

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, APRIL 13, 2026 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, April 13, 2026, at Leesburg City Hall. Mayor Berry called the meeting to order at 5:30 p.m. with the following members present:

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

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

INVOCATION

Mayor Berry gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America at the Carver Heights Montclair CRA meeting held prior.

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

2. PROCLAMATIONS:

A. None

3. PRESENTATIONS:

A. Electric Department Safety Awards - APPA and FMEA

Brad Chase, electric director, said recently the city of Leesburg Electric Department had the honor of being presented with two safety awards. One is the American Public Power Association 2025 diamond safety award and the other is the FMEA Florida Municipal Electric Association safety award. Both of these awards recognize the city of Leesburg Electric Department for demonstrating outstanding commitment to safety, protection of our employees, and the community that we serve. In 2025, the electric department had zero safety incidents, zero accidents, no lost time, events or reported cases. Line work is listed as one of the top 10 dangerous jobs and in order to provide reliable power, line workers are frequently engaged in dangerous work that can place them at risk of serious or fatal injuries. For these

reasons, public power utilities place significant emphasis on safety and training. Our team has a strong commitment to safety and over the years has developed a strong safety culture, and we strive for excellence. Utility operations is a cornerstone to employee protection. Every task, every routine maintenance, emergency power restoration that we perform must be committed to hazard awareness, proper procedures and accountability. Thank you for the opportunity today to share the electric department's job well done over the past 12 months.

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!

Darrel Crane, District 2, Leesburg, requested that at a future meeting the commission take up a discussion on the maintenance and beautification of West Main Street from U.S. Highway 27 to the South Street connection. The city took over that maintenance area, and he would like a chance to discuss that with the commission.

James Hobgood, Breakfast at Tiffany's, thanked the police department for the JAG program they held this weekend. It is where all the local elementary schools get together and hold Olympic-style games from Pre-K through Fifth grade. He got to MC the event again, has done that now for three or four years. He just wanted to publicly thank them. It is a really cool thing they do, and it was done really well. Seemed like the kids and the teachers really had a good time. 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.

Items pulled for discussion:

**5.b.2 Kingdom Construction Services Change Order
and**

5.c.6 Trinity Land Company Utility Pioneering Agreements

Commissioner Pederson moved to adopt the Consent Agenda except for 5.b.2 and 5.c.6, and Commissioner Reisman seconded the motion.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Reisman	Yes
Mayor Berry	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 March 23, 2026

B. PURCHASING ITEMS:

- 1. Purchase request by the Police Department for the purchase of specialized equipment from Global Public Safety, a sole source vendor, to upfit four (4) new police vehicles in the amount of \$76,106.60.**
- 2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the execution of a \$650,000.00 Change Order with Kingdom Construction Services, Inc. for completion of the Susan Street Sport Complex; and providing an effective date.**

ADOPTED RESOLUTION 12,214

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

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

Mayor Berry requested comments from the Commission and the audience.

Commissioner Connell said in going through the change orders, there was a \$175,000 overrun for construction, \$252,000 overrun for bleachers, scoreboards, and field goals, and \$140,000 for mitigation of storm water. He started with storm water. He understands there were some changes to the district on how you accommodate storm water. So, when did those changes take effect, and when did we submit our civil plans to the district versus those dates? **CM Minner** asked Halff to answer those specific date questions. **Brett Tobias**, Halff Tavares operations manager, 902 North Sinclair Avenue, said Alistair Brice, with their office is also present and we are the civil engineers for the site permit. For the specific dates, Alistair can answer those as the engineer of record. **Mr. Brice** said the initial submission to St. John's was in October 2024, and the permits were finalized in July 2025.

Commissioner Connell asked when the changes with the district take place? **Mr. Brice** answered sometime in the spring of 2025. **Commissioner Connell** asked if the submittal in 24 should have accommodated these changes. **Mr. Brice** answered the initial submission went in with an aggressive design. Originally a play field, we converted it into different types of fields. Originally it was baseball fields, and the redesign was more grass sports fields. We were trying to get some compensation there, but the initial design went in with a submission to the district. After our pre-application meeting, the district said that there were no impaired water bodies that we were discharging to. The first round of comments came back saying that we were in fact discharging to an impaired water body. Therefore, there would

have to be additional treatment included as part of our design. **Commissioner Connell** said, the district changed from the original submission to the second submission on the impacted water body. **Mr. Brice** stated the initial pre-application meeting with the district, they stated that it was not. When it went into review, there was a more detailed review that came back saying that we had to accommodate for that. **Commissioner Connell** said so, they gave us bad information which is causing us to redesign for \$140,000. **Mr. Tobias** said they gave us information that they later contradicted upon a substantial review. **Commissioner Connell** asked, and they do not hold any responsibility for this bad information? **Mr. Tobias** replied unfortunately, no, sir, they do not. If you read any water management district permit that is issued to a private or a public organization, there is actual language in there that says if the district finds any fault with their own permit, even errors in their own reviews, that they are held harmless from that and that they can rescind the permit and require the applicant to resubmit a new application through no liability or cost to the district and all cost to the applicant. **Commissioner Connell** said there were some changes in the district as far as their design criteria, but reading tonight's agenda memo, it says that the rock estimate was 100% miscalculated. Their criteria changed that much that we missed that mark by one hundred percent? **Mr. Tobias** replied we had to increase the rock, but he does not believe it was one hundred percent. The rock is your storm water system, your underground storage, that water stored in the void space. The difference between impaired and non-impaired is a very large difference in criteria. It is going from what was the old presumptive criteria, which was a volume over the drainage area, to a nutrient calculation based on a set of different things. He would be happy to get into the minutiae of nutrient calculation, but thinks everyone might get a little bored. It is a much more stringent criterion when you have to do nutrient and anything that is discharged to an impaired water body by statute does have to do the nutrient removal calculation. **Commissioner Connell** asked for his own curiosity, what water body this is impacting? **Mr. Tobias** replied Lake Griffin. He thinks it speaks to the disconnect between what the district originally informed us versus the criteria they ended up with. They determined in formal review that there was a series of ditches, canals, and pipes, etc. along a very long flow path that led to Lake Griffin. As an engineer, he has his own concerns about a flow path that long providing a nutrient discharge to something that far away, but that is not the way the rule is written. The rule is written that if you eventually end up in an impaired water body that you are subject to those criteria. Since it was a long flow path that may have led to the district giving us the erroneous information in the pre-application meeting. **Commissioner Connell** said for clarification that we submitted the plans prior to the rule change, but you are saying you submitted the plans based on your conversation with the district and did not make adjustments to the rule change coming into effect. **Mr. Tobias** said, No, sir. The impaired versus non-impaired was not a rule change. That is a criterion in the existing rule, but the existing rule allows for different design criteria based on which of those two buckets you fall into. We are operating under the same statutory rules, but there are different design criteria based on whether you are impaired or not impaired. Once we are put into the impaired criteria, your treatment volume increases dramatically.

