Statutes, are amended to read:

388.261 State aid to counties, municipalities, and districts for arthropod control; distribution priorities and limitations.—

(1) A county or district may, without contributing matching funds, receive state funds, supplies, services, or equipment in an amount of no more than \$75,000 ~~\$50,000~~ per year for up to 3 years for any new program for the control of mosquitoes and other arthropods which serves an area not previously served by the county, municipality, or district. These funds may be expended for any and all types of control measures approved by the department.

(2) Every county, municipality, or district budgeting local funds to be used exclusively for the control of mosquitoes and other arthropods, under a plan submitted by the county, municipality, or district and approved by the department, is eligible to receive state funds and supplies, services, and equipment on a dollar-for-dollar matching basis to the amount of local funds budgeted. If state funds appropriated by the Legislature are insufficient to grant each county, municipality, or district state funds on a dollar-for-dollar matching basis to the amount budgeted in local funds, the department shall

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900 distribute the funds as prescribed by rule. Such rules shall
901 provide for up to 80 percent of the funds to be distributed to
902 programs with local funds for mosquito control budgets of less
903 than \$1 million, if the county, municipality, or district meets
904 the eligibility requirements. The funds shall be distributed as
905 equally as possible within the category of counties pursuant to
906 this section. The remaining funds shall be distributed as
907 prescribed by rule among the remaining counties to support
908 mosquito control and to support research, education, and
909 outreach.

910 (5) If more than one program ~~local mosquito control agency~~
911 exists in a county or municipality, the funds shall be prorated
912 between the programs ~~agencies~~ based on the population served by
913 each program ~~agency~~.

914 (6) The Commissioner of Agriculture may exempt counties,
915 municipalities, or districts from the requirements in subsection
916 (1), subsection (2), or subsection (3) when the department
917 determines state funds, supplies, services, or equipment are
918 necessary for the immediate control of mosquitoes and other
919 arthropods that pose a threat to human or animal health.

920 (7) The department may use state funds appropriated for a
921 county, municipality, or district under subsection (1) or
922 subsection (2) to provide state mosquito or other arthropod
923 control equipment, supplies, or services when requested by a
924 county, municipality, or district eligible to receive state
925 funds under s. 388.271.

926 (8) The department is authorized to use up to 5 percent of
927 the funds appropriated annually by the Legislature under this
928 section to provide technical assistance to the counties,

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municipalities, or districts, or to purchase equipment, supplies, or services necessary to administer the provisions of this chapter.

Section 14. Subsections (1) and (2) of section 388.271, Florida Statutes, are amended to read:

388.271 Prerequisites to participation.—

(1) When state funds are involved, it is the duty of the department to guide, review, approve, and coordinate the activities of all county and municipal governments and special districts receiving state funds in furtherance of the goal of integrated arthropod control. Each program ~~county~~ eligible to participate may, and each district must, begin participation on October 1 of any year by filing with the department not later than July 15 a tentative integrated arthropod management plan ~~work plan~~ and tentative detailed ~~work plan~~ budget providing for the control of arthropods. Following approval of the plan and budget by the department, a copy ~~two copies~~ of the program's ~~county's or district's~~ certified budget based on the approved integrated arthropod management ~~work~~ plan and detailed ~~work plan~~ budget shall be submitted to the department by September 30 following. State funds, supplies, and services shall be made available to such program ~~county or district~~ by and through the department immediately upon release of funds by the Executive Office of the Governor.

(2) All purchases of supplies, materials, and equipment by programs ~~counties or districts~~ shall be made in accordance with the laws governing purchases by boards of county commissioners or similar governing bodies, except that programs ~~districts~~ with special laws relative to competitive bidding shall make

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purchases in accordance therewith.

Section 15. Subsections (1) and (3) of section 388.281, Florida Statutes, are amended to read:

388.281 Use of state matching funds.—

(1) All funds, supplies, and services released to programs ~~counties and districts~~ hereunder shall be used in accordance with the integrated arthropod management ~~detailed work~~ plan and certified budget approved by both the board of commissioners and appropriate representative department ~~and the county or district~~. The integrated arthropod management plan and budget may be amended at any time upon prior approval of the department.

(3) In any program ~~county or district~~ where the arthropod problem has been eliminated, or reduced to such an extent that it does not constitute a health, comfort, or economic problem as determined by the department, the maximum amount of state funds available under this chapter shall be reduced to the amount necessary to meet actual need.

Section 16. Subsections (1) and (2) of section 388.291, Florida Statutes, are amended to read:

388.291 Source reduction measures; supervision by department.—

(1) Any program ~~county or district~~ may perform source reduction measures in conformity with good engineering practices in any area, provided that the department cooperating with the county, municipality, or district has approved the operating or construction plan as outlined in the integrated arthropod management plan and it has been determined by criteria contained in rule that the area or areas to be controlled would produce

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arthropods in significant numbers to constitute a health or nuisance problem.

(2) The program ~~county or district~~ shall manage the detailed business affairs and supervise said work, and the department shall advise the programs ~~districts~~ as to the best and most effective measures to be used in bringing about better temporary control and the permanent elimination of breeding conditions. The department may at its discretion discontinue any state aid provided hereunder in the event it finds the jointly agreed upon program is not being followed or is not efficiently and effectively administered.

Section 17. Section 388.301, Florida Statutes, is amended to read:

388.301 Payment of state funds; supplies and services.—State funds shall be payable ~~quarterly~~, in accordance with the rules of the department, upon requisition by the department to the Chief Financial Officer. The department is authorized to furnish insecticides, chemicals, materials, equipment, vehicles, and personnel in lieu of state funds where mass purchasing may save funds for the state, or where it would be more practical and economical to use equipment, supplies, and services between two or more programs ~~counties or districts~~.

Section 18. Section 388.311, Florida Statutes, is amended to read:

388.311 Carry over of state funds and local funds.—State and local funds budgeted for the control of mosquitoes and other arthropods shall be carried over at the end of the program's ~~county or district's~~ fiscal year, and rebudgeted for such control measures the following fiscal year.

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Section 19. Section 388.321, Florida Statutes, is amended to read:

388.321 Equipment to become property of a program ~~the county or district~~.—All equipment purchased under this chapter with state funds made available directly to a program ~~the county or district~~ shall become the property of the program ~~county or district~~ unless otherwise provided, and may be traded in on other equipment, or sold, when no longer needed by the program ~~county or district~~.

Section 20. Section 388.322, Florida Statutes, is amended to read:

388.322 Record and inventory of certain property.—A record and inventory of certain property purchased with state funds for arthropod control use owned by the program ~~district~~ shall be maintained in accordance with s. 274.02.

Section 21. Section 388.323, Florida Statutes, is amended to read:

388.323 Disposal of surplus property.—Surplus property shall be disposed of according to the provisions set forth in s. 274.05 with the following exceptions:

(1) Serviceable equipment purchased using state funds for arthropod control use no longer needed by a program ~~county or district~~ shall first be offered to any or all other programs ~~counties or districts~~ engaged in arthropod control at a price established by the board of commissioners owning the equipment.

(2) The alternative procedure for disposal of surplus property, as prescribed in s. 274.06, shall be followed if it is determined that no other programs ~~county or district~~ engaged in arthropod control has need for the equipment.

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(3) All proceeds from the sale of any real or tangible personal property owned by the program ~~county or district~~ and purchased using state funds shall be deposited in the program's ~~county's or district's~~ state fund account unless otherwise specifically designated by the department.

Section 22. Section 388.341, Florida Statutes, is amended to read:

388.341 Reports of expenditures and accomplishments.—Each program receiving state aid ~~county and district participating~~ under the provisions of this chapter shall within 30 days after the end of each month submit to the department a monthly report for the preceding month of expenditures from all funds for arthropod control, and each program participating under this chapter shall provide such reports of activities and accomplishments as may be required by the department.

Section 23. Section 388.351, Florida Statutes, is amended to read:

388.351 Transfer of equipment, personnel, and supplies during an emergency.—The department, upon notifying a program ~~county or district~~ and obtaining its approval, is authorized to transfer equipment, materials, and personnel from one program ~~district~~ to another in the event of an emergency brought about by an arthropod-borne epidemic or other disaster requiring emergency control.

Section 24. Subsection (7) of section 388.361, Florida Statutes, is amended to read:

388.361 Department authority and rules; administration.—

(7) The department shall have the authority to collect, detect, suppress, and control mosquitoes and other arthropods

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that are determined by the State Health Officer to pose a threat to public health, or determined by the Commissioner of Agriculture to pose a threat to animal health, wherever they may occur on public or private land in this state, and to do all things necessary in the exercise of such authority. Prior to the start of treatments for the control of mosquitoes or other arthropods, the department shall consult with the mosquito control programs ~~districts~~ in the proposed treatment areas, the Department of Health, the Department of Environmental Protection, and the Fish and Wildlife Conservation Commission regarding the proposed locations, dates, and methods to be used.

Section 25. Subsections (2) and (3) of section 388.3711, Florida Statutes, are amended to read:

388.3711 Enforcement.—

(2) The department may issue a written warning, impose a fine; deny, suspend, or revoke any license or certification, or the disbursal of state aid; or deny participation, in accordance with the provisions of chapter 120, upon any one or more of the following grounds as may be applicable:

(a) Violation of any rule of the department or provision of this chapter.

(b) Violation of FIFRA or any relevant EPA rule or regulation pertaining to the use of arthropod control pesticides by the licensee.

(c) Failure to give the department, or any authorized representative thereof, true information upon request regarding methods and materials used, work performed, or other information essential to the administration of this chapter.

(3) The department may, if it finds a violation is of such

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1103 nature or circumstances that imposition of a fine, denial,
1104 revocation, or suspension of a certification or license or
1105 disbursal of state aid would be detrimental to the public or be
1106 unnecessarily harsh under the circumstances, in its discretion,
1107 place the offending party on probation for a period of not more
1108 than 2 years. If the department determines that the terms of
1109 such probation have been violated, it may reinstitute license or
1110 certification or state aid denial, suspension, or revocation
1111 proceedings.

1112 Section 26. Section 388.381, Florida Statutes, is amended
1113 to read:

1114 388.381 Cooperation by programs ~~counties and district.~~ Any
1115 program conducting county or district carrying on an arthropod
1116 control ~~program~~ may cooperate with another county, district, or
1117 municipality in carrying out work ~~a program~~ for the control of
1118 mosquitoes and other arthropods, by agreement as to the program
1119 and reimbursement thereof, when approved by the department.

1120 Section 27. Section 388.391, Florida Statutes, is amended
1121 to read:

1122 388.391 Control measures in municipalities and portions of
1123 counties located outside boundaries of programs ~~districts.~~ Any
1124 program ~~district~~ whose operation is limited to a portion of the
1125 county in which it is located may perform any control measures
1126 authorized by this chapter in any municipality located in the
1127 same county or in any portions of the same county, where there
1128 is no established program ~~district~~, when requested to do so by
1129 the municipality or county, pursuant to s. 388.381.

1130 Section 28. Section 388.401, Florida Statutes, is amended
1131 to read:

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388.401 Penalty for damage to property or operations.—
Whoever ~~shall~~ willfully damages ~~damage~~ any of the property of
any program ~~county or district~~ created under this or other
chapters, or any works constructed, maintained, or controlled by
such program ~~county or district~~, or who ~~shall~~ obstructs ~~obstruct~~
or causes ~~cause~~ to be obstructed any of the operations of such
program ~~county or district~~, or who ~~shall~~ knowingly or willfully
violates ~~violate~~ any provisions of this chapter or any rule or
regulation promulgated by any board of commissioners of any
program, commits ~~county or district shall be guilty of a~~
misdemeanor of the second degree, punishable as provided in s.
775.082 or s. 775.083.

Section 29. Paragraph (a) of subsection (2) of section
388.46, Florida Statutes, is amended to read:

388.46 Florida Coordinating Council on Mosquito Control;
establishment; membership; organization; responsibilities.—

(2) MEMBERSHIP, ORGANIZATION, AND RESPONSIBILITIES.—

(a) *Membership.*—The Florida Coordinating Council on
Mosquito Control shall be comprised of the following
representatives or their authorized designees:

1. The Secretary of Environmental Protection.
2. The State Surgeon General.
3. The executive director of the Fish and Wildlife
Conservation Commission.
4. The state epidemiologist.
5. The Commissioner of Agriculture.
6. The Board of Trustees of the Internal Improvement Trust
Fund.
7. Representatives from:

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a. The University of Florida, Institute of Food and Agricultural Sciences, Florida Medical Entomological Research Laboratory.

b. The United States Environmental Protection Agency.

c. The United States Department of Agriculture, Center of Medical, Agricultural, and Veterinary Entomology ~~Insects Affecting Man~~ Laboratory.

d. The United States Fish and Wildlife Service.

8. Four ~~Two~~ mosquito control directors to be nominated by the Florida Mosquito Control Association, two representatives of Florida environmental groups, and two private citizens who are property owners whose lands are regularly subject to mosquito control operations, to be appointed to 4-year terms by the Commissioner of Agriculture and serve until his or her successor is appointed.

Section 30. Paragraph (d) of subsection (7) of section 403.067, Florida Statutes, is amended to read:

403.067 Establishment and implementation of total maximum daily loads.—

(7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

(d) *Enforcement and verification of basin management action plans and management strategies.*—

1. Basin management action plans are enforceable pursuant to this section and ss. 403.121, 403.141, and 403.161. Management strategies, including best management practices and water quality monitoring, are enforceable under this chapter.

2. No later than January 1, 2017:

a. The department, in consultation with the water

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management districts and the Department of Agriculture and Consumer Services, shall initiate rulemaking to adopt procedures to verify implementation of water quality monitoring required in lieu of implementation of best management practices or other measures pursuant to sub-subparagraph (b)2.g.;

b. The department, in consultation with the water management districts and the Department of Agriculture and Consumer Services, shall initiate rulemaking to adopt procedures to verify implementation of nonagricultural interim measures, best management practices, or other measures adopted by rule pursuant to subparagraph (c)1.; and

c. The Department of Agriculture and Consumer Services, in consultation with the water management districts and the department, shall initiate rulemaking to adopt procedures to verify implementation of agricultural interim measures, best management practices, or other measures adopted by rule pursuant to subparagraph (c)2.

The rules required under this subparagraph shall include enforcement procedures applicable to the landowner, discharger, or other responsible person required to implement applicable management strategies, including best management practices or water quality monitoring as a result of noncompliance.

3. At least every 2 years, the Department of Agriculture and Consumer Services shall perform onsite inspections of each agricultural producer that enrolls in a best management practice, except those enrolled by rule in subparagraph 4., to ensure that such practice is being properly implemented. Such verification must include a collection and review of the best

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management practice documentation from the previous 2 years required by rules adopted pursuant to subparagraph (c)2., including, but not limited to, nitrogen and phosphorus fertilizer application records, which must be collected and retained pursuant to subparagraphs (c)3., 4., and 6. The Department of Agriculture and Consumer Services shall initially prioritize the inspection of agricultural producers located in the basin management action plans for Lake Okeechobee, the Indian River Lagoon, the Caloosahatchee River and Estuary, and Silver Springs.

4. The Department of Agriculture and Consumer Services is authorized to adopt rules establishing an enrollment in best management practices by rule process that agricultural pollutant sources and agricultural producers may utilize in lieu of the best management practices adopted in paragraph (c) and identify best management practices for landowners of parcels which meet the following requirements:

a. A parcel not be less than 25 acres in size;

b. A parcel designated as agricultural land use by the county in which it is located or the parcel is granted agricultural tax classification by the county property appraiser of the county in which it is located;

c. A parcel with water use not exceeding 100,000 gallons per day on average unless the entire use is met using recycled water from wet detention treatment ponds or reuse water;

d. A parcel where the agricultural activity on the parcel is not vegetable crop, agronomic crop, a nursery, or a dairy operation;

e. A parcel not abutting an impaired water body identified

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in subsection (4); and

f. A parcel not part of a larger operation that is enrolled in the Department of Agriculture and Consumer Services best management practices or conducting water quality monitoring prescribed by the department or a water management district.

Such requirements shall specify design or performance criteria that, if applied, would result in compliance with appropriate water quality standards. The Department of Agriculture and Consumer Services is authorized to adopt additional eligibility criteria for landowners or producers to utilize enrollment by rule and to revoke enrollment by rule.

