

**AGENDA
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, MAY 9, 2022 5:30 PM**

1. CALL TO ORDER

INVOCATION

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

2. PROCLAMATIONS:

A. Water Reuse Week

3. PRESENTATIONS:

A. Fire Chief David Johnson Retirement Recognition

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

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 April 25, 2022

B. PURCHASING ITEMS:

1. Purchase request by the Information Technology Department for the

purchase of a new network core switch infrastructure from High Performance Technologies (HPT) for an amount of \$79,660.00.

- 2. Purchase request by the Public Works Department for demolition services to remove the old HO Dabney Pool for an amount of \$59,844.75 and an estimated \$15,000 for material disposal costs.**

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Lake County Water Authority Stormwater Grant Program Agreement to help fund the Center Street Stormwater Retrofit Project Land Acquisition and Design; and providing an effective date.**
- 2. Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2021-22 Budget for the General, Stormwater, Greater Leesburg CRA, Electric, Gas, Solid Waste, Airport and Health Insurance Funds for the Second Quarter; and providing an effective date.**
- 3. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from C. Ryan Bernard and Leah S. Bernard, his wife, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.**
- 4. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Joseph Richard Kauker, Individually, and Joseph Kauker and Sherri Kauker, Individually and as Trustees, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.**
- 5. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to submit an Application and Accept a Grant, if awarded, for the Community Development Block Grant program for the Fiscal Year 2023; and providing an effective date.**

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

A. SECOND READING OF ORDINANCES

1. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 33 +/- acres; and being generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, lying in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (Sundance AX)**
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 33 +/- acres from Lake County Regional Office to City of Leesburg Estate Residential, for a property generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, as legally described in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Sundance Subdivision SSCP)**
3. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 33 +/- acres from Lake County A (Agriculture) to PUD (Planned Unit Development) to allow for a mixed use development of single-family residential and mini-warehouse storage units for a property generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, as legally described in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Sundance PUD)**
4. **An Ordinance of the City of Leesburg, Ratifying the establishment of The Villages Community Development District No. 14 (District) pursuant to Ordinance No. 21-30 and the Boundary Amendment of the District pursuant to Ordinance No. 22-10; affirming and certifying the establishment of the District, the external boundaries of the District, the initial members of the Board of Supervisors, the name of the District, the location of water and sewer connections, the time table and cost estimates, and the statement of estimated regulatory costs; providing for conflicts; providing for severability; and providing for an effective date.**

B. FIRST READING OF ORDINANCES

1. **None**

C. NON-ROUTINE ITEMS

1. None

7. INFORMATIONAL REPORTS:

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

A. None

8. CITY ATTORNEY ITEMS:

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, APRIL 25, 2022 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, April 25, 2022, at Leesburg City Hall. Mayor Pro-Tem Burry called the meeting to order at 5:30 p.m. with the following members present:

Commissioner John Christian
Commissioner Jay Connell
Commissioner Dan Robuck
Mayor Pro-Tem Jimmy Burry

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

INVOCATION

Mayor Pro-Tem Burry gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

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

2. PROCLAMATIONS:

A. Professional Municipal Clerks Week

Mayor Pro-Tem Burry read a proclamation recognizing the week of May 1st through May 7th 2022 as Professional Municipal Clerks Week. The city's Municipal Clerks, J. Andi Purvis, and Anna Rottermond, accepted the proclamation.

3. PRESENTATIONS:

A. 2021 PLANT OPERATIONS EXCELLENCE AWARD for The Plantation at Leesburg's Water Treatment Plant - Presented to Plant Staff

PWD Kelsey stated this award was given to the Leesburg Plantation Plant. It is the 2021 Plant Operations Excellence Award. It was presented in recognition of the Florida Department of Environmental Protection's goal of ensuring safe drinking water for all people in Florida. This certificate

was awarded to the Leesburg Plantation Plant staff in recognition of their outstanding operation through dedicated professionalism. It was awarded to them at the 2022 Focus on Change Seminar Series Event held in Ocala, Florida on March 17th 2022 by Michael Lynch, the Director of the Division of Water Resource Management. He then presented the award to Al Purvis, Terrie Miller, and Matthew Turner of the Public Works Water Treatment division.

B. Employee Service Award Recognitions:
(All Retirees)

Sixteen Years: Jack Montaudo, Gas; and Dennis Workman, Finance

Twenty Years: Ken Thomas, Housing& Economic Development

Twenty-three Years: Leah Lang, Library

Thirty-three Years: Dave Thomas, Electric

HR Director Arriaga and **CM Minner** recognized each employee who had recently retired or announced their retirement with their service award. HRD Arriaga thanked each of them for coming to the meeting to receive their award and wished them well in the next chapter of their lives.