Commissioner Connell said his next question is on the \$175,000 shown in the agenda memo. This amount is overruns for construction? **CM Minner** replied in the packet there is the list from Kingdom Construction. We originally went into contract with Kingdom Construction for 10.5 million. Of the 10.5 million, about \$960,000 was a contingency in the project. We kept a large contingency for the reasons that we kind of tried to expedite some permitting. We went into a bid process at 90% design complete because we were trying to meet certain debt grant deadlines and so forth. So, in the project, we submitted a list that is in the packets that shows all the areas where we were credited and the debited. So that \$175,000 is a reference to how much we are over relative to the contingency. Where we came up with the 650 request is that 175 plus the items that we were planning to spend out of the contingency; the \$252,000 for the bleachers and scoreboards, and he thinks there was something else in there, plus we already paid for the mitigation, which was the 140 you referenced. This body approved the payment to St. Johns for the mitigation, the 140, and then whatever remaining to get the project done. That is where we come up with the difference, but the detail is in the packet on all the things, we are over. He thinks there

were like 24 items on that list. Some are credits, some are debits, but the lion's share of the overage is directly related to the additional rock and excavation that we need to put in the additional filtration system for the championship field. The championship field is designed as turf, not grass, but an artificial turf field. That is kind of the centerpiece of the park. **Commissioner Connell** asked if part of the \$175,000 of the estimated overruns includes the mitigation? **CM Minner** replied that there are two areas of overages. The commission approved the construction project of \$10.5 million that is exclusive of the engineering. From the \$10.5 million, the first expense we put in that was the mitigation payment \$140,000. The commission approved that expenditure, which took off \$140,000 from the contract price, which would fall into contingency. But now those other items from the contractor's excavation and the rock are pushing us up over that 960. **Commissioner Connell** asked if the Kingdom estimated overruns at 175 and the mitigation bank payment at 140, do those two go hand in hand to address the district's issues? **CM Minner** answered no. The mitigation payment was separate, but because there are other overruns inside the project, he needs to come back with all the overruns so that we can ask for the proper overage. Everything on the Kingdom list plus the scoreboards, plus the bleachers, and plus the mitigation payment. Add all those things up, you need the extra 650 to complete the project at an approved budget. Basically, because the contingency is absorbed by Kingdom expenses, he needs to find another home for that mitigation payment. Need to increase the budget. **Commissioner Connell** asked with the recreational estimate and overruns, which include scoreboards, goalposts, and bleachers, was that not included in Kingdom's bid? **CM Minner** replied, it was not. We anticipated spending those monies out of the contingency. Think there was a hundred or about a hundred for scoreboards in the Kingdom bid that we ultimately did not use because we used those monies for other overages, which are on that list. So, as things increased, they were kicked out of the overage box and so it is the Kingdom list plus that request. Those are all the overage items. **Commissioner Connell** added that the championship scoreboard was paid for through a donation. **CM Minner** replied, Correct, but there are also four other fields that need scoreboards.

Commissioner Burry asked now with the overages, is this project still cheaper than the second bid we received? **CM Minner** said the second bid was 12.5 million with the requested overage. He thinks we will come in at around 11.2.

Commissioner Connell said he thought there was an alternative in the agenda memo if we do not go with this. **CM Minner** said yes, the alternative is to complete the project for 10.5 million. If we go with the 10.5 million, we will end up cutting back on other things in that contract. We would not complete the project to fruition. So, we would cut out the bleachers, cut out the scoreboards, cut out some of these other things to get us within the budget parameters, but the result will be that you do not complete the project to the design standard. You will have to make some pretty Draconian cuts that he will be back to you next fiscal year looking to solve in fiscal year 27 using discretionary monies or CRA monies or cash to fix, because the items we need to do to complete the project within the scope need to get done. So, the option is you cut way back, but you are going to have a product that he does not think you will be happy with. **Commissioner Connell** asked if one of the options was to not go with the turf field and go with a grass field on the championship field. **CM Minner** replied he thinks at this stage you probably could do that, but then you are going to put yourself into the category of having a field that was marketed for what people are looking at. We are already getting inquiries; people want to come and play on the turf field. From the sports marketing aspect, that was a big part of this project which is linked back to the money that the county is giving through the TDC monies. Part of the concept was to have a regional facility that was going to be a sports marketing promotion. If you do not complete a turf field for the championship field, then we think we are going to take a big hit on how we can market the facility. So, yes, that is an option. You can build a grass field, but he thinks that is going to provide a product that is not going to live up to the standards and the incumbrances that we put on the TDC money. There is the potential that, okay, you build grass now, you do not get the scheduling for the outside market. If you do not get the scheduling for the outside market, you are going to hit the claw back provision of the county money. You

might end up paying the county a million bucks instead of the contractor \$650,000. **Commissioner Connell** asked if the county's money is tied to us using artificial turf? That does not make sense. **CM Minner** answered that the county's money is tied to promotion and use of the facility. Use of the facility is tied to the type of turf. There is a marketing promotion to bring in sports tourism based on the type and quality of championship field we build. So, we got a million dollars of TDC money from the county that requires that the field be used regionally at X number of events. If we do not build a turf field, then X could be X minus something and if we do not meet that X number, then we could be on the hook for paying back TDC money. There is a correlation between if you downgrade the field, you downgrade the type of events you get in. If you do not meet the standard of what we told the county, then that could equal the claw back provision. So yes, constructing a grass field is an option, but he does not think it is a very good one because you could be on the hook for a million versus 650.

Mayor Berry asked if there were any further comments.

Commissioner Pederson wanted to go on the record to say that this project started out at like 5.5; he supported it. It went to 7.5; he supported it. It went to 10.5, and he did not support it, but he will support this because the commission has heard him say before, if you are going to do a project, do it right.

The roll call vote was:

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

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

- 3. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Construction Services Agreement with Paqco, Inc. for the Leesburg 5th Street Parking Lot Expansion project; and providing an effective date.**

ADOPTED RESOLUTION 12,215

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, approving a square footage rate for City-owned individual storage T-Hangars and individual storage Box-Hangars at Leesburg International Airport; setting forth a timetable for future rate increases; approving future rate increases to be implemented administratively; approving ancillary documents, such as hangar wait list policies and applications, to be revised administratively as necessary; and providing an effective date.**

ADOPTED RESOLUTION 12,216

- 2. Resolution of the City Commission of the City of Leesburg, Florida, approving a form lease for individual storage T-Hangars and individual**

storage Box-Hangars, at the Leesburg International Airport, repealing Resolution 6880; and providing an effective date.