5. The Department of Agriculture and Consumer Services shall annually perform onsite inspections of twenty percent for all enrollments that meet the qualifications pursuant to subparagraph 4. by rule within basin management action plan areas, to ensure that practices are being properly implemented. Such inspection must include a collection and review of the identified best management practice documentation from the previous two years required by rules adopted pursuant to subparagraph (c)2. All agricultural producers enrolled by rule in a best management practice must annually submit nutrient records, including nitrogen and phosphorus fertilizer application records for the previous calendar year, to the Department of Agriculture and Consumer Services as required by rules adopted pursuant to subparagraph (c)2. The Department of Agriculture and Consumer Services shall collect and retain these nutrient records pursuant to subparagraphs (c)3., 4., and 6.

Section 31. Subsection (19) is added to section 403.852,

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Florida Statutes, to read:

403.852 Definitions; ss. 403.850-403.864.—As used in ss. 403.850-403.864:

(19) "Water quality additive" means any chemical or additive which is used in a public water system for the purpose of removing contaminants or increasing water quality. The term does not include additives used for health-related purposes.

Section 32. Subsection (8) is added to section 403.859, Florida Statutes, to read:

403.859 Prohibited acts.—The following acts and the causing thereof are prohibited and are violations of this act:

(8) The use of any additives in a public water system which do not meet the definition of a water quality additive as defined in s. 403.852, or the use of any additives included primarily for health-related purposes.

Section 33. Subsection (10) of section 482.111, Florida Statutes, is amended to read:

482.111 Pest control operator's certificate.—

(10) In order to renew a certificate, the certificateholder must complete 2 hours of approved continuing education on legislation, safety, pesticide labeling, and integrated pest management and 2 hours of approved continuing education in each category of her or his certificate or must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given by the department~~. The department may not renew a certificate if the continuing education or examination requirement is not met.

(a) Courses or programs, to be considered for credit, must

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include one or more of the following topics:

1. The law and rules of this state pertaining to pest control.

2. Precautions necessary to safeguard life, health, and property in the conducting of pest control and the application of pesticides.

3. Pests, their habits, recognition of the damage they cause, and identification of them by accepted common name.

4. Current accepted industry practices in the conducting of fumigation, termites and other wood-destroying organisms pest control, lawn and ornamental pest control, and household pest control.

5. How to read labels, a review of current state and federal laws on labeling, and a review of changes in or additions to labels used in pest control.

6. Integrated pest management.

(b) The certificateholder must submit with her or his application for renewal a statement certifying that she or he has completed the required number of hours of continuing education. The statement must be on a form prescribed by the department and must identify at least the date, location, provider, and subject of the training and must provide such other information as required by the department.

(c) The department shall charge the same fee for examination as provided in s. 482.141(2).

Section 34. Subsection (1) of section 482.141, Florida Statutes, is amended to read:

482.141 Examinations.—

(1) Each individual seeking certification must

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satisfactorily pass an examination which must be written but which may include practical demonstration. The department shall provide in-person and remote testing through a third-party vendor. A third-party vendor may collect and retain a convenience fee ~~hold at least two examinations each year~~. An applicant may seek certification in one or more categories.

Section 35. Paragraph (b) of subsection (1) of section 482.155, Florida Statutes, is amended to read:

482.155 Limited certification for governmental pesticide applicators or private applicators.—

(1)

(b) A person seeking limited certification under this subsection must pass an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~given or approved by the department~~. Each application for examination must be accompanied by an examination fee set by the department, in an amount of not more than \$150 or less than \$50; and a recertification fee of \$25 every 4 years. Until rules setting these fees are adopted by the department, the examination fee is \$50. Application for recertification must be accompanied by proof of having completed 4 classroom hours of acceptable continuing education. The limited certificate expires 4 years after the date of issuance. If the certificateholder fails to renew his or her certificate and provide proof of completion of the required continuing education units within 60 days after the expiration date, the certificateholder may be recertified only after reexamination. The department shall make available ~~provide~~ the appropriate reference material ~~and make~~

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~~the examination readily accessible and available to all
applicants at least quarterly or as necessary in each county.~~

Section 36. Subsection (2) of section 482.156, Florida
Statutes, is amended to read:

482.156 Limited certification for commercial landscape
maintenance personnel.—

(2)(a) A person seeking limited certification under this
section must pass an examination that the department shall
provide in person and remotely through a third-party vendor. The
third-party vendor may collect and retain a convenience fee
~~given by the department.~~ Each application for examination must
be accompanied by an examination fee set by rule of the
department, in an amount of not more than \$150 or less than \$50.
Before the department issues a limited certification under this
section, each person applying for the certification must furnish
proof of having a certificate of insurance which states that the
employer meets the requirements for minimum financial
responsibility for bodily injury and property damage required by
s. 482.071(4).

(b) The department shall make available ~~provide~~ the
appropriate reference materials for the examination and provide
in-person and remote testing through a third-party vendor. A
third-party vendor may collect and retain a convenience fee ~~make~~
~~the examination readily accessible and available to applicants
at least quarterly or as necessary in each county.~~

Section 37. Subsection (2) of section 482.157, Florida
Statutes, is amended to read:

482.157 Limited certification for commercial wildlife
management personnel.—

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(2) The department shall issue a limited certificate to an applicant who:

(a) Submits an application and examination fee of at least \$150, but not more than \$300, as prescribed by the department by rule;

(b) Passes an examination that the department shall provide in person and remotely through a third-party vendor. The third-party vendor may collect and retain a convenience fee ~~administered by the department.~~ The department shall make available ~~provide~~ the appropriate study materials for the examination ~~and make the examination readily available to applicants in each county as necessary, but not less frequently than quarterly;~~ and

(c) Provides proof, including a certificate of insurance, that the applicant has met the minimum bodily injury and property damage insurance requirements in s. 482.071(4).

Section 38. Paragraph (m) is added to subsection (1) of section 482.161, Florida Statutes, to read:

482.161 Disciplinary grounds and actions; reinstatement.—

(1) The department may issue a written warning to or impose a fine against, or deny the application for licensure or licensure renewal of, a licensee, certified operator, limited certificateholder, identification cardholder, or special identification cardholder or any other person, or may suspend, revoke, or deny the issuance or renewal of any license, certificate, limited certificate, identification card, or special identification card that is within the scope of this chapter, in accordance with chapter 120, upon any of the following grounds:

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1422 (m) Upon the issuance of a final order imposing civil
1423 penalties under subsection 14(a) of the Federal Insecticide,
1424 Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction
1425 under subsection 14(b), of FIFRA.

1426 Section 39. Subsection (2) of section 487.044, Florida
1427 Statutes, is amended to read:

1428 487.044 Certification; examination.—

1429 (2) The department shall require each applicant for a
1430 certified applicator's license to demonstrate competence by a
1431 written or oral examination in which the applicant must
1432 demonstrate adequate knowledge concerning the proper use and
1433 application of restricted-use pesticides in each classification
1434 for which application for license is made. The department shall
1435 provide in-person and remote testing through a third-party
1436 vendor. A third-party vendor may collect and retain a
1437 convenience fee. The examination may be prepared, administered,
1438 and evaluated by the department. Each applicant for a certified
1439 applicator's license shall demonstrate minimum competence as to:

1440 (a) The proper use of the equipment.

1441 (b) The environmental hazards that may be involved in
1442 applying restricted-use pesticides.

1443 (c) Calculating the concentration of restricted-use
1444 pesticides to be used in particular circumstances.

1445 (d) Identification of common pests to be controlled and the
1446 damages caused by such pests.

1447 (e) Protective clothing and respiratory equipment required
1448 during the handling and application of restricted-use
1449 pesticides.

1450 (f) General precautions to be followed in the disposal of

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containers, as well as the cleaning and decontamination of the equipment which the applicant proposes to use.

(g) Applicable state and federal pesticide laws, rules, and regulations.

(h) General safety precautions.

Section 40. Subsection (6) is added to section 487.175, Florida Statutes, to read:

487.175 Penalties; administrative fine; injunction.—

(6) Licensure may be suspended, revoked, or denied by the department, upon the issuance of a final order to a licensee imposing civil penalties under subsection 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or a criminal conviction under subsection 14(b) of FIFRA.

Section 41. Subsections (13) through (28) of section 496.404, Florida Statutes, are redesignated as subsections (15) through (30), respectively, and subsections (13) and (14) are added to that section, to read:

496.404 Definitions.—As used in ss. 496.401-496.424, the term:

(13) "Foreign country of concern" means the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern.

(14) "Foreign source of concern" means any of the following:

(a) The government or any official of the government of a foreign country of concern;

(b) A political party or member of a political party or any

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subdivision of a political party in a foreign country of
concern;

(c) A partnership, an association, a corporation, an
organization, or other combination of persons organized under
the laws of or having its principal place of business in a
foreign country of concern, or a subsidiary of such entity;

(d) Any person who is domiciled in a foreign country of
concern and is not a citizen or lawful permanent citizen of the
United States;

(e) An agent, including a subsidiary or an affiliate of a
foreign legal entity, acting on behalf of a foreign source of
concern; or

(f) An entity in which a person, entity, or collection of
persons or entities described in paragraphs (a)-(e) has a
controlling interest. As used in this paragraph, the term
"controlling interest" means the possession of the power to
direct or cause the direction of the management or policies of
an entity, whether through ownership of securities, by contract,
or otherwise. A person or an entity that directly or indirectly
has the right to vote 25 percent or more of the voting interest
of the company or is entitled to 25 percent or more of its
profits is presumed to possess a controlling interest.

Section 42. Present paragraphs (d) through (g) of
subsection (2) of section 496.405, Florida Statutes, are
redesignated as paragraphs (f) through (i), respectively, new
paragraphs (d) and (e) are added to that subsection, subsection
(11) is added to that section, and paragraph (b) of subsection
(1) and paragraph (b) of subsection (7) of that section are
amended, to read:

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496.405 Registration statements by charitable organizations and sponsors.—

(1) A charitable organization or sponsor, unless exempted pursuant to s. 496.406, which intends to solicit contributions in or from this state by any means or have funds solicited on its behalf by any other person, charitable organization, sponsor, commercial co-venturer, or professional solicitor, or that participates in a charitable sales promotion or sponsor sales promotion, must, before engaging in any of these activities, file an initial registration statement, which includes an attestation statement, and a renewal statement annually thereafter, with the department.

(b) Any changes to the information submitted to the department pursuant to paragraph (2) (f) ~~(2) (d)~~ on the initial registration statement, which includes an attestation statement, or the last renewal statement must be reported to the department on a form prescribed by the department within 10 days after the change occurs.

(2) The initial registration statement must be submitted on a form prescribed by the department, signed by an authorized official of the charitable organization or sponsor who shall certify that the registration statement is true and correct, and include the following information or material:

(d) An attestation statement, which must be submitted on a form prescribed by the department and signed by an authorized official of the charitable organization, who shall certify and attest that the charitable organization, if engaged in activities that would require registration pursuant to chapter 106 is registered with the Department of State, pursuant to

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chapter 106.

(e) An attestation statement on a form prescribed by the department, signed by an authorized official of the charitable organization, who shall certify and attest that the charitable organization, if prohibited by applicable federal or state law, is not engaged in activities that would require registration with the Department of State pursuant to chapter 106.

(7)

(b) If a charitable organization or sponsor discloses information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ in the initial registration statement or annual renewal statement, the time limits set forth in paragraph (a) are waived, and the department shall process such initial registration statement or annual renewal statement in accordance with the time limits set forth in chapter 120. The registration of a charitable organization or sponsor shall be automatically suspended for failure to disclose any information specified in subparagraphs (2) (f) 2.-7. ~~(2) (d) 2.-7.~~ until such time as the required information is submitted to the department.

(11) The department may investigate and refer the charitable organization or sponsor to the Florida Elections Commission for investigation of violations pursuant to chapters 104 and 106.

Section 43. Subsection (20) is added to section 496.415, Florida Statutes, to read:

496.415 Prohibited acts.—It is unlawful for any person in connection with the planning, conduct, or execution of any solicitation or charitable or sponsor sales promotion to:

(20) Solicit or accept contributions or anything of value

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1567 from a foreign source of concern.

1568 Section 44. Section 496.417, Florida Statutes, is amended
1569 to read:

1570 496.417 Criminal penalties.—Except as otherwise provided in
1571 ss. 496.401-496.424, and in addition to any administrative or
1572 civil penalties, any person who willfully and knowingly violates
1573 ss. 496.401-496.424 commits a felony of the third degree,
1574 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1575 For a second or subsequent conviction, such violation
1576 constitutes a felony of the second degree, punishable as
1577 provided in s. 775.082, s. 775.083, or s. 775.084. The
1578 department may also investigate and refer the charitable
1579 organization or sponsor to the Florida Elections Commission for
1580 investigation of violations pursuant to chapters 104 and 106.

1581 Section 45. Subsection (11) is added to section 496.419,
1582 Florida Statutes, to read:

1583 496.419 Powers of the department.—

1584 (11) (a) A charitable organization or sponsor whose
1585 registration is denied or revoked for submitting a false
1586 attestation required pursuant to s. 496.405(2) (d) or s.
1587 496.405(2) (e) may not register as a charitable organization or
1588 sponsor for 5 years for an initial violation, and may not
1589 register as a charitable organization or sponsor following any
1590 subsequent violations.

1591 (b) A person serving as a board member, executive
1592 leadership team member, or registering agent of a charitable
1593 organization at the time in which the charitable organization is
1594 found to have submitted a false attestation as required by s.
1595 496.405(2) (d) or (e) may not serve in any capacity with a

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charitable organization required to comply with the requirements of ss. 496.405 and 496.406 for 5 years after the date of the violation of this subsection.

Section 46. Section 496.431, Florida Statutes, is created to read:

496.431 Honest Service Registry.—

(1) The department shall create the Honest Services Registry to provide the residents of this state with the information necessary to make an informed choice when deciding which charitable organizations to support.

(2) To be included on the Honest Services Registry, a charitable organization must, at a minimum, submit to the department an attestation statement on a form prescribed by the department, verified as provided in s. 92.525, attesting to all of the following:

(a) That the organization does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern.

(b) That the organization's messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.

(3) The department shall publish the Honest Services Registry on the department's website.

(4) The department shall adopt rules to implement this section.

Section 47. Paragraph (j) of subsection (1) of section 500.03, Florida Statutes, is amended to read:

500.03 Definitions; construction; applicability.—

(1) For the purpose of this chapter, the term:

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(j) "Cottage food product" means food that is not time or temperature controlled for safety, a potentially hazardous food as defined by department rule which is sold by a cottage food operation in accordance with s. 500.80.

Section 48. Paragraphs (a) and (b) of subsection (1) of section 500.12, Florida Statutes, are amended to read:

500.12 Food permits; building permits.—

(1)(a) A food permit from the department is required of any person or business that ~~who~~ operates a food establishment, except:

1. Persons or businesses operating minor food outlets that sell food that is commercially prepackaged, not potentially hazardous, not age restricted, and not time or temperature controlled for safety, if the shelf space for those items does not exceed 12 total linear feet and no other food is sold by the person or business minor food outlet.

2. Persons subject to continuous, onsite federal or state inspection.

3. Persons selling only legumes in the shell, either parched, roasted, or boiled.

4. Persons selling sugar cane or sorghum syrup that has been boiled and bottled on a premise located within this state. Such bottles must contain a label listing the producer's name and street address, all added ingredients, the net weight or volume of the product, and a statement that reads, "This product has not been produced in a facility permitted by the Florida Department of Agriculture and Consumer Services."

(b) Each food establishment regulated under this chapter must apply for and receive a food permit before operation

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begins. An application for a food permit from the department must be accompanied by a fee in an amount determined by department rule. The department shall adopt by rule a schedule of fees to be paid by each food establishment as a condition of issuance or renewal of a food permit. Such fees may not exceed \$650 and must be used solely for the recovery of costs for the services provided, except that the fee accompanying an application for a food permit for operating a bottled water plant may not exceed \$1,000 and the fee accompanying an application for a food permit for operating a packaged ice plant may not exceed \$250. The fee for operating a bottled water plant or a packaged ice plant must be set by rule of the department. Food permits are not transferable from one person or physical location to another. Food permits must be renewed in accordance with subparagraphs 1.-3. If an application for renewal of a food permit is not received by the department on or before its due date, a late fee not exceeding \$100 must be paid in addition to the food permit fee before the department may issue the food permit. The moneys collected must be deposited in the General Inspection Trust Fund.