ADOPTED RESOLUTION 12,217

- 3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Electric Service Agreement between the City of Leesburg and Fruitland Park Development IV, LLC., regarding electric service to a development known as The Enclave at Lake Geneva; and providing an effective date.**

ADOPTED RESOLUTION 12,218

- 4. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute the Fourth Amendment to the Consolidated Lease Agreement, between the City of Leesburg and SunAir Aviation, Inc. for the purpose of amending the tie-down spaces that are included in the leased premises, which have changed due to the relocation of Alpha 2; and providing an effective date.**

ADOPTED RESOLUTION 12,219

- 5. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Leesburg Police Department to apply for and, if awarded, accept the FY25 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Local Formula grant from the U.S. Department of Justice in the amount of \$13,729.00 to defray costs associated with the purchase of department equipment; and providing an effective date.**

ADOPTED RESOLUTION 12,220

- 6. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Water and Wastewater Utility Pioneering Agreement with Trinity Land Company, LLC and all; and providing an effective date.**

ADOPTED RESOLUTION 12,221

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

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

Mayor Berry requested comments from the Commission and the audience.

Commissioner Connell said it is his understanding that they are proposing to put in the utilities and, in return, we will reimburse them through city impact fees for the utilities as they pull permits. He thinks that if somebody is going to come to the city, ask for their property to be annexed and developed, they should foot the bill to pay for the utilities to be run to it, and not be reimbursed back with their own money. They should pay to run the utilities to their subdivision and the impact fees that are paid as they pull permits the city can use towards wastewater capacity treatment or whatever. If you want to develop in the city because you need the utilities because you want the density, you should have to pay that bill. Not to offset the cost of getting your impact fees back. The city should keep those impact fees and spend them on other parts of our infrastructure, capacity, treatment, what have you. He would like the city to consider not approving this pioneer agreement. If they want to run the utilities, have them run them, but they do not get reimbursed through the pioneer agreement as they pull permits and get their impact fees given back to them.

Commissioner Burry asked, Do we have any history with pioneering agreements to compare? **CM Minner** said his opinion is not a legal opinion, but if we have done something in the past, he does not think that necessarily means you have to do it in the future. Yes, our history has been to do pioneering agreements and out of the premises that is the purpose of impact fees. Having pioneering agreements tied to sharing impact fees because of a bonus bona fide public purpose is a legally accepted principle that we have followed from time to time. Case in point, this does not just happen with water and sewer impact fees, it also happens with road impact fees. So, the county is actually leveraging impact fees at that intersection of 470 and 33 to make those improvements. He would further say that part of the holdup in this particular agreement will use Hanover's acronym, because there are three different companies listed, so just for clarity because we have dealt with Hanover, he thinks it is referenced as Trinity with a couple different other companies, because each PUD affected has a different company name, which is not abnormal. He did not want to have the commission consider such an agreement if the impact fees did not provide the city with the financial ability to pay and leave us holding the basket for what would be a liability for a public improvement where the rate payers from their rate fees would have to finance that construction. We probably put Hanover on pause for six months or maybe even a year. Mr. Snyder probably would say we held them up longer than that, but the concern was that when water and sewer impact fees come in there are two major uses for those monies. Collection or distribution on the waterside, collection on the sewer side, and then treatment. Think about our fees, we are not writing an agreement for a check that we cannot cash. In English, that means we are not paying out impact fees that we do not anticipate collecting, which leaves us in a deficit. I did that chart for you and if you count up potential collectible revenues, we are in the neighborhood of \$50 million. All units in South Leesburg less about \$20 million, including this agreement of impact fee assignments that we are proposing, water a little bit less, but on each side you still walk away with significant cash. He thinks the number in the packet was about \$25 million bucks. So, after all obligations are paid, if they do not time out, then the city potentially has \$25 million; that would go in our accounts and sit at this point for treatment. So, back to your question, have we done this in the past? Yes. You did not ask this, but Commissioner Connell's question was, maybe we need to stop making that a policy and, if developers want to develop, make them pay their own way and that is understandable, and it is a policy that you could do. We have not done that to date for most of the major expansions, which roughly he would call the Silver Lake region. A number of developer agreements for water and sewer to basically loop water so that there is a giant loop in the system that goes from up 44 down Radio Road and then back to 441. We created a continuous water loop, and then we designed the collection or the wastewater treatment system, roughly from the north side of Radio Road, up and around down 44 as a collection standpoint. Really on that northeast side of the city, the Silver Lake region, we have contained and good design philosophies on water and sewer to get those areas tackled. Then on the south side between the NVR agreement, which is the sewer bypass agreement, if you approve this agreement with Hanover, you have the 33 and 27 corridors pretty well linked. From a water distribution and sewer collection standpoint, our ISBA box is now covered when

you enter into this agreement. So, you have two philosophies there: to continue down the path that we have, or to change and say developers you need to cover it yourself.

Mayor Berry asked if this is a relationship we should promote with the agreement and the developers that we should try to withhold? **CM Minner** said his recommendation is yes, you should do the agreement. That has been our history, but he does not want to underscore Commissioner Connell's point that he is trying to get you guys to go a different avenue. He certainly understands that perspective and thinks it is legitimate either way. The only thing he would say about this particular pioneering agreement with Hanover is that it is crafted, fully written so that we pay our obligations, and we actually make the Hanover development subordinate to other agreements. There is a certain amount of your waste water that is going to go through section A of the bypass, which is the Okahumpka intersection roughly back to the turnpike. Everybody is going to be dumping into that bypass. Therefore, we need to make developer agreements that make who is fronting the development of the bypass superior to other agreements. Even if you choose to pay the agreement or go the route that we have gone, it is written in a fashion that now we kind of subordinate whose fees are paid first. Hanover obviously agreed to this and there was communication between all the developers involved to explain the rationale of this agreement. So, A) you know Commissioner Connell's way if you are going to come in, you build it yourself, or B) you do it with the pioneering agreements, which we have done. And, this particular pioneering agreement has several layers that make it subordinate so we can meet our obligations, collect enough impact fees to be able to meet outstanding payments, and still have some impact fee money left for future improvements.

The roll call vote was:

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

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

- 7. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Inter-Governmental Agreement with Lake County, clarifying Community Redevelopment Agency TIF payments by the Ambulance and Emergency Medical Services (MSTU); and providing an effective date.**

ADOPTED RESOLUTION 12,222

- 8. Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2025-26 Budget for the Carver Heights CRA, Gas and Fleet Services Funds for the Second Quarter; and providing an effective date.**

ADOPTED RESOLUTION 12,223

- 6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
During Public Hearings and Non-Routine Items, the Commission requests that those in**

attendance respect the process and maintain order. As such, in accordance with Robert's Rules of Order, please refrain from speaking out, cheering, or applauding during these proceedings. Your cooperation helps ensure a fair and respectful hearing.

A. SECOND READING OF ORDINANCES:

- 1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 202.6 +/- acres; and being generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 4; and providing an effective date. (Lake Bright-Brighurst ANNX)**

ADOPTED ORDINANCE 26-08

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

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

Mayor Berry requested comments from the Commission and the audience.