1. A food permit issued to a new food establishment ~~on or after September 1, 2023,~~ is valid for 1 calendar year after the date of issuance and must be renewed annually on or before that date thereafter.

2. ~~Effective January 1, 2024,~~ A food permit issued before September 1, 2023, expires on the month and day the initial permit was issued to the food establishment and must be renewed annually on or before that date thereafter. The department may charge a prorated permit fee for purposes of this subparagraph.

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1683 3. The department may establish a single permit renewal
1684 date for multiple food establishments owned by the same entity
1685 ~~The owner of 100 or more permitted food establishment locations~~
1686 ~~may elect to set the expiration of food permits for such~~
1687 ~~establishments as December 31 of each calendar year.~~

1688 Section 49. Section 500.166, Florida Statutes, is amended
1689 to read:

1690 500.166 Records of interstate shipment.—For the purpose of
1691 enforcing this chapter, carriers engaged in interstate commerce
1692 and persons receiving food in interstate commerce shall retain
1693 all records for 3 years from the date of the record showing the
1694 movement in interstate commerce of any food, and the quantity,
1695 shipper and consignee thereof and, upon the request by an
1696 officer or employee duly designated by the department, permit
1697 the officer or employee to have access to and to copy all
1698 records showing the movement in interstate commerce of any food,
1699 and the quantity, shipper, and consignee thereof.

1700 Section 50. Subsection (1) of section 500.172, Florida
1701 Statutes, is amended to read:

1702 500.172 Embargoing, detaining, destroying of food, food
1703 processing equipment, or areas that are in violation.—

1704 (1) When the department, or its duly authorized agent who
1705 has received appropriate education and training regarding the
1706 legal requirements of this chapter, finds or has probable cause
1707 to believe that any food, food processing equipment, food
1708 processing area, or food storage area is in violation of this
1709 chapter or any rule adopted under this chapter so as to be
1710 dangerous, unwholesome, mislabeled, fraudulent, or insanitary
1711 within the meaning of this chapter, an agent of the department

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may issue and enforce a stop-sale, stop-use, removal, or hold order, which order gives notice that such article, processing equipment, processing area, or storage area is or is suspected of being in violation and has been detained or embargoed and which order warns all persons not to remove, use, or dispose of such article, processing equipment, processing area, or storage area by sale or otherwise until permission for removal, use, or disposal is given by the department or the court. The department is authorized to enter into a written agreement with the owner of such food, food processing equipment, food processing area, or food storage area, or otherwise facilitate the destruction of any article found or suspected by the department to be in violation of this section. A person may not remove, use, or dispose of such detained or embargoed article, processing equipment, processing area, or storage area by sale or otherwise without such permission from or in accordance with a written agreement with the department.

Section 51. Section 500.75, Florida Statutes, is created to read:

500.75 Mushrooms spores and mycelium; offenses.—It is unlawful to transport, import, sell, offer for sale, furnish, or give away spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance, including psilocybin or psilocyn, during its lifecycle. Every person who transports, imports into this state, sells, offers for sale, furnishes, gives away, or offers to transport, import into this state, sell, furnish, or give away any spores or mycelium capable of producing mushrooms or other material which will contain a controlled substance commits a misdemeanor of the

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1741 first degree, punishable as provided in s. 775.082 or s.
1742 775.083.

1743 Section 52. Section 500.93, Florida Statutes, is created to
1744 read:

1745 500.93 Mislabeling of plant-based products as milk, meat,
1746 or poultry.—

1747 (1) As used in this section, the term:

1748 (a) "FDA" means the United States Food and Drug
1749 Administration.

1750 (b) "Meat" has the same meaning as in 9 C.F.R. s. 301.2 and
1751 the Federal Meat Inspection Act.

1752 (c) "Milk" has the same meaning as in 21 C.F.R. s. 131.110
1753 and the Grade "A" pasteurized milk ordinance.

1754 (d) "Poultry" or "Poultry Product" has the same meaning as
1755 in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act.

1756 (2)(a) In accordance with the established standard of
1757 identity for milk defined in 21 C.F.R. s. 131.110 and the Grade
1758 "A" pasteurized milk ordinance, the department shall adopt rules
1759 to enforce the FDA's standard of identity for milk, as adopted
1760 in state law, to prohibit the sale of plant-based products
1761 mislabeled as milk in this state.

1762 (b) This subsection is effective upon the enactment into
1763 law of a mandatory labeling requirement to prohibit the sale of
1764 plant-based products mislabeled as milk that is consistent with
1765 this section by any 11 of the group of 14 states composed of
1766 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana,
1767 Maryland, Mississippi, Oklahoma, South Carolina, Tennessee,
1768 Texas, Virginia, and West Virginia.

1769 (3)(a) In accordance with the established standard of

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identity for meat defined in 9 C.F.R. s. 301.2 and the Federal Meat Inspection Act, and both poultry and poultry products defined in 9 C.F.R. s. 381.1 and the Poultry Products Inspection Act, the department shall adopt rules to enforce the FDA's standard of identity for meat, poultry, and poultry products as adopted in this section, to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products in this state.

(b) This subsection is effective upon the enactment into law of a mandatory labeling requirement to prohibit the sale of plant-based products mislabeled as meat, poultry, or poultry products which is consistent with this section by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(4) The Department of Agriculture and Consumer Services shall notify the Division of Law Revision upon the enactment into law by any 11 of the group of 14 states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia of the mandatory labeling requirements pursuant to subsections (2) and (3).

(5) The department shall adopt rules to implement this section.

(6) This section may not be construed to limit the department's authority to enforce its laws and regulations.

Section 53. Section 501.135, Florida Statutes, is repealed.

Section 54. Subsection (1) of section 501.912, Florida Statutes, is amended to read:

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501.912 Definitions.—As used in ss. 501.91-501.923:

(1) "Antifreeze" means any substance or preparation, including, but not limited to, coolant, antifreeze-coolant, antifreeze and summer coolant, or summer coolant, that is sold, distributed, or intended for use:

(a) As the cooling liquid, or to be added to the cooling liquid, in the cooling system of ~~internal combustion engines of~~ motor vehicles to prevent freezing of the cooling liquid or to lower its freezing point; or

(b) To raise the boiling point of water, aid in vehicle component cooling, or for the prevention of engine overheating, whether or not the liquid is used as a year-round cooling system fluid.

Section 55. Section 525.19, Florida Statutes, is created to read:

525.19 Petroleum registration.—

(1) The department shall create an annual petroleum registration program for petroleum owners or operators that own and operate vehicles for transporting petroleum products and shall adopt rules detailing the requirements for such registration that include, at minimum:

(a) Name of the petroleum owner or operator;

(b) Address of the petroleum owner or operator;

(c) Phone number of the petroleum owner or operator;

(d) E-mail address of the petroleum owner or operator;

(e) Requirements for the transfer switch;

(f) Fuel and petroleum infrastructure; and

(g) Fuel and petroleum inventory and delivery information.

(2) The registration program must be free for all

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registrants.

(3) The department has the authority to require registrants to provide updates related to the status of infrastructure, inventory, and delivery information during a state of emergency as declared by an executive order issued by the Governor.

Section 56. Section 526.147, Florida Statutes, is created to read:

526.147 Florida Retail Fuel Transfer Switch Modernization Grant Program.—

(1)(a) There is created, subject to appropriation, the Florida Retail Fuel Transfer Switch Modernization Grant Program within the Department of Agriculture and Consumer Services.

(b) The grant program shall provide grant funds, not to exceed \$10,000 per retail fuel facility, to be used for installation and equipment costs related to installing or modernizing transfer switch infrastructure at retail fuel facilities to allow for the continuity of fueling operations under generated power.

(c) The department shall award funds based upon the following criteria:

1. Up to \$10,000, of costs for transfer switch purchase and installation for retail fuel locations in fiscally constrained counties, as defined in s. 218.67.

2. Up to \$5,000, of costs for transfer switch purchase and installation for all other retail fuel locations.

(d) Retail fuel facilities which are awarded grant funds must comply with s. 526.143 and must install a transfer switch capable of operating all fuel pumps, dispensing equipment, life safety systems, and payment acceptance equipment using an

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1857 alternative generated power source.

1858 (e) Before being awarded funding from the department,
1859 retail fuel facilities must provide documentation on transfer
1860 switch installation and required generator sizing to the
1861 department.

1862 (f) Marinas and fueling facilities with fewer than 4
1863 fueling positions are excluded from being awarded funding
1864 through this program.

1865 (g) Fueling facilities subject to s. 526.143(2) are
1866 excluded from being awarded funding through this program.

1867 (2) The department, in consultation with the Division of
1868 Emergency Management, shall adopt rules to implement and
1869 administer this section, including establishing grant
1870 application processes for the Florida Retail Fuel Transfer
1871 Switch Modernization Grant Program. The rules must include
1872 application deadlines and establish the supporting documentation
1873 necessary to be provided to the department.

1874 Section 57. Section 531.48, Florida Statutes, is amended to
1875 read:

1876 531.48 Declarations of unit price on random packages.—In
1877 addition to the declarations required by s. 531.47, any package
1878 being one of a lot containing random weights of the same
1879 commodity ~~and bearing the total selling price of the package~~
1880 shall bear on the outside of the package a plain and conspicuous
1881 declaration of the price per single unit of weight and the total
1882 retail price of the package, as defined by department rule.

1883 Section 58. Section 531.49, Florida Statutes, is amended to
1884 read:

1885 531.49 Advertising packages for sale.—~~Whenever~~ A packaged

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commodity is ~~advertised in any manner with the retail price~~
~~stated, there shall be~~ closely and conspicuously associated with
the retail price must have a declaration of quantity as is
required by law or rule to appear on the package.

Section 59. Present subsections (44), (45), and (46) of
section 570.07, Florida Statutes, are redesignated as
subsections (46), (47), and (48), respectively, and new
subsections (44) and (45) are added to that section, to read:

570.07 Department of Agriculture and Consumer Services;
functions, powers, and duties.—The department shall have and
exercise the following functions, powers, and duties:

(44) (a) To foster and encourage the employment and
retention of qualified veterinary pathologists. The department
may reimburse the educational expenses of qualified veterinary
pathologists who enter into an agreement with the department to
retain employment for a specified period of time.

(b) The department shall adopt rules to administer this
subsection.

(45) Subject to appropriation, to extend state and national
Future Farmers of America opportunities to any public school
student enrolled in agricultural education, at little or no cost
to the student or school district, and to support statewide
Future Farmers of America programming that helps such students
develop their potential for premier leadership, personal growth,
and career success.

Section 60. Subsection (2) of section 570.544, Florida
Statutes, is amended to read:

570.544 Division of Consumer Services; director; powers;
processing of complaints; records.—

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(2) The director shall supervise, direct, and coordinate the activities of the division and shall, under the direction of the department, enforce the provisions of ss. 366.94 and ss. 604.15-604.34 and chapters 171, 472, 496, 501, 507, 525, 526, 527, 531, 534, 535, 539, 559, 616, 692, 817, and 849.

Section 61. Section 570.546, Florida Statutes, is created to read:

570.546 Licensing.—

(1) The department is authorized to:

(a) Create a process for the bulk renewal of licenses which will allow licensees the ability, upon request, to submit all license applications of the same type, notwithstanding any provisions of law applicable to each application process.

(b) Create a process that will allow licensees, upon request, to align the expiration dates of licenses within a statutory program.

(c) Change the expiration dates for current licensees for the purpose of reducing large numbers of license expirations that occur during the same month.

(2) The department shall prorate any licensing fee for which the term of the license was reduced for the purposes of alignment.

(3) The department shall adopt rules to implement this section.

Section 62. Section 570.822, Florida Statutes, is amended to read:

570.822 Agriculture and Aquaculture Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.—

(1) DEFINITIONS.—As used in this section, the term:

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(a) "Bona fide farm operation" means a farm operation engaged in a good faith commercial agricultural use of land on land classified as agricultural pursuant to s. 193.461 or on sovereign submerged land that is leased to the applicant by the department pursuant to s. 597.010 and that produces agricultural products within the definition of agriculture under s. 570.02.

(b) "Declared emergency ~~natural disaster~~" means an emergency ~~a natural disaster~~ for which a state of emergency is declared pursuant to s. 252.36 or s. 570.07(21).

(c) "Department" means the Department of Agriculture and Consumer Services.

(d) "Essential physical property" means fences; equipment; structural production facilities, such as shade houses and greenhouses; or other agriculture or aquaculture facilities or infrastructure.

(e) "Program" means the Agriculture and Aquaculture Producers Emergency ~~Natural Disaster~~ Recovery Loan Program.

(2) USE OF LOAN FUNDS; LOAN TERMS.—

(a) The program is established within the department to make loans to agriculture and aquaculture producers that have experienced damage or destruction from a declared emergency ~~natural disaster~~. Loan funds may be used to restore, repair, or replace essential physical property or remove vegetative debris from essential physical property, or restock aquaculture. A structure or building constructed using loan proceeds must comply with storm-hardening standards for nonresidential farm buildings as defined in s. 604.50(2). The department shall adopt such standards by rule.

(b) The department may make a low-interest or interest-free

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loan to an eligible applicant. The maximum amount that an applicant may receive during the application period for a loan is \$500,000. An applicant may not receive more than one loan per application period and no more than two loans per year or no more than five loans in any 3-year period. A loan term is 10 years.

(3) ELIGIBLE APPLICANTS.—To be eligible for the program, an applicant must:

(a) Own or lease a bona fide farm operation that is located in a county named in a declared emergency ~~natural disaster~~ and that was damaged or destroyed as a result of such declared emergency ~~natural disaster~~.

(b) Maintain complete and acceptable farm records, pursuant to criteria published by the department, and present them as proof of production levels and bona fide farm operations.

(4) LOAN APPLICATION AND AGREEMENT.—

(a) Requests for loans must be made by application to the department. Upon a determination that funding for loans is available, the department shall publicly notice an application period for the declared emergency ~~natural disaster~~, beginning within 60 days after the date of the declared emergency ~~natural disaster~~ and running up to 1 year after the date of the declared emergency ~~natural disaster~~ or until all available loan funds are exhausted, whichever occurs first. The application may be renewed upon a determination from the department and an active declared emergency declaration.

(b) An applicant must demonstrate the need for financial assistance and an ability to repay or meet a standard credit rating determined by the department.

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(c) Loans must be made pursuant to written agreements specifying the terms and conditions agreed to by the approved applicant and the department. The loan agreement must specify that the loan is due upon sale if the property or other collateral for the loan is sold.

(d) An approved applicant must agree to stay in production for the duration of the loan. A loan is not assumable.

(5) LOAN SECURITY REQUIREMENTS.—All loans must be secured by a lien, subordinate only to any mortgage held by a financial institution as defined in s. 655.005, on property or other collateral as set forth in the loan agreement. The specific type of collateral required may vary depending upon the loan purpose, repayment ability, and the particular circumstances of the applicant. The department shall record the lien in public records in the county where the property is located and, in the case of personal property, perfect the security interest by filing appropriate Uniform Commercial Code forms with the Florida Secured Transaction Registry as required pursuant to chapter 679.

(6) LOAN REPAYMENT.—

(a) A loan is due and payable in accordance with the terms of the loan agreement.

(b) The department shall defer payments for the first 3 years of the loan. After 3 years, the department shall reduce the principal balance annually through the end of the loan term such that the original principal balance is reduced by 30 percent. If the principal balance is repaid before the end of the 10th year, the applicant may not be required to pay more than 70 percent of the original principal balance. The approved

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applicant must continue to be actively engaged in production in order to receive the original principal balance reductions and must continue to meet the loan agreement terms to the satisfaction of the department.

(c) An approved applicant may make payments on the loan at any time without penalty. Early repayment is encouraged as other funding sources or revenues become available to the approved applicant.

(d) All repayments of principal and interest, if applicable, received by the department in a fiscal year must be returned to the loan fund and made available for loans to other applicants in the next application period.

(e) The department may periodically review an approved applicant to determine whether he or she continues to be in compliance with the terms of the loan agreement. If the department finds that an applicant is no longer in production or has otherwise violated the loan agreement, the department may seek repayment of the full original principal balance outstanding, including any interest or costs, as applicable, and excluding any applied or anticipated original principal balance reductions.

(f) The department may defer or waive loan payments if at any time during the repayment period of a loan, the approved applicant experiences a significant hardship such as crop loss from a weather-related event or from impacts from a natural disaster or declared emergency.

(7) ADMINISTRATION.—

(a) The department shall create and maintain a separate account in the General Inspection Trust Fund as a fund for the

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program. All repayments must be returned to the loan fund and made available as provided in this section. Notwithstanding s. 216.301, funds appropriated for the loan program are not subject to reversion. The department shall manage the fund, establishing loan practices that must include, but are not limited to, procedures for establishing loan interest rates, uses of funding, application procedures, and application review procedures. The department is authorized to contract with a third-party administrator to administer the program and manage the loan fund. A contract for a third-party administrator that includes management of the loan fund must, at a minimum, require maintenance of the loan fund to ensure that the program may operate in a revolving manner.

(b) The department shall coordinate with other state agencies and other entities to ensure to the greatest extent possible that agriculture and aquaculture producers in this state have access to the maximum financial assistance available following a declared emergency ~~natural disaster~~. The coordination must endeavor to ensure that there is no duplication of financial assistance between the loan program and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which could render the approved applicant ineligible for other financial assistance.

(8) PUBLIC RECORDS EXEMPTION.—

(a) The following information held by the department pursuant to its administration of the program is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

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1. Tax returns.

2. Credit history information, credit reports, and credit scores.

(b) This subsection does not prohibit the disclosure of information held by the department pursuant to its administration of the program in an aggregated and anonymized format.

(c) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

(9) RULES.—The department shall adopt rules to implement this section.

(10) REPORTS.—By December 1, 2024, and each December 1 thereafter, the department shall provide a report on program activities during the previous fiscal year to the President of the Senate and the Speaker of the House of Representatives. The report must include information on noticed application periods, the number and value of loans awarded under the program for each application period, the number and value of loans outstanding, the number and value of any loan repayments received, and an anticipated repayment schedule for all loans.

(11) SUNSET.—This section expires July 1, 2043, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 63. Section 570.823, Florida Statutes, is created to read:

570.823 Silviculture emergency recovery program.—

(1) DEFINITIONS.—As used in this section, the term:

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(a) "Bona fide farm operation" means a farm operation engaged in a good faith commercial agricultural use of land on land classified as agricultural pursuant to s. 193.461 that produces agricultural products within the definition of agriculture under s. 570.02.

(b) "Declared emergency" means an emergency for which a state of emergency is declared pursuant to s. 252.36 or s. 570.07(21).

(c) "Department" means the Department of Agriculture and Consumer Services.

(d) "Program" means the Silviculture Emergency Recovery Program.

(2) USE OF GRANT FUNDS; GRANT TERMS.—

(a) The silviculture emergency recovery program is established within the department to administer a grant program to assist timber landowners whose timber land was damaged as a result of a declared emergency. Grants provided to eligible timber landowners must be used for:

1. Timber stand restoration, including downed tree removal on land which will retain the existing trees on site which are lightly or completely undamaged; or

2. Site preparation, and tree replanting.

3. Road and trail clearing on private timber lands to provide emergency access and facilitate salvage operations.

(b) Only timber land located on lands classified as agricultural lands under s. 193.461 are eligible for the program.

(c) The department shall coordinate with state agencies and other entities to ensure to the greatest extent possible that

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timber landowners have access to the maximum financial assistance available following a specified declared emergency. The coordination must endeavor to ensure that there is no duplication of financial assistance between these funds and other funding sources, such as any federal or other state programs, including public assistance requests to the Federal Emergency Management Agency or financial assistance from the United States Department of Agriculture, which would render the approved applicant ineligible for other financial assistance.

(d) The department is authorized to adopt rules to implement this section, including emergency rules. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

Section 64. Subsections (2) and (5) of section 581.1843, Florida Statutes, are amended to read:

581.1843 Citrus nursery stock propagation and production and the establishment of regulated areas around citrus nurseries.—

(2) Effective January 1, 2007, it is unlawful for any person to propagate for sale or movement any citrus nursery stock that was not propagated or grown on a site and within a protective structure approved by the department ~~and that is not at least 1 mile away from commercial citrus groves. A citrus nursery registered with the department prior to April 1, 2006, shall not be required to comply with the 1-mile setback from commercial citrus groves while continuously operating at the~~

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2176 ~~same location for which it was registered.~~ However, the nursery
2177 shall be required to propagate citrus within a protective
2178 structure approved by the department. Effective January 1, 2008,
2179 it is ~~shall be~~ unlawful to distribute any citrus nursery stock
2180 that was not produced in a protective structure approved by the
2181 department.

2182 ~~(5) The department shall establish regulated areas around~~
2183 ~~the perimeter of commercial citrus nurseries that were~~
2184 ~~established on sites after April 1, 2006, not to exceed a radius~~
2185 ~~of 1 mile. The planting of citrus in an established regulated~~
2186 ~~area is prohibited. The planting of citrus within a 1-mile~~
2187 ~~radius of commercial citrus nurseries that were established on~~
2188 ~~sites prior to April 1, 2006, must be approved by the~~
2189 ~~department. Citrus plants planted within a regulated area prior~~
2190 ~~to the establishment of the regulated area may remain in the~~
2191 ~~regulated area unless the department determines the citrus~~
2192 ~~plants to be infected or infested with citrus canker or citrus~~
2193 ~~greening. The department shall require the removal of infected~~
2194 ~~or infested citrus, nonapproved planted citrus, and citrus that~~
2195 ~~has sprouted by natural means in regulated areas. The property~~
2196 ~~owner shall be responsible for the removal of citrus planted~~
2197 ~~without proper approval. Notice of the removal of citrus trees,~~
2198 ~~by immediate final order of the department, shall be provided to~~
2199 ~~the owner of the property on which the trees are located. An~~
2200 ~~immediate final order issued by the department under this~~
2201 ~~section shall notify the property owner that the citrus trees,~~
2202 ~~which are the subject of the immediate final order, must be~~
2203 ~~removed and destroyed unless the property owner, no later than~~
2204 ~~10 days after delivery of the immediate final order, requests~~

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and obtains a stay of the immediate final order from the district court of appeal with jurisdiction to review such requests. The property owner shall not be required to seek a stay from the department of the immediate final order prior to seeking a stay from the district court of appeal.

Section 65. Sections 593.101, 593.102, 593.103, 593.104, 593.105, 593.106, 593.107, 593.108, 593.109, 593.11, 593.111, 593.112, 593.113, 593.114, 593.1141, 593.1142, 593.115, 593.116, and 593.117, Florida Statutes, are repealed.

Section 66. Subsection (11) of section 595.404, Florida Statutes, is amended to read:

595.404 School food and other nutrition programs; powers and duties of the department.—The department has the following powers and duties:

(11) To adopt and implement an appeal process by rule, as required by federal regulations, for applicants and participants under the programs implemented pursuant to this chapter, notwithstanding ss. 120.569, 120.57-120.595, and 120.68 ~~ss. 120.569 and 120.57-120.595.~~

Section 67. Section 599.002, Florida Statutes, is amended to read:

599.002 Florida Wine Viticulture ~~Viticulture~~ Advisory Council.—

(1) There is created within the Department of Agriculture and Consumer Services the Florida Wine Viticulture ~~Viticulture~~ Advisory Council, to consist of eight members as follows: the president of the Florida Wine and Grape Growers Association ~~Florida Grape Growers' Association~~ or a designee thereof; a representative from the Institute of Food and Agricultural Sciences; a representative from the viticultural science program at Florida

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Agricultural and Mechanical University; and five additional commercial members, to be appointed for a 2-year term each by the Commissioner of Agriculture, including a wine producer, a fresh fruit producer, a nonwine product (juice, jelly, pie fillings, etc.) producer, and a viticultural nursery operator.

(2) The meetings, powers and duties, procedures, and recordkeeping of the Florida Wine ~~Viticulture~~ Advisory Council shall be pursuant to s. 570.232.

(3) The primary responsibilities of the Florida Wine ~~Viticulture~~ Advisory Council are to submit to the Commissioner of Agriculture, annually, the industry's recommendations for wine and viticultural research, promotion, and education and, as necessary, the industry's recommendations for revisions to the State Wine ~~Viticulture~~ Plan.

Section 68. Section 599.003, Florida Statutes, is amended to read:

599.003 State Wine ~~Viticulture~~ Plan.—

(1) The Commissioner of Agriculture, in consultation with the Florida Wine ~~Viticulture~~ Advisory Council, shall develop and coordinate the implementation of the State Wine ~~Viticulture~~ Plan, which shall identify problems and constraints of the wine and viticulture industry, propose possible solutions to those problems, and develop planning mechanisms for the orderly growth of the industry, including:

(a) Criteria for wine and viticultural research, service, and management priorities.

(b) Additional proposed legislation that may be required.

(c) Plans and goals to improve research and service capabilities at Florida Agricultural and Mechanical University

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and the University of Florida in their efforts to address current and future needs of the industry.

(d) The potential for viticulture products in terms of market and needs for development.

(e) Evaluation of wine policy alternatives, including, but not limited to, continued improvement in wine quality, blending considerations, promotion and advertising, labeling and vineyard designations, and development of production and marketing strategies.

(f) Evaluation of production and fresh fruit policy alternatives, including, but not limited to, setting minimum grades and standards, promotion and advertising, development of production and marketing strategies, and setting minimum standards on types and quality of nursery plants.

(g) Evaluation of policy alternatives for nonwine processed products, including, but not limited to, setting minimum quality standards and development of production and marketing strategies.

(h) Research and service priorities for further development of the wine and viticulture industry.

(i) The identification of state agencies and public and private institutions concerned with research, education, extension, services, planning, promotion, and marketing functions related to wine and viticultural development and the delineation of contributions and responsibilities.

(j) Business planning, investment potential, financial risks, and economics of production and utilization.

(2) A revision and update of the State Wine ~~Viticulture~~ Plan shall be submitted biennially to the President of the

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Senate, the Speaker of the House of Representatives, and the chairs of appropriate committees of the Senate and House of Representatives, and a progress report and budget request shall be submitted annually.

Section 69. Paragraph (a) of subsection (2) and subsection (3) of section 599.004, Florida Statutes, are amended, and paragraph (d) is added to subsection (2) of that section, to read:

599.004 Florida Farm Winery Program; registration; logo; fees.—

(2)(a) The department, in coordination with the Florida Wine Viticulture Advisory Council, shall develop and designate by rule a Florida Farm Winery logo, emblem, and directional sign to guide the public to certified Florida Farm Wineries ~~Winery~~ ~~tourist attractions~~. The logo and emblem of certified Florida Farm Winery signs shall be uniform.

(d) Wineries that fail to recertify annually or pay the licensing fee required in paragraph (c) are subject to having the signs referenced in paragraph (b) removed and will be responsible for all costs incurred by the Department of Transportation in connection with the removal.

(3) All fees collected, except as otherwise provided by this section, shall be deposited into the Florida Wine Viticulture Trust Fund and used to develop consumer information on the native characteristics and proper use of wines.

Section 70. Paragraph (a) of subsection (1) of section 599.012, Florida Statutes, is amended to read:

599.012 Wine ~~Viticulture~~ Trust Fund; creation.—

(1) There is established the Viticulture Trust Fund within

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the Department of Agriculture and Consumer Services. The department shall use the moneys deposited in the trust fund pursuant to subsection (2) to do all the following:

(a) Develop and coordinate the implementation of the State Viticulture Plan.

Section 71. Subsection (1) of section 616.12, Florida Statutes, is amended to read:

616.12 Licenses upon certain shows; distribution of fees; exemptions.—

(1) Each person who operates any traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession, including a concession operating in a tent, enclosure, or other temporary structure, within the grounds of, and in connection with, any annual public fair held by a fair association shall pay the license taxes provided by law.

However, if the association satisfies the requirements of this chapter, including securing the required fair permit from the department, the license taxes and local business tax authorized in chapter 205 are waived and the department shall issue a tax exemption certificate. The department shall adopt the proper forms and rules to administer this section, including the necessary tax exemption certificate, showing that the fair association has met all requirements and that the traveling show, exhibition, amusement enterprise, carnival, vaudeville, exhibit, ~~minstrel~~, rodeo, theatrical, game or test of skill, riding device, dramatic repertoire, other show or amusement, or concession is exempt.

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Section 72. Section 687.16, Florida Statutes, is created to read:

687.16 Florida Farmer Financial Protection Act.—

(1) SHORT TITLE.—This section may be cited as the “Florida Farmer Financial Protection Act.”

(2) DEFINITIONS.—

(a) “Agritourism activity” has the same meaning as provided in s. 570.86.

(b) “Agriculture producer” means a person or company authorized to do business in this state and engaged in the production of goods derived from plants or animals, including, but not limited to, the growing of crops, silviculture, animal husbandry, or the production of livestock or dairy products.

(c) “Commissioner” means the Commissioner of Agriculture.

(d) “Company” means a for-profit organization, association, corporation, partnership, joint venture, sole proprietorship, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations authorized to do business in this state.

(e) “Denies or restricts” means refusing to provide services, terminating existing services, or restricting or burdening the scope or nature of services offered or provided.

(f) “Discriminate in the provision of financial services” means to deny or restrict services and thereby decline to provide financial services.

(g) “ESG factor” means any factor or consideration that is collateral to or not reasonably likely to affect or impact

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financial risk and includes the promotion, furtherance, or achievement of environmental, social, or political goals, objectives, or outcomes, which may include the agriculture producer's greenhouse gas emissions, use of fossil-fuel derived fertilizer, or use of fossil-fuel powered machinery.

(h) "Farm" means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.

(i) "Financial institution" means a company authorized to do business in this state which has total assets of more than \$100 million and offers financial services. A financial institution includes any affiliate or subsidiary company, even if that affiliate or subsidiary company is also a financial institution.

(j) "Financial service" means any product or service that is of a financial nature and is offered by a financial institution.

(3) FINANCIAL DISCRIMINATION; AGRICULTURAL PRODUCERS.—

(a) A financial institution may not discriminate in the provision of financial services to an agriculture producer based, in whole or in part, upon an ESG factor.

(b) If a financial institution has made any ESG commitment related to agriculture, there is an inference that the institution's denial or restriction of a financial service to an agriculture producer violates paragraph (a).

(c) A financial institution may overcome the inference in paragraph (b) by demonstrating that its denial or restriction of a financial service was based solely on documented risk analysis, and not on any ESG factor.

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(4) ENFORCEMENT; COMPENSATORY DAMAGES.—The Attorney General, in consultation with the Office of Financial Regulation, is authorized to enforce subsection (3). Any violation of subsection (3) constitutes an unfair trade practice under part II of chapter 501 and the Attorney General is authorized to investigate and seek remedies as provided in general law. Actions for damages may be sought by an aggrieved party.

Section 73. Paragraph (a) of subsection (3) of section 741.0305, Florida Statutes, is amended to read:

741.0305 Marriage fee reduction for completion of premarital preparation course.—

(3)(a) All individuals electing to participate in a premarital preparation course shall choose from the following list of qualified instructors:

1. A psychologist licensed under chapter 490.
2. A clinical social worker licensed under chapter 491.
3. A marriage and family therapist licensed under chapter 491.
4. A mental health counselor licensed under chapter 491.
5. An official representative of a religious institution which is recognized under s. 496.404 ~~s. 496.404(23)~~, if the representative has relevant training.
6. Any other provider designated by a judicial circuit, including, but not limited to, school counselors who are certified to offer such courses. Each judicial circuit may establish a roster of area course providers, including those who offer the course on a sliding fee scale or for free.