PZD Miller said his is for the Lake Bright- Brighurst annexation, large scale comp plan, and plan unit development project on a site of approximately 202.6 plus or minus acres. It is generally located east of County Road 33 and south of Lake Bright Street and west of County Road 33 and south of Desert Lane. The request is for approval of a future development consisting of 502 single-family dwelling units. Under this request, the future land use application for the project is requesting a change from Lake County Rural to City Estate Residential and the zoning application is requesting a change from Lake County Agriculture to City of Leesburg PUD, which is a planned unit development. There were no substantive comments received from the city departments. The property is outside the city of Leesburg electric service area. Water, wastewater, and natural gas all indicated the ability to service the project. The project has gone to the Lake County school board as required, and the project is subject to school concurrency review. Lake County Public Works had several comments on the project, including for County Road 33. Access management requirements must be met for access points off County Road 33. Left and right turn lanes have to be provided on County Road 33 at the proposed entrances, and development will need to accommodate land area for the West Lake Trail along the property CR 33 frontage. There will also be off-site road improvements, road drainage, and future widening to save space for future widening of County Road 33 along Lake Thomas Road, which is located within the PUD. In the proposed PUD, any road that could potentially be vacated must maintain accessibility and provide new right of way for any impacted property. The concept plan being shown would need to be revised to show access to the western parcel which is just west of their property on the west side of 33. This access would need to be a right of way and road meeting local paved road standards under the roadway agreement. The developer has a roadway improvement agreement with Lake County to improve the intersection of County Road 470, 48,

and CR 33 in Okahumpka. A copy of that agreement is in your packet. It describes improvements to include widening and turn lanes and improving the intersection. Since this is a contract with the county, the applicant can provide you with more specifics on that topic. We do know it is about approximately a \$2 million project at this intersection. It should also be noted that if this project is approved by this commission, both the staff's recommendation and the PUD conditions do require the developer to initiate, construct, and complete the intersection work as described in that contract or the property will revert under the zoning as in other PUDs to 1 acre lots.

Many public responses to this request were received. In summary, their concerns were wildlife peace and tranquility that is currently offered in the county, leaving the area intact for agriculture, concerns about neighboring cattle, requests for larger buffer and solid walls, too many houses and small lots in the area. One person did request that the conditions be changed to one acre per home site. Again, just a summary, but there were significant responses to this request.

Under the terms of the PUD agreement, the proposal consists of 502 single-family detached units on 202 plus or minus acres. That gives a gross density of 2.4 units per acre. No other uses would be permitted. It would be single-detached single-family only; no town houses, apartments, duplexes or commercial uses. That would leave 299 50-foot-wide lots and 203 60-foot-wide lots for a total of 502.

The project is currently planned for design in four different phases. The proposal for the project includes design and zoning standards such as architectural requirements, 35% open space, dark sky lighting, a maximum height on the buildings of two floors, gutters for side yards less than 7 and 1/2 feet. Code compliant landscaping. A split rail fence is required along County Road 33 at a height of 4 feet. The usual Bahia or Bermuda grass is required instead of St. Augustine. There is also a 25-foot-wide buffer tract with plantings required in the PUD and this is required along all property boundaries that are not adjacent to an existing wetland or preserved area. Access is shown on the site plan at three separate primary access points. All of these will have to have a boulevard access, which is generally considered a wider street with an 8-foot-wide landscaping berm or landscape area in between the lanes. The PUD also requires the developer to provide any and all expansions or upgrades required to those access points and roadways as needed and required by FDOT or Lake County.

As stated earlier, there is a 25-foot buffer required around all property boundaries not adjacent to existing wetlands or preserved area along with the split rail fence and those buffers are required to be either undisturbed or completely replanted per the PUD. Lake County is mandating, because it is county road and roadway improvements, which is backed up by language in the PUD. So, the developer will end up having to add turn lanes, DXs lanes, and additional right of way, etc. There is 2.3 acres of park and recreation land required. That includes two primary recreation areas, one on each side of County Road 33. That would include a swimming pool, cabana, onsite parking, and in addition, other uses could include things such as a children's pool, dog parks, children's playgrounds, gazebos, and these primary recreation areas have to be constructed by the time 50% of the single-family residential homes are completed. All the utilities would be in place. All the development has to be on city water and wastewater, and natural gas as well, for 80% of those homes at a minimum. Finally, we have the phasing or expiration clause which requires the development to move forward with substantial commencement within four years, or the property would have the automatic reversion to the RE-1 zoning standards, which is one acre per unit. In addition to that, the contract with Lake County and the city's recommendation that the PUD requires the intersection improvements to be completed within 18 months or the project would again revert to 1 acre lots. So, there is some pressure there. The planning commission did recommend a denial, a three-to-three tie vote, which a tie vote is a denial. They cited that they did not feel like there would be enough of an improvement in the traffic pattern, and they wanted the area to stay more rural in character.

Finally, Mr. Ben Snyder and Mr. Tony Iorio of Hanover Holmes and Mr. Andrew McCown of GAI

Associates are here to represent the case and answer any questions.

Mayor Berry asked if the petitioner had any comments.

Andrew McCown with GI Consultants, 618 East South Street, Orlando, said he is present on behalf of Hanover Land Company, the developer. He does have a presentation, the same one shown about two months ago. As a refresher, he is happy to go through it again or jump to any questions the commission may have.

Commissioner Burry asked, when looking at the impact fee credits, the county stated that they are going to give you \$2 million and \$6,489 worth of credits. Where does that number come from? Is that per unit or is that based on the number of units you are building? **Mr. McCown** said, No, that is based on the cost of the improvements to the intersection. **Commissioner Burry** said it was just a trade-off in that respect. **Mr. McCown** responded, Correct. **Commissioner Connell** asked to reconfirm that the improvements to the intersection, all you are really doing is taking the transportation impact fee money that you would pay as you pull a permit. You are just putting it up front to put the improvements into the intersection; not really paying anything more up and above or anything else any developer would actually pay? **Ben Snyder**, 605 Commonwealth Avenue, Hanover Land Company, said it is a credit back for the impact fees. However, it ensures that the impact fees we pay in Leesburg stay in Leesburg as opposed to being at the discretion of the county to be used wherever in the county. When they approached the county about this agreement, the county did not have funding to make these improvements at these intersections. So, we thought it was a good thing to partner with the county to ensure that the worst intersections on this side of the county were improved on in a timely fashion before any of the units in this corridor would even hit. We thought that would be a good way to address the majority of concerns from our neighbors, from the planning commission, and the city commission. That is the rationale for the improvements. This project alone generates far in excess of the amount of money that it takes to improve that intersection. **Commissioner Connell** said it was his understanding that that intersection was already on the county's books to be addressed at some point. **Mr. Snyder** said they had designed improvements but did not have funding to complete those improvements. **Commissioner Connell** asked if this project would have a CDD? And, would the CDD take responsibility and ownership of all the roads there and maintain them or are you proposing the city accept those as part of the platting process? **Mr. Snyder** replied, Yes, it could be a CDD. It is not required to be. **CM Minner** added that the PUD is written both ways. **Commissioner Connell** said exactly, he is looking for a clarification. He does not want a may, he wants a yes or no. **Mr. Snyder** said it could be dedicated to the city. It could be incorporated into the CDD at a later date. **Commissioner Connell** asked what he meant by a later date. **Mr. Snyder** replied during the platting process. **Mr. McCown** added as to the impact fees. The \$2.3 million you see in the agreement, if there are additional impact fees required for the development, they would still be required to pay anything in addition to that.