Section 74. Paragraph (h) of subsection (2), subsection

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(3), paragraph (c) of subsection (6), and subsection (10) of section 790.06, Florida Statutes, are amended to read:

790.06 License to carry concealed weapon or concealed firearm.—

(2) The Department of Agriculture and Consumer Services shall issue a license if the applicant:

(h) Demonstrates competence with a firearm by any one of the following:

1. Completion of any hunter education or hunter safety course approved by the Fish and Wildlife Conservation Commission or a similar agency of another state;

2. Completion of any National Rifle Association firearms safety or training course;

3. Completion of any firearms safety or training course or class available to the general public offered by a law enforcement agency, junior college, college, or private or public institution or organization or firearms training school, using instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

5. Presents evidence of equivalent experience with a firearm through participation in organized shooting competition or United States military service;

6. Is licensed or has been licensed to carry a concealed weapon or concealed firearm in this state or a county or

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municipality of this state, unless such license has been revoked for cause; or

7. Completion of any firearms training or safety course or class conducted by a state-certified or National Rifle Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses or classes; an affidavit from the instructor, school, club, organization, or group that conducted or taught such course or class attesting to the completion of the course or class by the applicant; or a copy of any document that shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph. A person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm in his or her physical presence and that the discharge of the firearm included live fire using a firearm and ammunition as defined in s. 790.001;

(3)(a) The Department of Agriculture and Consumer Services shall deny a license if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged. The Department of Agriculture and Consumer Services shall revoke a license if the licensee has been found guilty of, had

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adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence within the preceding 3 years. The department shall, upon notification by a law enforcement agency, a court, clerk's office, or the Florida Department of Law Enforcement ~~and subsequent written verification~~, temporarily suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case. The department shall suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence. The department shall notify the licensee or applicant suspended under this section of his or her right to a hearing pursuant to chapter 120. A hearing conducted regarding the temporary suspension must be for the limited purpose of determining whether the licensee has been arrested or charged with a disqualifying crime or issued an injunction or court order. If the criminal case or injunction results in a nondisqualifying disposition, the department must issue an order lifting the suspension upon the applicant or licensee's submission to the department of a certified copy of the final resolution. If the criminal case results in a disqualifying disposition, the suspension remains in effect and the department must proceed with denial or revocation proceedings pursuant to chapter 120.

(b) This subsection may not be construed to limit, restrict, or inhibit the constitutional right to bear arms and

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2524 carry a concealed weapon in this state. The Legislature finds it
2525 a matter of public policy and public safety that it is necessary
2526 to ensure that potentially disqualifying information about an
2527 applicant or licensee is investigated and processed in a timely
2528 manner by the department pursuant to this section. The
2529 Legislature intends to clarify that suspensions pursuant to this
2530 section are temporary, and the department has the duty to make
2531 an eligibility determination and issue a license in the time
2532 frame prescribed in this subsection.

2533 (6)

2534 (c) The Department of Agriculture and Consumer Services
2535 shall, within 90 days after the date of receipt of the items
2536 listed in subsection (5):

2537 1. Issue the license; or

2538 2. Deny the application based solely on the ground that the
2539 applicant fails to qualify under the criteria listed in
2540 subsection (2) or subsection (3). If the Department of
2541 Agriculture and Consumer Services denies the application, it
2542 shall notify the applicant in writing, stating the ground for
2543 denial and informing the applicant of any right to a hearing
2544 pursuant to chapter 120.

2545 3. In the event the result of the criminal history
2546 screening identifies ~~department receives~~ criminal history
2547 information related to a crime that may disqualify the applicant
2548 but does not contain ~~with no final disposition of the crime or~~
2549 lacks sufficient information to make an eligibility
2550 determination ~~on a crime which may disqualify the applicant,~~ the
2551 time limitation prescribed by this paragraph may be extended for
2552 up to an additional 90 days from the receipt of the information

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~~suspended until receipt of the final disposition or proof of~~
~~restoration of civil and firearm rights. The department may make~~
~~a request for information to the jurisdiction where the criminal~~
~~history information originated but shall issue a license if it~~
~~does not obtain a disposition or sufficient information to make~~
~~an eligibility determination within the additional 90 days if~~
~~the applicant is otherwise eligible. The department shall take~~
~~any action authorized in this section if it receives~~
~~disqualifying criminal history information during the additional~~
~~90-day review or after issuance of a license.~~

(10) A license issued under this section shall be
temporarily suspended as provided for in subparagraph (6)(c)3.,
or revoked pursuant to chapter 120 if the license was issued in
error or if the licensee:

(a) Is found to be ineligible under the criteria set forth
in subsection (2);

(b) Develops or sustains a physical infirmity which
prevents the safe handling of a weapon or firearm;

(c) Is convicted of a felony which would make the licensee
ineligible to possess a firearm pursuant to s. 790.23;

(d) Is found guilty of a crime under chapter 893, or
similar laws of any other state, relating to controlled
substances;

(e) Is committed as a substance abuser under chapter 397,
or is deemed a habitual offender under s. 856.011(3), or similar
laws of any other state;

(f) Is convicted of a second violation of s. 316.193, or a
similar law of another state, within 3 years after a first
conviction of such section or similar law of another state, even

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though the first violation may have occurred before the date on which the application was submitted;

(g) Is adjudicated an incapacitated person under s. 744.331, or similar laws of any other state; or

(h) Is committed to a mental institution under chapter 394, or similar laws of any other state.

Notwithstanding s. 120.60(5), service of a notice of the suspension or revocation of a concealed weapon or concealed firearm license must be given by either certified mail, return receipt requested, to the licensee at his or her last known mailing address furnished to the Department of Agriculture and Consumer Services, or by personal service. If a notice given by certified mail is returned as undeliverable, a second attempt must be made to provide notice to the licensee at that address, by either first-class mail in an envelope, postage prepaid, addressed to the licensee at his or her last known mailing address furnished to the department, or, if the licensee has provided an e-mail address to the department, by e-mail. Such mailing by the department constitutes notice, and any failure by the licensee to receive such notice does not stay the effective date or term of the suspension or revocation. A request for hearing must be filed with the department within 21 days after notice is received by personal delivery, or within 26 days after the date the department deposits the notice in the United States mail (21 days plus 5 days for mailing). The department shall document its attempts to provide notice, and such documentation is admissible in the courts of this state and constitutes sufficient proof that notice was given.

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Section 75. Paragraph (f) of subsection (3) of section 790.33, Florida Statutes, is amended to read:

790.33 Field of regulation of firearms and ammunition preempted.—

(3) PROHIBITIONS; PENALTIES.—

(f)1. A person or an organization whose membership is adversely affected by any ordinance, regulation, measure, directive, rule, enactment, order, or policy, whether written or unwritten, promulgated or caused to be enforced in violation of this section may file suit against any county, agency, municipality, district, or other entity in any court of this state having jurisdiction over any defendant to the suit for declaratory and injunctive relief and for actual damages, as limited herein, caused by the violation. Civil fines assessed pursuant to paragraph (3) (c) and any attorney fees and costs shall be assessed only upon a finding that the entity received notice of the local ordinance or administrative rule or regulation impinging upon such exclusive occupation of the field of regulation of firearms and ammunition at least 30 days before a suit under this paragraph was filed and that the entity failed to change the ordinance, regulation, measure, directive, rule, enactment, order, or policy within that 30-day period. A court shall award the prevailing party ~~plaintiff~~ in any such suit:

a. Reasonable attorney fees and costs in accordance with the laws of this state, including a contingency fee multiplier, as authorized by law; and

b. The actual damages incurred, but not more than \$100,000.

2. If after the filing of a complaint a defendant voluntarily changes the ordinance, regulation, measure,

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directive, rule, enactment, order, or policy, written or
unwritten, promulgated or caused to be enforced in violation of
this section, with or without court action, the plaintiff is
considered a prevailing plaintiff for purposes of this section.

Interest on the sums awarded pursuant to this subsection shall
accrue at the legal rate from the date on which suit was filed.

Section 76. Subsection (2) of section 812.0151, Florida
Statutes, is amended to read:

812.0151 Retail fuel theft.—

(2)(a) A person commits a felony of the third degree,
punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
if he or she willfully, knowingly, and without authorization:

1. Breaches a retail fuel dispenser or accesses any
internal portion of a retail fuel dispenser; or

2. Possesses any device constructed for the purpose of
fraudulently altering, manipulating, or interrupting the normal
functioning of a retail fuel dispenser.

3. Possesses any form of a payment instrument that can be
used, alone or in conjunction with another access device, to
authorize a fuel transaction or obtain fuel, including, but not
limited to, a plastic payment card with a magnetic stripe or a
chip encoded with account information or both, with the intent
to defraud the fuel retailer, the authorized payment instrument
financial account holder, or the banking institution that issued
the payment instrument financial account.

(b) A person commits a felony of the second degree,
punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
if he or she willfully, knowingly, and without authorization:

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1. Physically tampers with, manipulates, removes, replaces, or interrupts any mechanical or electronic component located on ~~within~~ the internal or external portion of a retail fuel dispenser; or

2. Uses any form of electronic communication to fraudulently alter, manipulate, or interrupt the normal functioning of a retail fuel dispenser.

(c) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she:

1. Obtains fuel as a result of violating paragraph (a) or paragraph (b); ~~or~~

2. Modifies a vehicle's factory installed fuel tank or possesses any item used to hold fuel which was not fitted to a vehicle or conveyance at the time of manufacture with the intent to use such fuel tank or item to hold or transport fuel obtained as a result of violating paragraph (a) or paragraph (b); or

3. Uses any form of a payment instrument that can be used, alone or in conjunction with another access device, to authorize a fuel transaction or obtain fuel, including, but not limited to, a plastic payment card with a magnetic stripe or a chip encoded with account information or both, with the intent to defraud the fuel retailer, the authorized payment instrument financial account holder, or the banking institution that issued the payment instrument financial account.

Section 77. Section 812.136, Florida Statutes, is created to read:

812.136 Mail theft.—

(1) As used in this section, unless the context otherwise

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requires:

(a) "Mail" means any letter, postal card, parcel, envelope, package, bag, or any other sealed article addressed to another, along with its contents.

(b) "Mail depository" means a mail box, letter box, mail route, or mail receptacle of a postal service, an office of a postal service, or mail carrier of a postal service, or a vehicle of a postal service.

(c) "Postal service" means the United States Postal Service or its contractors, or any commercial courier that delivers mail.

(2) Any of the following acts shall constitute mail theft:

(a) Removing mail from a mail depository or taking mail from a mail carrier of a postal service with an intent to steal.

(b) Obtaining custody of mail by fraud or deception with an intent to steal.

(c) Selling, receiving, possessing, transferring, buying, or concealing mail obtained by acts described in paragraph (a) or paragraph (b) of this subsection, while knowing or having reason to know the mail was obtained illegally.

(3) Any of the following shall constitute theft of or unauthorized reproduction of a mail depository key or lock:

(a) Stealing or obtaining by false pretense any key or lock adopted by a postal service for a mail depository or other authorized receptacle for the deposit or delivery of mail.

(b) Knowingly and unlawfully making, forging, or counterfeiting any such key or possessing any such key or lock adopted by a postal service with the intent to unlawfully or improperly use, sell, or otherwise dispose of the key or lock,

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or to cause the key or lock to be unlawfully or improperly used,
sold, or otherwise disposed.

(4) The first violation of this section shall constitute a
misdemeanor of the first degree, punishable by a term of
imprisonment not exceeding 1 year pursuant to s. 775.082(4)(a)
or a fine not to exceed \$1,000 pursuant to s. 775.083(1)(d), or
both. A second or subsequent violation of this section shall
constitute a felony of the third degree, punishable by a term of
imprisonment not exceeding 5 years pursuant to s. 775.82(3)(e)
or a fine not to exceed \$5,000 pursuant to s. 775.083(1)(c), or
both.

Section 78. Section 1013.373, Florida Statutes, is created
to read:

1013.373 Educational facilities used for agricultural
education.—

(1) Notwithstanding any other provision of law, a local
government may not adopt any ordinance, regulation, rule, or
policy to prohibit, restrict, regulate, or otherwise limit any
activities of public educational facilities and auxiliary
facilities constructed by a board for agricultural education,
for Future Farmers of America or 4-H activities, or the storage
of any animals or equipment therein.

(2) Lands used for agricultural education or for Future
Farmers of America or 4-H activities shall be considered
agricultural lands pursuant to s. 193.461 and subject to s.
823.14.

Section 79. For the purpose of incorporating the amendment
made by this act to section 110.205, Florida Statutes, in a
reference thereto, paragraph (a) of subsection (5) of section

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295.07, Florida Statutes, is reenacted to read:

295.07 Preference in appointment and retention.—

(5) The following positions are exempt from this section:

(a) Those positions that are exempt from the state Career Service System under s. 110.205(2); however, all positions under the University Support Personnel System of the State University System as well as all Career Service System positions under the Florida College System and the School for the Deaf and the Blind, or the equivalent of such positions at state universities, Florida College System institutions, or the School for the Deaf and the Blind, are not exempt.

Section 80. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (r) of subsection (1) of section 125.01, Florida Statutes, is reenacted to read:

125.01 Powers and duties.—

(1) The legislative and governing body of a county shall have the power to carry on county government. To the extent not inconsistent with general or special law, this power includes, but is not restricted to, the power to:

(r) Levy and collect taxes, both for county purposes and for the providing of municipal services within any municipal service taxing unit, and special assessments; borrow and expend money; and issue bonds, revenue certificates, and other obligations of indebtedness, which power shall be exercised in such manner, and subject to such limitations, as may be provided by general law. There shall be no referendum required for the levy by a county of ad valorem taxes, both for county purposes and for the providing of municipal services within any municipal

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service taxing unit.

1. Notwithstanding any other provision of law, a county may not levy special assessments on lands classified as agricultural lands under s. 193.461 unless the revenue from such assessments has been pledged for debt service and is necessary to meet obligations of bonds or certificates issued by the county which remain outstanding on July 1, 2023, including refundings thereof for debt service savings where the maturity of the debt is not extended. For bonds or certificates issued after July 1, 2023, special assessments securing such bonds may not be levied on lands classified as agricultural under s. 193.461.

2. The provisions of subparagraph 1. do not apply to residential structures and their curtilage.

Section 81. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraphs (a) through (d) of subsection (3) of section 163.3162, Florida Statutes, are reenacted to read:

163.3162 Agricultural lands and practices.—

(3) DUPLICATION OF REGULATION.—Except as otherwise provided in this section and s. 487.051(2), and notwithstanding any other law, including any provision of chapter 125 or this chapter:

(a) A governmental entity may not exercise any of its powers to adopt or enforce any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if such activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 120 by the Department of Environmental Protection,

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the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or if such activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.

(b) A governmental entity may not charge a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if such agricultural activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or if such agricultural activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.

(c) A governmental entity may not charge an assessment or fee for stormwater management on a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if the farm operation has a National Pollutant Discharge Elimination System permit, environmental resource permit, or works-of-the-district permit or implements best management practices adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program.

(d) For each governmental entity that, before March 1, 2009, adopted a stormwater utility ordinance or resolution,

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adopted an ordinance or resolution establishing a municipal services benefit unit, or adopted a resolution stating the governmental entity's intent to use the uniform method of collection pursuant to s. 197.3632 for such stormwater ordinances, the governmental entity may continue to charge an assessment or fee for stormwater management on a bona fide farm operation on land classified as agricultural pursuant to s. 193.461, if the ordinance or resolution provides credits against the assessment or fee on a bona fide farm operation for the water quality or flood control benefit of:

1. The implementation of best management practices adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program;

2. The stormwater quality and quantity measures required as part of a National Pollutant Discharge Elimination System permit, environmental resource permit, or works-of-the-district permit; or

3. The implementation of best management practices or alternative measures which the landowner demonstrates to the governmental entity to be of equivalent or greater stormwater benefit than those provided by implementation of best management practices adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program, or stormwater quality and quantity measures required as part of a National Pollutant Discharge Elimination System permit, environmental resource

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2872 permit, or works-of-the-district permit.

2873 Section 82. For the purpose of incorporating the amendment
2874 made by this act to section 193.461, Florida Statutes, in a
2875 reference thereto, paragraph (c) of subsection (3) of section
2876 163.3163, Florida Statutes, is reenacted to read:

2877 163.3163 Applications for development permits; disclosure
2878 and acknowledgment of contiguous sustainable agricultural land.—

2879 (3) As used in this section, the term:

2880 (c) "Sustainable agricultural land" means land classified
2881 as agricultural land pursuant to s. 193.461 which is used for a
2882 farm operation that uses current technology, based on science or
2883 research and demonstrated measurable increases in productivity,
2884 to meet future food, feed, fiber, and energy needs, while
2885 considering the environmental impacts and the social and
2886 economic benefits to the rural communities.

2887 Section 83. For the purpose of incorporating the amendment
2888 made by this act to section 193.461, Florida Statutes, in a
2889 reference thereto, subsection (4) of section 163.3164, Florida
2890 Statutes, is reenacted to read:

2891 163.3164 Community Planning Act; definitions.—As used in
2892 this act:

2893 (4) "Agricultural enclave" means an unincorporated,
2894 undeveloped parcel that:

2895 (a) Is owned by a single person or entity;

2896 (b) Has been in continuous use for bona fide agricultural
2897 purposes, as defined by s. 193.461, for a period of 5 years
2898 prior to the date of any comprehensive plan amendment
2899 application;

2900 (c) Is surrounded on at least 75 percent of its perimeter

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by:

1. Property that has existing industrial, commercial, or residential development; or

2. Property that the local government has designated, in the local government's comprehensive plan, zoning map, and future land use map, as land that is to be developed for industrial, commercial, or residential purposes, and at least 75 percent of such property is existing industrial, commercial, or residential development;

(d) Has public services, including water, wastewater, transportation, schools, and recreation facilities, available or such public services are scheduled in the capital improvement element to be provided by the local government or can be provided by an alternative provider of local government infrastructure in order to ensure consistency with applicable concurrency provisions of s. 163.3180; and

(e) Does not exceed 1,280 acres; however, if the property is surrounded by existing or authorized residential development that will result in a density at buildout of at least 1,000 residents per square mile, then the area shall be determined to be urban and the parcel may not exceed 4,480 acres.

Section 84. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (5) of section 163.3194, Florida Statutes, is reenacted to read:

163.3194 Legal status of comprehensive plan.—

(5) The tax-exempt status of lands classified as agricultural under s. 193.461 shall not be affected by any comprehensive plan adopted under this act as long as the land

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meets the criteria set forth in s. 193.461.

Section 85. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (4) of section 170.01, Florida Statutes, is reenacted to read:

170.01 Authority for providing improvements and levying and collecting special assessments against property benefited.—

(4) Notwithstanding any other provision of law, a municipality may not levy special assessments for the provision of fire protection services on lands classified as agricultural lands under s. 193.461 unless the land contains a residential dwelling or nonresidential farm building, with the exception of an agricultural pole barn, provided the nonresidential farm building exceeds a just value of \$10,000. Such special assessments must be based solely on the special benefit accruing to that portion of the land consisting of the residential dwelling and curtilage, and qualifying nonresidential farm buildings. As used in this subsection, the term "agricultural pole barn" means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

Section 86. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (2) of section 193.052, Florida Statutes, is reenacted to read:

193.052 Preparation and serving of returns.—

(2) No return shall be required for real property the ownership of which is reflected in instruments recorded in the public records of the county in which the property is located,

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unless otherwise required in this title. In order for land to be considered for agricultural classification under s. 193.461 or high-water recharge classification under s. 193.625, an application for classification must be filed on or before March 1 of each year with the property appraiser of the county in which the land is located, except as provided in s. 193.461(3)(a). The application must state that the lands on January 1 of that year were used primarily for bona fide commercial agricultural or high-water recharge purposes.

Section 87. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, section 193.4615, Florida Statutes, is reenacted to read:

193.4615 Assessment of obsolete agricultural equipment.—For purposes of ad valorem property taxation, agricultural equipment that is located on property classified as agricultural under s. 193.461 and that is no longer usable for its intended purpose shall be deemed to have a market value no greater than its value for salvage.

Section 88. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (5) and paragraph (a) of subsection (19) of section 212.08, Florida Statutes, are reenacted to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this

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chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(a) *Items in agricultural use and certain nets.*—There are exempt from the tax imposed by this chapter nets designed and used exclusively by commercial fisheries; disinfectants, fertilizers, insecticides, pesticides, herbicides, fungicides, and weed killers used for application on crops or groves, including commercial nurseries and home vegetable gardens, used in dairy barns or on poultry farms for the purpose of protecting poultry or livestock, or used directly on poultry or livestock; animal health products that are administered to, applied to, or consumed by livestock or poultry to alleviate pain or cure or prevent sickness, disease, or suffering, including, but not limited to, antiseptics, absorbent cotton, gauze for bandages, lotions, vaccines, vitamins, and worm remedies; aquaculture health products that are used by aquaculture producers, as defined in s. 597.0015, to prevent or treat fungi, bacteria, and parasitic diseases; portable containers or movable receptacles in which portable containers are placed, used for processing farm products; field and garden seeds, including flower seeds; nursery stock, seedlings, cuttings, or other propagative material purchased for growing stock; seeds, seedlings, cuttings, and plants used to produce food for human consumption; cloth, plastic, and other similar materials used for shade, mulch, or protection from frost or insects on a farm; hog wire and barbed wire fencing, including gates and materials used to construct or repair such fencing, used in agricultural production on lands classified as agricultural lands under s. 193.461; materials used to construct or repair permanent or

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temporary fencing used to contain, confine, or process cattle, including gates and energized fencing systems, used in agricultural operations on lands classified as agricultural lands under s. 193.461; stakes used by a farmer to support plants during agricultural production; generators used on poultry farms; and liquefied petroleum gas or other fuel used to heat a structure in which started pullets or broilers are raised; however, such exemption is not allowed unless the purchaser or lessee signs a certificate stating that the item to be exempted is for the exclusive use designated herein. Also exempt are cellophane wrappers, glue for tin and glass (apiarists), mailing cases for honey, shipping cases, window cartons, and baling wire and twine used for baling hay, when used by a farmer to contain, produce, or process an agricultural commodity.

(19) FLORIDA FARM TEAM CARD.—

(a) Notwithstanding any other law, a farmer whose property has been classified as agricultural pursuant to s. 193.461 or who has implemented agricultural best management practices adopted by the Department of Agriculture and Consumer Services pursuant to s. 403.067(7)(c)2. may apply to the department for a Florida farm tax exempt agricultural materials (TEAM) card to claim the applicable sales tax exemptions provided in this section. A farmer may present the Florida farm TEAM card to a selling dealer in lieu of a certificate or affidavit otherwise required by this chapter.

Section 89. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (2) of section 373.406, Florida

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Statutes, is reenacted to read:

373.406 Exemptions.—The following exemptions shall apply:

(2) Notwithstanding s. 403.927, nothing herein, or in any rule, regulation, or order adopted pursuant hereto, shall be construed to affect the right of any person engaged in the occupation of agriculture, silviculture, floriculture, or horticulture to alter the topography of any tract of land, including, but not limited to, activities that may impede or divert the flow of surface waters or adversely impact wetlands, for purposes consistent with the normal and customary practice of such occupation in the area. However, such alteration or activity may not be for the sole or predominant purpose of impeding or diverting the flow of surface waters or adversely impacting wetlands. This exemption applies to lands classified as agricultural pursuant to s. 193.461 and to activities requiring an environmental resource permit pursuant to this part. This exemption does not apply to any activities previously authorized by an environmental resource permit or a management and storage of surface water permit issued pursuant to this part or a dredge and fill permit issued pursuant to chapter 403. This exemption has retroactive application to July 1, 1984.

Section 90. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (11) of section 403.182, Florida Statutes, is reenacted to read:

403.182 Local pollution control programs.—

(11)(a) Notwithstanding this section or any existing local pollution control programs, the Secretary of Environmental Protection has exclusive jurisdiction in setting standards or

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procedures for evaluating environmental conditions and assessing potential liability for the presence of contaminants on land that is classified as agricultural land pursuant to s. 193.461 and being converted to a nonagricultural use. The exclusive jurisdiction includes defining what constitutes all appropriate inquiry consistent with 40 C.F.R. part 312 and guidance thereunder.

Section 91. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (4) of section 403.9337, Florida Statutes, is reenacted to read:

403.9337 Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes.—

(4) This section does not apply to the use of fertilizer on farm operations as defined in s. 823.14 or on lands classified as agricultural lands pursuant to s. 193.461.

Section 92. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (d) of subsection (2) of section 472.029, Florida Statutes, is reenacted to read:

472.029 Authorization to enter lands of third parties; conditions.—

(2) LIABILITY AND DUTY OF CARE ON AGRICULTURAL LAND.—

(d) This subsection applies only to land classified as agricultural pursuant to s. 193.461.

Section 93. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (5) of section 474.2021, Florida Statutes, is reenacted to read:

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474.2021 Veterinary telehealth.—

(5) A veterinarian personally acquainted with the caring and keeping of an animal or group of animals on food-producing animal operations on land classified as agricultural pursuant to s. 193.461 who has recently seen the animal or group of animals or has made medically appropriate and timely visits to the premises where the animal or group of animals is kept may practice veterinary telehealth for animals on such operations.

Section 94. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (d) of subsection (4) of section 474.2165, Florida Statutes, is reenacted to read:

474.2165 Ownership and control of veterinary medical patient records; report or copies of records to be furnished.—

(4) Except as otherwise provided in this section, such records may not be furnished to, and the medical condition of a patient may not be discussed with, any person other than the client or the client's legal representative or other veterinarians involved in the care or treatment of the patient, except upon written authorization of the client. However, such records may be furnished without written authorization under the following circumstances:

(d) In any criminal action or situation where a veterinarian suspects a criminal violation. If a criminal violation is suspected, a veterinarian may, without notice to or authorization from the client, report the violation to a law enforcement officer, an animal control officer who is certified pursuant to s. 828.27(4)(a), or an agent appointed under s. 828.03. However, if a suspected violation occurs at a commercial

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food-producing animal operation on land classified as agricultural under s. 193.461, the veterinarian must provide notice to the client or the client's legal representative before reporting the suspected violation to an officer or agent under this paragraph. The report may not include written medical records except upon the issuance of an order from a court of competent jurisdiction.

Section 95. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (6) of section 487.081, Florida Statutes, is reenacted to read:

487.081 Exemptions.—

(6) The Department of Environmental Protection is not authorized to institute proceedings against any property owner or leaseholder of property under the provisions of s. 376.307(5) to recover any costs or damages associated with pesticide contamination of soil or water, or the evaluation, assessment, or remediation of pesticide contamination of soil or water, including sampling, analysis, and restoration of soil or potable water supplies, subject to the following conditions:

(a) The pesticide contamination of soil or water is determined to be the result of the use of pesticides by the property owner or leaseholder, in accordance with state and federal law, applicable registered labels, and rules on property classified as agricultural land pursuant to s. 193.461;

(b) The property owner or leaseholder maintains records of such pesticide applications and such records are provided to the department upon request;

(c) In the event of pesticide contamination of soil or

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water, the department, upon request, shall make such records available to the Department of Environmental Protection;

(d) This subsection does not limit regulatory authority under a federally delegated or approved program; and

(e) This subsection is remedial in nature and shall apply retroactively.

The department, in consultation with the secretary of the Department of Environmental Protection, may adopt rules prescribing the format, content, and retention time for records to be maintained under this subsection.

Section 96. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (1) of section 570.87, Florida Statutes, is reenacted to read:

570.87 Agritourism participation impact on land classification.—

(1) In order to promote and perpetuate agriculture throughout this state, farm operations are encouraged to engage in agritourism. An agricultural classification pursuant to s. 193.461 may not be denied or revoked solely due to the conduct of agritourism activity on a bona fide farm or the construction, alteration, or maintenance of a nonresidential farm building, structure, or facility on a bona fide farm which is used to conduct agritourism activities. So long as the building, structure, or facility is an integral part of the agricultural operation, the land it occupies shall be considered agricultural in nature. However, such buildings, structures, and facilities, and other improvements on the land, must be assessed under s.

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193.011 at their just value and added to the agriculturally assessed value of the land.

Section 97. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (3) of section 570.94, Florida Statutes, is reenacted to read:

570.94 Best management practices for wildlife.—The department and the Fish and Wildlife Conservation Commission recognize that agriculture provides a valuable benefit to the conservation and management of fish and wildlife in the state and agree to enter into a memorandum of agreement to develop and adopt by rule voluntary best management practices for the state's agriculture industry which reflect the industry's existing contribution to the conservation and management of freshwater aquatic life and wild animal life in the state.

(3) Notwithstanding any other provision of law, including s. 163.3162, the implementation of the best management practices pursuant to this section is voluntary and except as specifically provided under this section and s. 9, Art. IV of the State Constitution, an agency, department, district, or unit of local government may not adopt or enforce any ordinance, resolution, regulation, rule, or policy regarding the best management practices on land classified as agricultural land pursuant to s. 193.461.

Section 98. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 582.19, Florida Statutes, is reenacted to read:

582.19 Qualifications and tenure of supervisors.—

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(1) The governing body of the district shall consist of five supervisors, elected as provided in s. 582.18.

(a) To qualify to serve on the governing body of a district, a supervisor must be an eligible voter who resides in the district and who:

1. Is actively engaged in, or retired after 10 years of being engaged in, agriculture as defined in s. 570.02;

2. Is employed by an agricultural producer; or

3. Owns, leases, or is actively employed on land classified as agricultural under s. 193.461.

Section 99. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (1) of section 570.85, Florida Statutes, is reenacted to read:

570.85 Agritourism.—

(1) It is the intent of the Legislature to promote agritourism as a way to support bona fide agricultural production by providing a stream of revenue and by educating the general public about the agricultural industry. It is also the intent of the Legislature to eliminate duplication of regulatory authority over agritourism as expressed in this section. Except as otherwise provided for in this section, and notwithstanding any other law, a local government may not adopt or enforce a local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under s. 193.461. This subsection does not limit the powers and duties of a local government to address substantial offsite impacts of agritourism activities or an emergency as provided in chapter

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Section 100. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, section 586.055, Florida Statutes, is reenacted to read:

586.055 Location of apiaries.—An apiary may be located on land classified as agricultural under s. 193.461 or on land that is integral to a beekeeping operation.

Section 101. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in references thereto, paragraphs (a) and (d) of subsection (2) of section 604.50, Florida Statutes, are reenacted to read:

604.50 Nonresidential farm buildings; farm fences; farm signs.—

(2) As used in this section, the term:

(a) "Bona fide agricultural purposes" has the same meaning as provided in s. 193.461(3)(b).

(d) "Nonresidential farm building" means any temporary or permanent building or support structure that is classified as a nonresidential farm building on a farm under s. 553.73(10)(c) or that is used primarily for agricultural purposes, is located on land that is an integral part of a farm operation or is classified as agricultural land under s. 193.461, and is not intended to be used as a residential dwelling. The term may include, but is not limited to, a barn, greenhouse, shade house, farm office, storage building, or poultry house.

Section 102. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (b) of subsection (3) of section

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604.73, Florida Statutes, is reenacted to read:

604.73 Urban agriculture pilot projects; local regulation of urban agriculture.—

(3) DEFINITIONS.—As used in this section, the term:

(b) “Urban agriculture” means any new or existing noncommercial agricultural uses on land that is:

1. Within a dense urban land area, as described in s. 380.0651(3)(a);

2. Not classified as agricultural pursuant to s. 193.461;

3. Not zoned as agricultural as its principal use; and

4. Designated by a municipality for inclusion in an urban agricultural pilot project that has been approved by the department.

The term does not include vegetable gardens, as defined in s. 604.71(4), for personal consumption on residential properties.

Section 103. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (1) of section 692.201, Florida Statutes, is reenacted to read:

692.201 Definitions.—As used in this part, the term:

(1) “Agricultural land” means land classified as agricultural under s. 193.461.

Section 104. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (5) of section 810.011, Florida Statutes, is reenacted to read:

810.011 Definitions.—As used in this chapter:

(5)(a) “Posted land” is land upon which any of the

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following are placed:

1. Signs placed not more than 500 feet apart along and at each corner of the boundaries of the land or, for land owned by a water control district that exists pursuant to chapter 298 or was created by special act of the Legislature, signs placed at or near the intersection of any district canal right-of-way and a road right-of-way or, for land classified as agricultural pursuant to s. 193.461, signs placed at each point of ingress and at each corner of the boundaries of the agricultural land, which prominently display in letters of not less than 2 inches in height the words "no trespassing" and the name of the owner, lessee, or occupant of the land. The signs must be placed along the boundary line of posted land in a manner and in such position as to be clearly noticeable from outside the boundary line; or

2.a. A conspicuous no trespassing notice is painted on trees or posts on the property, provided that the notice is:

(I) Painted in an international orange color and displaying the stenciled words "No Trespassing" in letters no less than 2 inches high and 1 inch wide either vertically or horizontally;

(II) Placed so that the bottom of the painted notice is not less than 3 feet from the ground or more than 5 feet from the ground; and

(III) Placed at locations that are readily visible to any person approaching the property and no more than 500 feet apart on agricultural land.

b. When a landowner uses the painted no trespassing posting to identify a no trespassing area, those painted notices must be accompanied by signs complying with subparagraph 1. and must be

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placed conspicuously at all places where entry to the property is normally expected or known to occur.