Mayor Berry asked if there were any comments from the public.

All public speakers spoke in opposition to the project.

Kayla Phillips, 3956 Lake Bright Street, brought up concerns about the roads. Did the city receive the county's opposition letter, and how this property differs from the Dewey Robbins Road project. **CM Minner** addressed her concerns. Yes, we have received all the county's recommendations to deny. Second, the roads. Our response is that this is within the city's ISBA, interservice boundary agreement. So, this is a potentially developable area and the city has planned accordingly. Third, the parcel at Dewey

Robbins Road. The developer pulled that project at the March 23rd meeting.

Jerrell Robison, 3520 Desert Lane, brought up concerns about current and additional traffic congestion, intersection improvements, light pollution, and our endangered species.

Mario Nappa, Legacy of Leesburg, stated he has the letter that was written by the board of county commissioners, signed by Leslie Campion, the chair, and assumed the commission all got copies of this, and you understand that they are against this proposal. To share his own perspective comments regarding the proposed annexation, he stated it is his understanding based on that letter that board of county commissioners would prefer that this property not be annexed. However, anticipating the possibility of approval, they entered into an agreement with Hanover to make improvements to the intersection of 470, 33, and 48 because given this commission's history of routinely approving such requests, this appears to be a precautionary step rather than a solution. In his opinion, the planned intersection improvements amount to a temporary fix where a much more comprehensive solution is required. These limited upgrades are not sufficient justification for adding more residential development to an already strained area and as you heard from the MPO last month, current funding is inadequate to meet existing infrastructure demands, let alone future ones. Adding more homes will only intensify traffic congestion and infrastructure challenges. As was once stated by Commissioner Pederson on Lakefront TV when he was mayor, we build the houses then we worry about the roads. Sure, you remember that comment.

Commissioner Pederson replied, he assures you that he did not say that. **Mr. Nappa** said, Yes, you did. I'll get copies of that for you if you like. I'll send you a video of it. **Commissioner Pederson** said you clearly quoted me out of context; I remember that interview very well. **Mr. Nappa** said he would love to play it one day and will send you a video. That approach was flawed then and is even more problematic now. There must be a shift toward more deliberate and responsible growth. Continued annexation without restraint is not sustainable and there is no external solution coming to resolve these issues. There is no night and shining armor that is going to come out and bail the city to make the roads more usable. I urge you to make thoughtful, responsible decisions in the best interest of your current constituents. He asked Mr. Minner to correct him if wrong, but he believes impact fees have to be used in the area in which they are collected. **CM Minner** answered the question specific to road impact fees. Mr. Snyder subtly misspoke that while the money collected from this development being used on the Okahumpka intersections cannot be spent countywide, which is what he said, they are focused on Leesburg. However, there are five transportation districts in Lake, and he believes we are in the north, what they call the West Central District, which encompasses pretty much Leesburg, Fruitland Park, and Lady Lake. Impact fees that are collected in Leesburg could be spent in any of those areas. It could not be spent down in Clermont. So, the intent of Mr. Snyder's question was correct, because it does capture those impact fees and it makes them have to spend them in Leesburg versus the North Central District.

Donna Robison, 3520 Desert Lane, brought up concerns with home overcrowding, traffic congestion, losing that rural atmosphere, development entrance at blind spots, intersection improvements without funding, and how 33 is used if there is a back-up or accident on the turnpike.

Brantley Merritt, 3213 Desert Land Groveland, brought up concerns about what is beneath our feet. Homes built on land that was a landfill, where trash, chemicals, and waste sat for years. Florida's ground is naturally fragile; made of limestone, which can slowly dissolve and create empty spaces underground; sinkholes. Waste seeping into the soil that can reach groundwater, part of our aquifer, the source of our drinking water. What happens if that water becomes contaminated? It affects entire communities, people's health, and it creates problems that are nearly impossible to fix. She also raised concerns about traffic congestion, especially if emergency vehicles are needed, but they cannot get through.

Lee Barnett, 3205 Thomas Cove Drive, brought up concerns about the amount of impact fees being collected, transparency in how that money is being spent, future population counts, Leesburg cannot

handle its roads now with its current population, unemployment rates, and traffic congestion.

James Rebels, 3430 Desert Lane, brought up concerns about traffic, the landfill, big heavy trucks on two-lane roads, how to access the landfill, school capacity, the commission not listening to its people, county funding for schools, and the surrounding agricultural land. **Commissioner Connell** said, You have testified in the past that you have pigs. Do you still have those? **Mr. Rebels** replied, Yes, sir, I do. They border that fence and these people will come to me, they are not going to want to have that smell, or want to deal with the flies, and if it rains a lot, those pins fill up.

Jerrill Robison, 3520 Desert Lane, brought up additional concerns with the number of homes and lot sizes. If you take away the green space, this is going to crowd 502 homes on a little over 102 acres.

Mayor Berry asked if there were any further public comments. There were none.

Commissioner Burry had a question for the petitioner. The concern was voiced about the road that goes into the development, and I understand it is a construction debris landfill. So how has that been addressed, or what is the current plan for that road? **Mr. McCown** said the current plan, the property referenced is to the west and there is access to city road standards. **Mr. Snyder** added the development schedule is proposed to not develop that phase until that CND is completely closed out and capped. We have it in our projections, and we have met with the new property owner and told them that we will provide them with public access and not develop down there until they are completely done filling that. So, we will not be building directly adjacent to an active CND. **Commissioner Pederson** asked Ben if they were granting them an easement to cross it for a period of time. **Mr. Snyder** replied, it is already a public road. **Commissioner Burry** said that would be phase four. So, could we add language to the PUD that says exactly what you just said: that section 4 will not be developed until the landfill is capped. **Mayor Berry** said this is developed in four phases, so that would be the last phase. **Commissioner Burry** asked the developer, Is there any reason you would oppose it if we were to do that? **Mr. Snyder** replied, no, that is the development plan. **Commissioner Connell** said, as part of the proposal, would you be vacating Lake Thomas Road and creating a new road to this landfill? **Mr. Snyder** said it would be at a later point when they develop phase four. That is the plan to continue to allow him public access to his property. **Commissioner Connell** asked, so, when you get to phase four, and you abandoned Lake Thomas, where is the access to the land, to this property that the landfill is on now? Where is that going to be? **Mr. Snyder** responded that exactly where it is shown on the 50-foot right of way on the layout. **Commissioner Connell** said the south road that comes off 33. **Mr. Snyder** replied, Yes, sir. **Commissioner Connell** asked if he had a time frame on when the landfill would close? **Mr. Snyder** replied that would be up to how they run their business.