Section 105. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, paragraph (a) of subsection (5) and paragraph (a) of subsection (6) of section 741.30, Florida Statutes, are reenacted to read:

741.30 Domestic violence; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of injunction; statewide verification system; enforcement; public records exemption.—

(5)(a) If it appears to the court that an immediate and present danger of domestic violence exists, the court may grant a temporary injunction ex parte, pending a full hearing, and may grant such relief as the court deems proper, including an injunction:

1. Restraining the respondent from committing any acts of domestic violence.

2. Awarding to the petitioner the temporary exclusive use and possession of the dwelling that the parties share or excluding the respondent from the residence of the petitioner.

3. On the same basis as provided in s. 61.13, providing the petitioner a temporary parenting plan, including a time-sharing schedule, which may award the petitioner up to 100 percent of the time-sharing. If temporary time-sharing is awarded to the respondent, the exchange of the child must occur at a neutral safe exchange location as provided in s. 125.01(8) or a location authorized by a supervised visitation program as defined in s. 753.01 if the court determines it is in the best interests of

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the child after consideration of all of the factors specified in s. 61.13(3). The temporary parenting plan remains in effect until the order expires or an order is entered by a court of competent jurisdiction in a pending or subsequent civil action or proceeding affecting the placement of, access to, parental time with, adoption of, or parental rights and responsibilities for the minor child.

4. If the petitioner and respondent have an existing parenting plan or time-sharing schedule under another court order, designating that the exchange of the minor child or children of the parties must occur at a neutral safe exchange location as provided in s. 125.01(8) or a location authorized by a supervised visitation program as defined in s. 753.01 if the court determines it is in the best interests of the child after consideration of all of the factors specified in s. 61.13(3).

5. Awarding to the petitioner the temporary exclusive care, possession, or control of an animal that is owned, possessed, harbored, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent. The court may order the respondent to temporarily have no contact with the animal and prohibit the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal. This subparagraph does not apply to an animal owned primarily for a bona fide agricultural purpose, as defined under s. 193.461, or to a service animal, as defined under s. 413.08, if the respondent is the service animal's handler.

(6)(a) Upon notice and hearing, when it appears to the court that the petitioner is either the victim of domestic

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3394 violence as defined by s. 741.28 or has reasonable cause to
3395 believe he or she is in imminent danger of becoming a victim of
3396 domestic violence, the court may grant such relief as the court
3397 deems proper, including an injunction:

3398 1. Restraining the respondent from committing any acts of
3399 domestic violence.

3400 2. Awarding to the petitioner the exclusive use and
3401 possession of the dwelling that the parties share or excluding
3402 the respondent from the residence of the petitioner.

3403 3. On the same basis as provided in chapter 61, providing
3404 the petitioner with 100 percent of the time-sharing in a
3405 temporary parenting plan that remains in effect until the order
3406 expires or an order is entered by a court of competent
3407 jurisdiction in a pending or subsequent civil action or
3408 proceeding affecting the placement of, access to, parental time
3409 with, adoption of, or parental rights and responsibilities for
3410 the minor child.

3411 4. If the petitioner and respondent have an existing
3412 parenting plan or time-sharing schedule under another court
3413 order, designating that the exchange of the minor child or
3414 children of the parties must occur at a neutral safe exchange
3415 location as provided in s. 125.01(8) or a location authorized by
3416 a supervised visitation program as defined in s. 753.01 if the
3417 court determines it is in the best interests of the child after
3418 consideration of all of the factors specified in s. 61.13(3).

3419 5. On the same basis as provided in chapter 61,
3420 establishing temporary support for a minor child or children or
3421 the petitioner. An order of temporary support remains in effect
3422 until the order expires or an order is entered by a court of

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competent jurisdiction in a pending or subsequent civil action or proceeding affecting child support.

6. Ordering the respondent to participate in treatment, intervention, or counseling services to be paid for by the respondent. When the court orders the respondent to participate in a batterers' intervention program, the court, or any entity designated by the court, must provide the respondent with a list of batterers' intervention programs from which the respondent must choose a program in which to participate.

7. Referring a petitioner to a certified domestic violence center. The court must provide the petitioner with a list of certified domestic violence centers in the circuit which the petitioner may contact.

8. Awarding to the petitioner the exclusive care, possession, or control of an animal that is owned, possessed, harbored, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent. The court may order the respondent to have no contact with the animal and prohibit the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal. This subparagraph does not apply to an animal owned primarily for a bona fide agricultural purpose, as defined under s. 193.461, or to a service animal, as defined under s. 413.08, if the respondent is the service animal's handler.

9. Ordering such other relief as the court deems necessary for the protection of a victim of domestic violence, including injunctions or directives to law enforcement agencies, as provided in this section.

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Section 106. For the purpose of incorporating the amendment made by this act to section 193.461, Florida Statutes, in a reference thereto, subsection (6) of section 823.14, Florida Statutes, is reenacted to read:

823.14 Florida Right to Farm Act.—

(6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—It is the intent of the Legislature to eliminate duplication of regulatory authority over farm operations as expressed in this subsection. Except as otherwise provided for in this section and s. 487.051(2), and notwithstanding any other provision of law, a local government may not adopt any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, where such activity is regulated through implemented best management practices or interim measures developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or water management districts and adopted under chapter 120 as part of a statewide or regional program. When an activity of a farm operation takes place within a wellfield protection area as defined in any wellfield protection ordinance adopted by a local government, and the adopted best management practice or interim measure does not specifically address wellfield protection, a local government may regulate that activity pursuant to such ordinance. This subsection does not limit the powers and duties provided for in s. 373.4592 or limit the powers and duties of any local government to address an emergency as provided for in chapter 252.

Section 107. For the purpose of incorporating the amendment

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made by this act to section 388.271, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 189.062, Florida Statutes, is reenacted to read:

189.062 Special procedures for inactive districts.—

(1) The department shall declare inactive any special district in this state by documenting that:

(a) The special district meets one of the following criteria:

1. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has taken no action for 2 or more years;

2. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has not had a governing body or a sufficient number of governing body members to constitute a quorum for 2 or more years;

3. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government fails to respond to an inquiry by the department within 21 days;

4. The department determines, pursuant to s. 189.067, that the district has failed to file any of the reports listed in s. 189.066;

5. The district has not had a registered office and agent on file with the department for 1 or more years;

6. The governing body of a special district provides

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documentation to the department that it has unanimously adopted a resolution declaring the special district inactive. The special district is responsible for payment of any expenses associated with its dissolution;

7. The district is an independent special district or a community redevelopment district created under part III of chapter 163 that has reported no revenue, no expenditures, and no debt under s. 189.016(9) or s. 218.32 for at least 5 consecutive fiscal years beginning no earlier than October 1, 2018. This subparagraph does not apply to a community development district established under chapter 190 or to any independent special district operating pursuant to a special act that provides that any amendment to chapter 190 to grant additional powers constitutes a power of that district; or

8. For a mosquito control district created pursuant to chapter 388, the department has received notice from the Department of Agriculture and Consumer Services that the district has failed to file a tentative work plan and tentative detailed work plan budget as required by s. 388.271.

Section 108. For the purpose of incorporating the amendment made by this act to section 388.271, Florida Statutes, in a reference thereto, subsection (7) of section 388.261, Florida Statutes, is reenacted to read:

388.261 State aid to counties and districts for arthropod control; distribution priorities and limitations.—

(7) The department may use state funds appropriated for a county or district under subsection (1) or subsection (2) to provide state mosquito or other arthropod control equipment, supplies, or services when requested by a county or district

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3539 eligible to receive state funds under s. 388.271.

3540 Section 109. For the purpose of incorporating the amendment
3541 made by this act to section 482.161, Florida Statutes, in a
3542 reference thereto, paragraph (b) of subsection (3) of section
3543 482.072, Florida Statutes, is reenacted to read:

3544 482.072 Pest control customer contact centers.—

3545 (3)

3546 (b) Notwithstanding any other provision of this section:

3547 1. A customer contact center licensee is subject to
3548 disciplinary action under s. 482.161 for a violation of this
3549 section or a rule adopted under this section committed by a
3550 person who solicits pest control services or provides customer
3551 service in a customer contact center.

3552 2. A pest control business licensee may be subject to
3553 disciplinary action under s. 482.161 for a violation of this
3554 section or a rule adopted under this section committed by a
3555 person who solicits pest control services or provides customer
3556 service in a customer contact center operated by a licensee if
3557 the licensee participates in the violation.

3558 Section 110. For the purpose of incorporating the amendment
3559 made by this act to section 482.161, Florida Statutes, in a
3560 reference thereto, section 482.163, Florida Statutes, is
3561 reenacted to read:

3562 482.163 Responsibility for pest control activities of
3563 employee.—Proper performance of pest control activities by a
3564 pest control business employee is the responsibility not only of
3565 the employee but also of the certified operator in charge, and
3566 the certified operator in charge may be disciplined pursuant to
3567 the provisions of s. 482.161 for the pest control activities of

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an employee. A licensee may not automatically be considered responsible for violations made by an employee. However, the licensee may not knowingly encourage, aid, or abet violations of this chapter.

Section 111. For the purpose of incorporating the amendment made by this act to section 487.044, Florida Statutes, in a reference thereto, section 487.156, Florida Statutes, is reenacted to read:

487.156 Governmental agencies.—All governmental agencies shall be subject to the provisions of this part and rules adopted under this part. Public applicators using or supervising the use of restricted-use pesticides shall be subject to examination as provided in s. 487.044.

Section 112. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in a reference thereto, subsection (2) of section 496.4055, Florida Statutes, is reenacted to read:

496.4055 Charitable organization or sponsor board duties.—

(2) The board of directors, or an authorized committee thereof, of a charitable organization or sponsor required to register with the department under s. 496.405 shall adopt a policy regarding conflict of interest transactions. The policy shall require annual certification of compliance with the policy by all directors, officers, and trustees of the charitable organization. A copy of the annual certification shall be submitted to the department with the annual registration statement required by s. 496.405.

Section 113. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in a

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reference thereto, subsections (2) and (4) of section 496.406, Florida Statutes, are reenacted to read:

496.406 Exemption from registration.—

(2) Before soliciting contributions, a charitable organization or sponsor claiming to be exempt from the registration requirements of s. 496.405 under paragraph (1)(d) must submit annually to the department, on forms prescribed by the department:

(a) The name, street address, and telephone number of the charitable organization or sponsor, the name under which it intends to solicit contributions, the purpose for which it is organized, and the purpose or purposes for which the contributions to be solicited will be used.

(b) The tax exempt status of the organization.

(c) The date on which the organization's fiscal year ends.

(d) The names, street addresses, and telephone numbers of the individuals or officers who have final responsibility for the custody of the contributions and who will be responsible for the final distribution of the contributions.

(e) A financial statement of support, revenue, and expenses and a statement of functional expenses that must include, but not be limited to, expenses in the following categories: program, management and general, and fundraising. In lieu of the financial statement, a charitable organization or sponsor may submit a copy of its Internal Revenue Service Form 990 and all attached schedules or Internal Revenue Service Form 990-EZ and Schedule O.

(4) Exemption from the registration requirements of s. 496.405 does not limit the applicability of other provisions of

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this section to a charitable organization or sponsor.

Section 114. For the purpose of incorporating the amendment made by this act to section 500.12, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 500.80, Florida Statutes, is reenacted to read:

500.80 Cottage food operations.—

(1)(a) A cottage food operation must comply with the applicable requirements of this chapter but is exempt from the permitting requirements of s. 500.12 if the cottage food operation complies with this section and has annual gross sales of cottage food products that do not exceed \$250,000.

Section 115. For the purpose of incorporating the amendment made by this act to section 500.172, Florida Statutes, in a reference thereto, subsection (6) of section 500.121, Florida Statutes, is reenacted to read:

500.121 Disciplinary procedures.—

(6) If the department determines that a food offered in a food establishment is labeled with nutrient claims that are in violation of this chapter, the department shall retest or reexamine the product within 90 days after notification to the manufacturer and to the firm at which the product was collected. If the product is again found in violation, the department shall test or examine the product for a third time within 60 days after the second notification. The product manufacturer shall reimburse the department for the cost of the third test or examination. If the product is found in violation for a third time, the department shall exercise its authority under s. 500.172 and issue a stop-sale or stop-use order. The department may impose additional sanctions for violations of this

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subsection.

Section 116. For the purpose of incorporating the amendment made by this act to section 790.06, Florida Statutes, in a reference thereto, section 790.061, Florida Statutes, is reenacted to read:

790.061 Judges and justices; exceptions from licensure provisions.—A county court judge, circuit court judge, district court of appeal judge, justice of the supreme court, federal district court judge, or federal court of appeals judge serving in this state is not required to comply with the provisions of s. 790.06 in order to receive a license to carry a concealed weapon or firearm, except that any such justice or judge must comply with the provisions of s. 790.06(2)(h). The Department of Agriculture and Consumer Services shall issue a license to carry a concealed weapon or firearm to any such justice or judge upon demonstration of competence of the justice or judge pursuant to s. 790.06(2)(h).

Section 117. This act shall take effect July 1, 2025.

Miscellaneous Accounts Receivable Customers With Unpaid Balances

Prepared by Finance

December 31, 2024

CURRENTLY WORKED BY PROVIDING DEPARTMENT OR FINANCE

001 Fund

Education Foundation	Working with Police Dept	Security in Sept 2024	180.00
Jam Entertainment	Working with Police Dept	Security for Nov 18,2023	495.00
Jennings, Matthew	Boat not here/ Sent to Attorney	Marina Rent	711.99
Johnson, Steve	Working with Marina	Marina Rent	298.52
Lake Economic Area Dev	Working with Police Dept	Security in Sept 2024	180.00
Mosley, Karissa	Working with Police Dept	Security for Mar 16, 2024	782.50
			<u>2,648.01</u>

041 Fund

Pea, Marquise	Working with Electric	Damages to City Property	4,163.64
Towler, Ethan	Working with Electric	Apprenticeship Reimbursement	12,561.91
			<u>16,725.55</u>

046 Fund

Thomas Frost	Working with Public Works	Solid Waste Rolloff	225.00
M S Holdings	Working with Public Works	Solid Waste Rolloff	137.50
			<u>362.50</u>

Total 19,736.06

001 FUND TOTAL	\$	2,648.01
042 FUND TOTAL	\$	16,725.55
046 FUND TOTAL	\$	362.50
	\$	<u><u>19,736.06</u></u>

Expected write offs as of December 31, 2024

Every September, the Finance Director informs the Commission the dollar amount of customer accounts to be written off. Listed below are the amounts for the prior fiscal years and how the City is trending for fiscal years 2022 and 2023

Fiscal Write Off Year	Projected Written Off	Actual Written Off	Add'l Amount Collected
2023-2024			
2022-2023	\$ -		
2021-2022	281,753	350,141	68,388
2020-2021	307,042	22,615	(284,427)
2019-2020	284,281	635,544	351,263
2018-2019	342,912	284,276	(58,636)
2017-2018	394,427	268,001	(126,426)
2016-2017	345,913	314,552	(31,361)
2015-2016	491,091	440,511	(50,580)
2014-2015	431,543	364,023	(67,519)
2013-2014	292,507	258,246	(34,261)
2012-2013	280,544 *	216,319	(64,225)
2011-2012	380,227 *	341,414	(38,813)

Projected
Fiscal year 2024 - Month by Month
10/01/23- 09/30/24

Month	Amount Written Off	Number of Accounts	
		Commercial	Residential
October	\$ 37,620	4	70
November	48,177	3	104
December	40,391	2	79
January	51,778	2	108
February	79,343	11	89
March	26,916	3	78
April	21,640	2	59
May	30,631	7	65
June	21,116	0	65
July	16,335	0	50
August	19,742	4	62
September	24,913	2	68
Accounts to be written off*	\$ 418,602	40	897
Prior Yr to Date	\$ 159,374	39	956
difference - () negative	\$ (259,228)	(1)	59

Average Account Balance	
Commercial	Residential
2,165.43	410.84
532.52	458.07
705.93	493.40
277.11	474.28
3,413.69	469.57
410.39	329.29
92.21	363.64
526.33	414.55
0.00	324.86
0.00	326.70
315.16	298.09
267.91	358.48

Projected
Fiscal year 2025- Month by Month
10/01/24- 09/30/25

Month	Amount Written Off	Number of Accounts		Average Account Balance	
		Commercial	Residential	Commercial	Residential
October	\$ 24,587	3	62	472.28	373.71
November	29,713	4	79	813.97	334.90
December	30,263	0	76	0.00	398.20
January					
February					
March					
April					
May					
June					
July					
August					
September					
Accounts to be written off*	\$ 84,564	7	217		
Prior Yr to Date	\$ 126,188	9	253		
difference - () negative	\$ 41,624	2			

CITY OF LEESBURG
CASH AND INVESTMENTS BY FUND
12/31/2024

		GENERAL	SPECIAL REVENUE	DEBT SERVICE	CAPITAL PROJECTS	ELECTRIC UTILITY	GAS UTILITY	WATER UTILITY	WASTEWATER TREATMENT	COMMUNICATION	SANITATION SERVICES	STORM WATER	AIRPORT	BUILDING PERMITS	INTERNAL SERVICE
POOLED CASH & INVESTMENTS		TOTAL	FUND	FUNDS GROUP	FUNDS	FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUNDS GROUP
OPERATING CASH		\$93,801,710.81	\$21,387,352.55	\$11,500,701.04	\$ 1,159,231.88	\$ (50.46)	\$11,769,068.01	\$ 7,538,796.14	\$ 7,851,434.09	\$ 14,704,705.05	\$ 845,158.14	\$4,416,947.62	\$5,189,393.55	\$ 1,125,151.18	\$ 6,313,822.02
RESTRICTED CASH															
	CUSTOMER DEPOSITS	7,003,632.10					5,048,830.63	1,236,279.52	707,381.85	1,685.00		9,655.00			
	RENEWL & REPLCMNT	17,975,988.74	680,920.15	28,831.83			347,989.90	931,392.46	5,424,838.20	8,990,669.34	850,000.00				721,366.86
	BOND/NOTE SINKING FUND	5,239,450.50		245,846.35			984,431.43	32,714.97	283,612.10	3,692,845.65					
	INFRASTRUCTURE DEVELOPMENT	172,707.11		172,707.11											
	SIGN GRANT & HUD SHIP														
	HWY 441/27 CRA - Restricted Surplus	600,000.00		600,000.00											
	IMPACT FEES	5,729,901.33							1,786,577.65	3,943,323.68					
	OTHER RESTRICTED CASH	11,714,712.58	184,218.61	76,953.76	11,252,767.21			5,129.40							
	DEVELOPER CONTRIBUTIONS	301,718.92				296,589.52									
	RATE STABILIZATION	4,010,076.00				4,010,076.00									
SUBTOTAL OF RESTRICTED CASH		52,748,387.28	665,138.76	1,124,339.05		11,252,767.21	10,687,897.48	2,205,516.35	8,202,409.90	16,628,523.67	859,655.00				721,366.86
TOTAL POOLED CASH		\$146,550,098.09	\$ 22,252,491.31	\$ 12,625,040.09	\$ 1,159,231.88	\$ 11,252,716.75	\$ 22,456,965.49	\$ 9,744,312.49	\$ 16,053,843.99	\$ 31,333,228.72	\$ -	\$ 1,704,813.14	\$ 4,416,947.62	\$ 5,189,393.55	\$ 7,035,188.88
NON-POOLED RESTRICTED CASH															
	CASH WITH FISCAL AGENT	771,657.89			408,224.39			60,964.24	126,766.32	175,702.94					
	DEPOSITORY TRUST ACCOUNT														
	DEP-WELLS FARGO														
SUBTOTAL NON-POOLED CASH		771,657.89			408,224.39			60,964.24	126,766.32	175,702.94					
TOTAL POOLED CASH AND INVEST		\$147,321,755.98	\$22,252,491.31	\$ 12,625,040.09	\$1,567,456.27	\$11,252,716.75	\$22,456,965.49	\$9,805,276.73	\$16,180,610.31	\$31,508,931.66	\$1,704,813.14	\$4,416,947.62	\$5,189,393.55	\$1,125,151.18	\$7,035,188.88

INDIVIDUAL SPECIAL REVENUE FUNDS

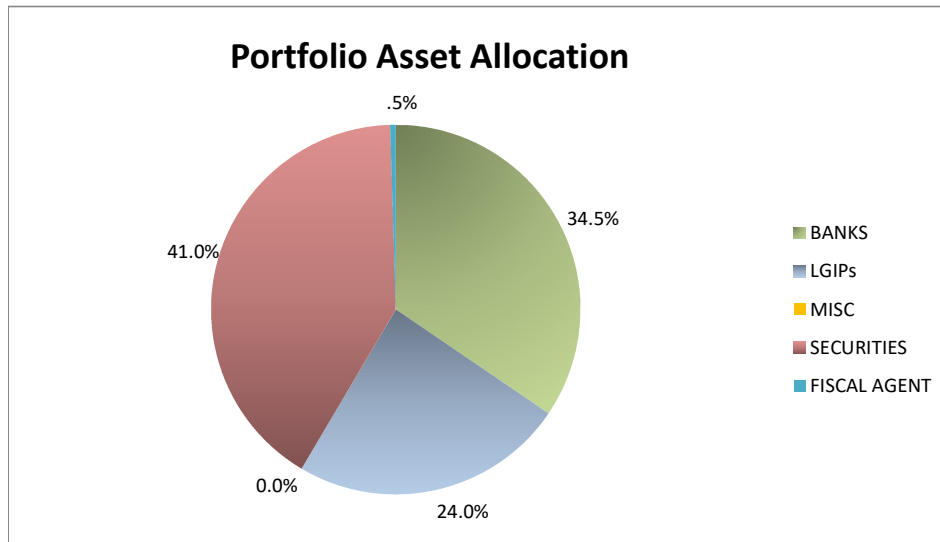
POOLED CASH & INVESTMENTS		SPECIAL REVENUE FUNDS TOTAL	HOUSING ASSISTANCE FUND	GREATER LEESBURG CRA FUND	CARVER HEIGHTS CRA FUND	HIGHWAY 441/27 CRA FUND	POLICE FORFEITURE FUND	POLICE EDUCATION FUND	DISCRETIONARY SALES TAX FUND	GAS TAX FUND	POLICE IMPACT FUND	FIRE IMPACT FUND	RECREATION IMPACT FUND
OPERATING CASH		\$ 11,500,701.04	\$ 191,747.88	\$ 1,176,990.73	\$ 1,642,140.35	\$ 5,440,076.41	\$ 133,567.32	\$ 6,271.73	\$ 1,041,817.51	\$ (128,561.05)	\$ 1,419,449.41	\$ 416,459.35	\$ 160,741.40
RESTRICTED CASH													
	HUD SHIP PROGRAM & SHOUSE PROCEEDS	76,953.76	76,953.76										
	BOND/NOTE SINKING FUND	245,846.35		25,430.81		220,415.54							
	SIGN GRANT	172,707.11		23,475.77	43,869.20	105,362.14							
	R&R / OTHER RESTRICTED	28,831.83	28,831.83										
	CUSTOMER DEPOSITS	600,000.00				600,000.00							
SUBTOTAL OF RESTRICTED CASH		\$ 1,124,339.05	\$ 105,785.59	\$ 48,906.58	\$ 43,869.20	\$ 925,777.68	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL POOLED CASH		\$ 12,625,040.09	\$ 297,533.47	\$ 1,225,897.31	\$ 1,686,009.55	\$ 6,365,854.09	\$ 133,567.32	\$ 6,271.73	\$ 1,041,817.51	\$ (128,561.05)	\$ 1,419,449.41	\$ 416,459.35	\$ 160,741.40
NON-POOLED RESTRICTED CASH													
	DEP-WELLS FARGO	\$ -											
SUBTOTAL NON-POOLED CASH		\$ -											
TOTAL POOLED CASH AND INVEST		\$ 12,625,040.09	\$ 297,533.47	\$ 1,225,897.31	\$ 1,686,009.55	\$ 6,365,854.09	\$ 133,567.32	\$ 6,271.73	\$ 1,041,817.51	\$ (128,561.05)	\$ 1,419,449.41	\$ 416,459.35	\$ 160,741.40

INTERNAL SERVICE FUNDS

POOLED CASH & INVESTMENTS		INTERNAL SERVICE FUNDS TOTAL	HEALTH INSURANCE FUND	WORKERS' COMPENSATION FUND	RISK MANAGEMENT FUND	FLEET MAINTENANCE FUND
OPERATING CASH		\$ 6,313,822.02	\$ 1,470,945.86	\$ 2,490,543.17	\$ -	\$ 2,352,332.99
RESTRICTED CASH		721,366.86				721,366.86
SUBTOTAL OF RESTRICTED CASH		\$ 721,366.86	\$ -	\$ -	\$ -	\$ 721,366.86
TOTAL POOLED CASH		\$ 7,035,188.88	\$ 1,470,945.86	\$ 2,490,543.17	\$ -	\$ 3,073,699.85
TOTAL POOLED CASH AND INVESTMENTS		\$ 7,035,188.88	\$ 1,470,945.86	\$ 2,490,543.17	\$ -	\$ 3,073,699.85

**CITY OF LEESBURG
INVESTMENT REPORT
12/31/2024**

DESCRIPTION	BALANCE 12/31/2024
BANK OPERATING AND SAVINGS ACCOUNTS	
Truist Bank - Disbursement	\$29,123,570
	-
Southstate Bank - Savings	11,472
Southstate Bank - CD	2,159,280
JP Morgan - CD	5,464,657
Southstate Bank - CD	5,363,516
TD Bank - CD	4,197,759
Seaside Bank	4,382,305
	\$50,702,560
LOCAL GOVERNMENT INVESTMENT POOLS	
FLSAFE	8,760,102
FLCLASS	11,108,791
FLPRIME	15,416,531
	35,285,424
U S TREASURY MONEY MARKET FUND (FGU Deposit)	0
US BANK (Fiscal Agent)	771,658
CHANDLER ASSET MANAGEMENT (SECURITIES)	60,273,347
	60,273,347
TOTAL INVESTMENTS	147,032,989
MARKET ADJUSTMENT	18,987
TOTAL VALUE OF INVESTMENTS	<u><u>\$147,051,976</u></u>



City of Leesburg, Florida
Report of **REVENUES** by Fund
For Period Beginning of December 1, 2024- December 31, 2024 or 25%

Fund Name	REVENUES				
	CURRENT YEAR			LAST YEAR	
	FY 25 Adjusted Budget	FY 25 Revenue	FY 25 Percentage	FY 24 Revenue	FY 24 Percentage
<u>General Fund</u>	37,545,497	15,792,308	42%	13,240,578	39%
<u>Special Revenue Fund</u>					
Housing Assistance	162,750	35,085	22%	30,658	26%
Debt Service Fund	1,728,299	1,728,299	100%	1,720,523	100%
Capital Projects Fund	5,672,974	5,005,578	88%	2,076,664	28%
Discretionary Sales Tax	4,082,553	450,231	11%	459,693	15%
Police Forfeiture Fund	-	1,431	0%	1,059	0%
Police Education Fund	-	947	0%	846	0%
Gas Tax	962,500	165,481	17%	164,437	18%
Police Impact Fees	-	81,070	0%	125,591	0%
Fire Impact Fees	-	74,100	0%	21,814	0%
Recreation Impact Fees	-	118,407	0%	33,971	0%
Building Fund	1,031,000	306,623	30%	254,715	24%
<u>Community Redevelopment Agencies</u>					
Greater Leesburg CRA fund	1,087,613	1,009,448	93%	933,653	101%
Carver Heights CRA fund	979,901	970,862	99%	753,729	82%
Highway 27/441 CRA fund	3,076,700	3,005,928	98%	2,314,490	100%
<u>Enterprise Funds</u>					
Stormwater Utility Fund	2,241,928	501,173	22%	462,837	20%
Electric Utility Fund	78,138,602	18,655,419	24%	15,678,768	18%
Gas Utility Fund	13,276,831	3,310,891	25%	2,580,292	20%
Water Utility Fund	12,373,381	3,391,419	27%	3,042,143	27%
Wastewater Utility Fund	19,939,437	4,680,674	23%	4,013,309	24%
Solid Waste Utility Fund	5,589,302	1,354,249	24%	1,261,204	24%
Airport Fund	3,481,526	488,371	14%	510,159	5%
<u>Internal Services Fund</u>					
Health Insurance Fund	7,668,154	1,637,666	21%	1,543,832	19%
Workers Comp Insurance Fund	1,375,902	562,719	41%	314,866	25%
Fleet Maintenance Fund	4,589,155	988,077	22%	765,534	19%
<u>Pension Trust Funds</u>					
Police Retirement Trust Fund	2,908,643	104,685	4%	2,302,002	87%
Fire Retirement Trust Fund	2,076,988	301,350	15%	2,292,418	123%
General Employees Trust Fund	3,350,000	44,901	1%	3,448,832	108%
Use of Fund Balance (Various funds)	5,887,300				
Total All Funds	219,226,936	64,767,392	30%	60,348,617	29%

City of Leesburg, Florida
Report of **EXPENSES** by Fund
For Period Beginning of December 1, 2024- December 31, 2024 or 25%

Fund Name	EXPENSES				LAST YEAR	
	CURRENT YEAR				FY 24 Expenses	FY 24 Percentage
	FY 25 Adjusted Budget	FY 25 Expenses	FY 25 Percentage			
General Fund	37,545,497	9,392,548	25%		8,792,940	27%
Special Revenue Fund						
Housing Assistance	162,750	30,693	19%		32,417	23%
Debt Service Fund	1,728,299	1,378,576	80%		1,347,984	78%
Capital Projects Fund	5,672,974	321,363	6%		1,113,775	8%
Discretionary Sales Tax	4,525,106	2,489,931	55%		1,455,557	46%
Police Forfeiture Fund	30,000	-	0%		-	0%
Police Education Fund	-	-	0%		-	0%
Gas Tax	1,087,500	623,882	57%		301,873	33%
Police Impact Fees	1,284,500	46,024	4%		-	0%
Fire Impact Fees	-	-	0%		-	0%
Recreation Impact Fees	500,000	500,000	100%		-	0%
Building Fund	1,736,090	399,654	23%		406,542	22%
Community Redevelopment Agencies						
Greater Leesburg CRA fund	1,087,613	202,901	19%		150,641	14%
Carver Heights CRA fund	979,901	69,018	7%		57,332	5%
Highway 27/441 CRA fund	3,076,700	2,121,646	69%		155,634	6%
Enterprise Funds						
Stormwater Utility Fund	2,980,682	408,338	14%		349,251	10%
Electric Utility Fund	80,178,513	16,884,486	21%		16,096,550	18%
Gas Utility Fund	13,298,321	2,555,905	19%		2,198,439	15%
Water Utility Fund	12,373,381	2,505,468	20%		2,383,064	12%
Wastewater Utility Fund	19,939,437	5,850,955	29%		3,338,920	5%
Solid Waste Utility Fund	5,589,302	1,884,321	34%		1,273,098	24%
Airport Fund	3,481,526	1,488,771	43%		977,434	9%
Internal Services Fund						
Health Insurance Fund	7,668,154	1,934,109	25%		1,488,190	19%
Workers Comp Insurance Fund	1,375,902	255,790	19%		295,398	24%
Fleet Maintenance Fund	4,589,155	997,389	22%		875,170	17%
Pension Trust Funds						
Police Retirement Trust Fund	2,908,643	436,293	15%		379,027	14%
Fire Retirement Trust Fund	2,076,988	451,790	22%		362,374	20%
General Employees Trust Fund	3,350,000	820,674	24%		824,011	26%
Total All Funds	219,226,934	54,050,525	25%		44,655,621	15%