James Rebels, 3430 Desert Lane, asked for clarification. This Thomas Road, are they talking about Thomas Cove Road? He was asking because there is a road north of it that is Thomas Cove Road and you cannot get around to this landfill because it is separated by a marsh. The only access forever is going to be through this subdivision and this could take years. At the south end, that is actually a greenhouse and there is no road there unless they put a road. **Commissioner Burry** said he believes what the petitioner is saying is that they need to move the provisional road that is in their development to the south end of their development, so the person behind them still has access. **Mr. Rebels** said these landfills could take years to fill, and he thinks that the landfill caught on fire one time because the fire trucks were going for days. His opinion would be to zone it agricultural, 5-acre tracks, and put 40 houses there. There would be less impact.

Mr. McCown said, for clarification, on the aerial slide, pointing out the existing road that accesses the site to the west. That will remain in place until phase four commences, which will be the last phase of this project. Access will remain just as is until the landfill closes and then, at that time, it will be replated into

the subdivision. **Commissioner Burry** asked if the property owner of the land would still have access. **Mr. McCown** said yes. **Mayor Berry** asked when Hanover made arrangements with the county to provide the road improvements. **Mr. Snyder** replied it was sometime last year. **Commissioner Reisman** asked if they could go over the road improvements at 470, 33, and 48. Showing the intersection slide, **Mr. McCown** said just as a quick summary of and reminder of the improvements that are proposed. At the intersection of 470, 48, and 33, it will consist of new turn lanes where there were no turn lanes before, those will be installed. The entire intersection area will be milled, repaved, and restriped. There will be crosswalks added on all legs of the intersection. The overall geometry of the intersection will be improved to become safer. The radius of the turns will be improved, they will soften, and there will be new shoulders installed. Overall, in certain places, the intersection will be widened, and then the drainage will be improved over the full intersection. **Commissioner Reisman** asked if this would require new lights as well, and will they be what the MPO called smart lights? **Mr. McCown** believes there are new lights to be installed. **Joedel Zaballero**, Traffic Mobility Consultants, 988 Woodcock Road, Orlando, asked when talking about smart lights, are you talking about the detection because, from her perspective, they will have improved detection for the light so that they can accommodate whatever is coming into the intersection and adjust the lights and the timing with that. **Commissioner Reisman** said at the last meeting the MPO, Mike Woods, mentioned something about that, so, he was just curious.

Mayor Berry asked if there were any further questions or comments.

Commissioner Connell said he had a couple just to recap and for staff to be on the record. He asked if to the west of the subject property is indeed a landfill, believing it is called CR 33 Landfill. **PZD Miller** replied yes. **Commissioner Connell** said Mr. Rebels testified tonight that his property, which is north of the subject property, still has pigs. **PZD Miller** said that is correct. **Commissioner Connell** said so, we have a landfill on the west side, pigs on the north side, and access to the landfill will remain in effect off Lake Thomas until they get to phase four. Believe it will remain an active landfill through phase one, phase two, and phase three. **PZD Miller** agreed. **Commissioner Connell** asked if the developer testified that they would not develop phase four until the landfill was completely out of business, but had no date at all when that might be. **PZD Miller** said he believes that is correct. **Commissioner Connell** then asked what the existing zoning that surrounds this whole subject property? **PZD Miller** answered the property and all the surrounding property right now is zoned agriculture. **Commissioner Connell** said, just to recap, we have a landfill to the west of the property. We have pigs and hogs to the north of the property. We have proposed 502 units still going onto a two-lane road, and intersection improvements. As he said earlier with what is being proposed for this intersection, all they are really doing is taking the impact fee money and paying some of it up front and throwing some money at the intersection. He has looked at the improvements; it is some turn lanes, almost like a band-aid on a knife wound. Based on the amount of traffic we are going to be putting on this road with all these developments, he really does not think long term it is going to do much of anything. They are getting credit for putting the money up front, but they are really not doing anything any other developer is not doing, it is just paying a couple million upfront versus as they go. They were non-committal on the CDD if this project were approved and non-committal on the CDD taking and maintaining ownership of the roads for maintenance. We do not know what is going to go on in the rear of the property, to the west, when the landfill actually stops, but that road has to be maintained to get back to that property. The whole area surrounding and including the subject property is all ag. Can we not in Leesburg have any rural property left that is not covered with rooftops and asphalt? He asks the commission to really consider all these factors when we get ready to vote.

There being no further comments, Mayor Berry asked for roll call.

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Connell	No

Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Berry	Yes

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

- 2. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 202.6 +/- acres from Lake County Rural to City of Leesburg Estate Residential, for a property generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lake Bright-Brighurst LSCP)**

ADOPTED ORDINANCE 26-09

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

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

The roll call vote was:

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

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

- 3. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 202.6 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for 502 single-family residential lots, for a property generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lake Bright-Brighurst PUD)**

ADOPTED ORDINANCE 26-10

Commissioner Burry made a motion that parcel 1701414 must have continuous access, and that phase four cannot be commenced until the landfill is closed pursuant to all regulatory agency standards. **CM Minner** added that if you make that amendment, you probably want to stick it in the transportation section, somewhere in paragraph 8 of the PUD. **Commissioner Reisman** seconded the motion.

Commissioner Connell wanted to add that if they are going to move forward with this, then he thinks the PUD should also have that the CDD has to be responsible for the roads. We should not take these roads

as part of the plat. **Commissioner Burry** understands Commissioner Connell's concern and asked Dan if the PUD reads may. **PZD Miller** replied that is correct. Every road has to be built to city standards. **CM Minner** said Commissioner Connell may want to exact and be specific, and he alluded to that during the discussion. There is a paragraph there specifically that you will want to strike, believe that is 8H1. **PZD Miller** agreed it is 8H1. **CM Minner** stated you will want to strike 8H1 because that gives the contemplation of dedication and 8H2 is the one that talks about having to create a CDD. So, if you take out paragraph 8H1, there will be no dedication of the road. Do you agree with that? **CA Watson** agreed. **CM Minner** then suggested, You have a motion on the floor to amend it with the language that spells out specific criteria that affects Lake Thomas Road. Why don't you vote on that and then come back and if Commissioner Connell wants to add a change to the PUD that strikes that paragraph, let's do that in the second round of modifications to the PUD.

Mayor Berry said there is a motion on the floor to amend the specifications for Lake Thomas Road as stated by Commissioner Burry, and we have a second. Roll call.

Commissioner Connell asked for clarification before voting. This PUD vote basically allows 502 units. **CM Minner** answered, Yes. There is a motion on the floor the mayor asked for, which is the amendment that Commissioner Burry made which states that the parcel to the west, identified as alt key number 1701414, must have continuous road access. And part B of that is that phase four of the development cannot commence until the landfill is closed and closed pursuant to all regulatory standards. So that is the amendment to the PUD on the floor.

The roll call vote on the amendment was:

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

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

CM Minner asked Commissioner Connell if he wanted to add an amendment that strikes section 8H1. **Commissioner Connell** said he would like to make a motion to strike 8H1 of the PUD and asked if by striking that, does it mean if this passes, the CDD will have to be responsible for the roads? **CM Minner** replied, Yes. **Commissioner Connell** made that motion and **Commissioner Burry** seconded the motion. **PZD Miller** asked for clarification. Does that require it to be a CDD, or can it be an HOA? **Commissioner Connell** said whoever is going to take responsibility.

Mayor Berry said it has been moved and properly seconded to amend the PUD for CDD or HOA.

Commissioner Burry said he had a question for the city attorney. It is not that he wants to take the roads. He likes the fact that new development should pay for itself and that this body is making that decision. His only concern is that eight years from now, when none of us are here, and it is a different set of minds, if we take the word may and make it a no, then it is a cut and dry thing. A different commission may want to decide differently about the wording. From a legal standpoint, does it give the body an opportunity to say, "Yeah, we will take the roads or no, we will not take them?" **CA Watson** replied, Yes, it does allow that option. **Commissioner Pederson** thought we were taking roads back now, even from subdivisions that were built before we even monitored the roads. His point is about a prior Hanover development where he wanted them to take responsibility for a boulevard that went through the project because he

thought it would be heavily traveled by the public. But other than that, we have been pretty consistent in saying when it is built, we will take responsibility for the roads. This is a whole change in policy from what we have been doing the last five years. **Commissioner Burry** said he knows our PUDs have evolved under this commission quite a bit. He asked Dan if that word may put into the road question: Is that a new thing or has it always been like that? **PZD Miller** replied it has been there for the last several years. The current wording is should the permittee or designate choose to retain the roadways, they shall establish an appropriate legal density. It then goes on to say that it would be a homeowner's association and it does not deny them the opportunity to plat the development and turn the roads over to the city. **Commissioner Pederson** added that when we first started this, we had a big debate about being sure the roads were built properly. It was his understanding that as long as they were built properly, we were willing to take them. **CM Minner** said, Yes. He thinks the struggle that has been with the PUD's is both Commissioner Connell's and Commissioner Burry's concerns tied together in subdivisions where we have said we are not going to take them. As a city, we lose a little bit of tracking as far as construction management. The roads get built, they go in and then, sure as we are sitting here, there are issues with the roads and then those residents come to the natural source to get the roads fixed, which is the city. That happened in Lake Denham Estates because the HOA does not have the money, or they are still phased, so, that becomes problematic. Then the residents look to the city to fix the roads and, as a result of that process, we started going, "Yeah, we will accept dedication." Some PUDs have been very specific that we are going to dedicate it, but then some of the PUDs have had to stay under boiler language that have gone back and forth. In this specific case, he thinks Commissioner Connell's position is this overriding factor which supersedes the discussions that we had that we do not want to take the roads. Therefore, keep them outside the city's maintenance requirements, hence the concept and the discussion we are having. You added the restriction regarding the west property, which has been adopted. Now the question becomes: do you want to be more specific? He would also indicate that if you do strike paragraph 8H1, then we probably need to change the language a little bit because the intent of striking paragraph one, is we will not accept dedication. So, we probably need to add some language to paragraph 8H2, renumber it, and say there shall be no dedication. Therefore, the PUD is required to have a CDD, HOA, or an entity that has the responsibility for future road care and maintenance. **CA Watson** mentioned that we could probably strike out that first part of the sentence in 8H2. Should the permittee or designate choose to retain the roadways, strike that out. So, it starts with the permittee shall establish an appropriate legal entity that shall accept responsibility. **CM Minner** added that if you pass this, that gives Grant a little bit of flexibility to Scribner changes that make pursuant to the motion, which is that we do not want to take these roads. **CA Watson** agreed. **CM Minner** then said if we are going to add that, we probably should say road and stormwater improvements as well, because then next we are going to get the complaint, We will fix the stormwater but not the roads. So, you probably should be clear that the intent of, and Commissioner Connell is nodding, we are not going to accept the dedication of stormwater and road improvements and stick that in paragraph 8H something.

Commissioner Pederson said he remembers some years back when all this came up, we had a subdivision where the developer turned it over to the HOA, who was not maintaining the roads, and the city had to step in because residents were upset. So, we made a decision to repair the roads. **CM Minner** said he thinks it was Lake Denham Estates, and he does not believe we coughed up any funds to fix those roads. **PWD Kelsey** added that we have not. **CM Minner** thinks in that particular case, the process worked. **Commissioner Pederson** said he thought the issue was that we also amended our policy to where we had to be more involved in the roads. They had to be built to certain specs because we found out that we were taking roads back from old subdivisions where they were not built properly. **CM Minner** said he thinks our intent is the same. He has it specifically framed for Lake Denim Estates, where we ran into that issue because we received a number of residential complaints. So, while the residents are not going to say the process worked, the city will say the process worked. The process worked in that when we started getting complaints from the Lake Denim Estate HOA, his office and Cliff's office, worked with the HOA, we worked with the developer and ostensibly the city was able to force the correct improvements. We might

have done that with the deed of dedication, like we are never going to take these pursuant to the agreement if you do not do this fix, and he does not think we have accepted the dedication of those roads, but they got fixed. So, at the end of the day, the residents had some pain, but the city was able to leverage our position to get the roads fixed. From that experience, the boilerplate language of A or B kind of wove itself back into the PUDS. Ultimately, he thinks what is going to happen is residents who live in a PUD that has failing infrastructure their position is going to be to come to the city to get the city to fix it, and eventually we will or do our best to leverage that improvement. It is not easy if we do not own the street, but on the other side of the equation, if we own the street, yeah, we will fix it because it is ours to fix and that is what we do. **Commissioner Pederson** thanked him for the clarification.

CM Minner said there is a motion and second on the floor to strike paragraph 8H1 and modify paragraph 8H2 so that it does not take dedication of the roads, that the roads remain in the ownership of the CDD or another agency that has ultimate responsibility for maintenance of the road for the perpetuity of the subdivision and storm water.

The roll call vote on the second amendment was:

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

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

The roll call vote on the Ordinance as amended was:

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

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

- 4. An Ordinance of the City of Leesburg, Florida, amending Chapter 4 “Aircraft and Airports”, Article II “Standards for Operators and Airport Tenants”, SEC. 4-19(C) “Leases” of the Code of Ordinances to authorized approval of standard lease forms and rent rates for certain airport rentals and to authorize execution of standard lease forms by the City Manager; providing for inclusion in the Code of Ordinances; providing for severability and conflicts; and providing for an effective date.**

ADOPTED ORDINANCE 26-14

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

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

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

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Connell	Had Stepped Out
Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Berry	Yes

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

B. FIRST READING OF ORDINANCES:

- 1. An Ordinance of the City of Leesburg, Florida, dissolving the Tara Oaks Community Development District pursuant to section 190.046(10), Florida Statutes; finding that the district has no outstanding financial obligations and no operating or maintenance responsibilities; providing for repeal of ordinances in conflict; providing for severability; and providing for an effective date. (Tara Oaks CDD dissolution)**

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

Mayor Berry requested comments from the Commission and the audience.

Commissioner Burry asked why would we want to get out of holding them to a development standard? We have approved about seven of these in the greater Leesburg area, and it was his understanding that we do not have the burden of the new infrastructure on our taxpayers. There were a lot of good things for the city when we approved these and, all of a sudden, they do not want it. Well, they already got it, so, why should I be voting? What is in it for us? **PZD Miller** replied that there have been some family issues, some people passed away, and they have decided at this time that the district is no longer necessary. We anticipate that they will have to come back in the future once the new ownership is settled. **CM Minner** asked if there is language in that PUD that they have to get a CDD as well? **PZD Miller** answered No, sir, there is not. This is a very old PUD, going back to 2005, and he thinks it was amended around 2017 or 2018. What we are anticipating is that they will need to redo a new CDD or HOA, one or the other, but he believes they will want a new CDD. Staff will contact their legal firm to find out. He understands that, because of the deaths in the family, they do not have the right people to make up the district anymore, but he will find out more. **CM Minner** asked if we could hold on this until Dan has more information. **PZD Miller** said he did not notice them here and asked if they could make contact tomorrow, because they have advertising requirements that they have to meet that are outside what the city has to do per chapter 190 of Florida statutes. They have to advertise hearings. **CM Minner** said we can march forward. If Dan does not have your answers at the next meeting, you could kick the can then. Keep moving forward on this with that question being answered before your final vote. **CA Watson** agreed this is a first reading, and does not know if there is a good reason or if something is missing. **Commissioner Pederson** asked if the PUD stays in place. **CM Minner** replied, yes, and that we will make sure to express the gravity of the situation to the developers and have better answers for you at the next meeting when this comes back. We understand that if you are not happy it could be a no and Dan will express that.

Mayor Berry said this will lay over to the April 27th meeting.

C. NON-ROUTINE ITEMS:

1. Discussion Item - May Meeting falls on an Observed Holiday - Memorial Day

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

CM Minner said we just need a motion to have the meeting on the 26th so we are compliant with the Charter.

Commissioner Pederson made a motion to move the regular meeting on Memorial Day, May 25, to the following Tuesday, May 26, 2026. Commissioner Reisman seconded the motion.

The roll call vote was:

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

Five yeas, no nays, the Commission approved the date change for the second meeting in May.

D. U.S. HIGHWAY 441/27 COMMUNITY REDEVELOPMENT AGENCY:

1. Resolution of the U.S. Highway 441/27 Community Redevelopment Agency of the City of Leesburg, Florida authorizing the Chairperson and Secretary to execute a resolution approving Fiscal Year 2026 Façade Sign, and Landscape Grant Awards; and providing an effective date. (FSL Grants U.S. Highway 441/27 CRA 2026)

ADOPTED RESOLUTION 55

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

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

Mayor Berry requested comments from the Commission and the audience.

CM Minner stated this is the same issue that you hit before. During meetings, he and Grant had a little bit of a sidebar. It is his impression that this is being applied equally to everybody throughout the county. So, he is going to ask you to approve it. If he finds out different, he will come back to you. We had to do this in three capacities; the downtown CRA, the Carver Heights CRA, and the 441/27 CRA. Because this body is the 441/27 CRA board, you can do this as the city commission.

Commissioner Reisman said that it is a breath of fresh air that the Southside Shopping Plaza is getting some long-standing issues resolved. **Mayor Berry** agreed. **Commissioner Reisman** said it was the Save a Lot, and the dumpsters. He thanked Dianne for all her hard work.

The roll call vote was:

Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Reisman	Yes
Commissioner Connell	Yes
Mayor Berry	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. None

8. CITY ATTORNEY ITEMS:

CA Watson said he had no reports this evening.

9. CITY MANAGER ITEMS:

CM Minner had two quick ones. First, his apologies because he thinks Commissioner Reisman just saw I messed up and he did. He was talking on that last item on the CRA and you were approving the FSL grant. I think you all knew that. Issue two, not to belabor the Susan Street thing, it was in the packet, but you are getting that additional money from shifting overage moneys from the Main Street project. We were about a million and a half over, so, just shifting those DST monies that were fiscal year 25 monies and that was part of the recommendation in the staff report. You are not digging into your pocket for cash or future year special revenues to do that project. Just wanted that really for the public's edification.

10. ROLL CALL:

Commissioner Burry said when Mike Woods (MPO) was here last meeting, he mentioned that there was grant money available for some type of position that would work like a professional staff with traffic light synchronization. **Commissioner Reisman** said that is what he was referencing earlier. **Mayor Berry** said it was smart, and we should follow up on that. **Commissioner Pederson** said it was his understanding that it was in the future. **Commissioner Burry** said he does not know when it is, but we want to be on it because that is the only way we are going to move traffic. **CM Minner** said he and Cliff would get the commission a report.

Commissioner Connell had nothing.

Commissioner Reisman said he spoke to the city manager about this. One of the boards is expiring, and they just got going with their funding and things like that. He would like to make a motion to extend

Leesburg in Bloom's term until the January 6th organizational meeting to give them a little more time. **Commissioner Burry** seconded the motion.

The roll call vote was:

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

Five yeas, no nays, the Commission adopted the motion to extend the Beautification Committee terms to the January 6, 2027, organizational meeting.

Commissioner Reisman also mentioned that, obviously, Leesburg BikeFest will be happening soon. Hopefully, everyone will come out for that. It will be a great time. Again, thank you to Dianne and her team for the hard work on the FSL grants. On the parking project, if staff could maybe do some PSA or door knocking with all the downtown businesses. Last, he does not think we hear it enough, but he heard it twice last week, just talking to people around the community. We hear the negative, but it is also good to hear the positives from our different demographics, from the young to senior citizens to young couples to people just moving here say that the city of Leesburg is doing a great job and to keep doing what we are doing.

Commissioner Pederson had no comment.

Mayor Berry thanked the commission for their patience and continuing to strive to make Leesburg better. Making suggestions while we work and meet here together and listening to all the constituents as they come through. That is very important, and believe it or not, we are listening. She also wanted to thank the Commission again for its patience with her as well.

11. ADJOURN:

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

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

With a motion by Commissioner Reisman and a second by Commissioner Burry, the meeting adjourned at 7:36 p.m.