CM Minner remarked that he wanted to address the last retiree personally. For him, this one was difficult. Ken Thomas, the Housing / Economic Development Director, submitted his resignation about a month ago. He has served the city for almost twenty years and he will be moving on to the City of Daytona. On a personal note, the City of Daytona's HR Director was a former colleague of the City Manager when he worked for the City of Sebastian; he was the HR Director there. About three to four years into his service there, he left the City of Sebastian to go work for the City of Daytona. A few months back, he received a call from him stating that he was going to steal one of our guys. He asked if I knew Ken Thomas and I had to say yes. He then said that their City Manager would be calling to do a background check on Ken. He jokingly said, when that call came through he said a bunch of horrible things about Ken, but somehow the City of Daytona still hired Ken. Some time had passed and he thought the City of Leesburg may have dodged that bullet, but unfortunately, Ken notified him that he would be going to the City of Daytona. They have had a bunch of conversations since then but, unfortunately, Ken is leaving the City. Ken has been a humongous part of this organization. He is leaving a big hole that we have to fill and we will do that. In moving forward he wanted to reflect on some of the things that Ken had accomplished over the years. Even though he has only known Ken for eight of the twenty years, they have accomplished a lot and Ken was a big part of that. A few things that come to mind were the construction of the Resource Center and Teen Center. Along with everything they did within the Carver Heights CRA area and the Economic Development accomplishments, including Pine Street. Ken was a big part of the Pine Street redevelopment. Ken also played a big part with the American Recovery Act monies and the contributions to both the Leesburg and West Leesburg CDCs. That may sound like a lot of little stuff, but it was a lot of stuff over eight years. The biggest thing for him personally, was how influential Ken had become at opening his eyes to diversity and to making sure that the City was doing the right thing for everybody in the community. He stated that Ken would be hard to replace and congratulated him. **HD Thomas** thanked him for his kind words.

4. PUBLIC COMMENTS:

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Joanie Smalley of the Leesburg Partnership wanted to thank everybody, especially the City, for all their help during BikeFest last weekend. It was a great success. There were a lot of people who came out for the event. A lot more came out than they had expected. They could not have done it without the help from the City and from every department who called and asked what they could do to help to make this a successful event. They really appreciated it. She wanted to come up and give praise for that.

Gayle Halen of the Leesburg Shuffleboard stated that she was here two weeks ago. She stated that she told the Commission what they wanted, which was a place to have their dinner next year. She gave her name to someone and he was supposed to call, but he did not. She does not remember who that was. **CM Minner** remarked that she needed to see Recreation Director Rima. He mentioned that the Recreation Director tried contacting her twice during the week. He asked her to speak with RD Rima, who was present, so that he could help her. **Ms. Halen** thanked him for his help.

5. CONSENT AGENDA:

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Item pulled for discussion:

5.C.1 = Construction Services Agreement with Bulldog Sitework, LLC. for the installation of a new water main known as the Westside Drive Water Main Installation for an amount of \$676,127.71

Commissioner Robuck moved to adopt the Consent Agenda except for **5.C.1**, and Commissioner Christian seconded the motion.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Robuck	Yes
Commissioner Connell	Yes
Mayor Pro-Tem Burry	Yes

Four 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 28, 2022**
- 2. Regular meeting held April 11, 2022**

B. PURCHASING ITEMS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida**

authorizing the Mayor and City Clerk to execute a Construction Services Agreement with Bulldog Sitework, LLC for the installation of a new water main known as the Westside Drive Water Main Installation for an amount of \$676,127.71; and providing an effective date.

ADOPTED RESOLUTION 11,060

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an Office Use Agreement between the City of Leesburg and Lake Economic Area Development Corporation, for office space at Leesburg International Airport; and providing an effective date.**

ADOPTED RESOLUTION 11,064

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

Commissioner Robuck made a motion to adopt the resolution and Commissioner Christian seconded the motion.

Mayor Pro-Tem Burry requested comments from the Commission and the audience.

Commissioner Connell stated he did not have any real issues or concerns with this. However, he wanted to know if there were any improvements that needed to be made to this space prior to them moving in, and, if so, what were the estimated costs to be spent? **CM Minner** replied it needs to be painted, the door needs to be fixed, and the air conditioner needs to be repaired. The estimated amount is around fifteen thousand dollars. **Commissioner Connell** asked if the city would be covering all the repairs one hundred percent. **CM Minner** replied that the city would be taking care of it one hundred percent. He suggested paying for the repairs from one of the utility funds. More specifically, the gas or electric fund, because they promote economic development. **Commissioner Connell** wanted to confirm that it would cost about fifteen thousand dollars for these improvements in order to get this where it needs to be. Also, based on the lease amount we are looking at, plus or minus two and a half years before the city will recoup that fifteen thousand dollars. **CM Minner** agreed, that was correct. **Commissioner Christian** wanted to know if we were doing this because they are promoting economic development in Lake County and Leesburg. He wanted to know if this was market rate rent because the commission gave the Sheriff's Department a very hard time with renting. He wanted to make sure that they were consistent with making sure that for five hundred and forty square feet, the average market rate was five hundred dollars a month. He wanted to make sure that it was not under market value because they were hard on the Sheriff's Department over market rent. He did not want to see another group come in where they may possibly receive cheaper rent after the City puts in fifteen thousand dollars for renovations. He does not have a problem with it, he just wants to make sure the city is consistent. We do not want to change viewpoints when one group comes in above another at the airport.

Commissioner Christian then asked if the money would go into the airport fund, then why wouldn't the airport fund pay for the renovations? **CM Minner** replied it is market rate. They ran that past the Airport Board and they were good with it. Mind you, five hundred dollars a month does not sound like a lot, but all they are getting is a glorified patio. This is coming to you ahead of the curve because the Lake Economic Area Development (LEAD) organization is not even yet official. Their movement is to change economic development in Lake County. They will be proposing this concept to the County next week. **Commissioner Robuck** pointed out that they would be proposing it to the County tomorrow. **CM Minner** continued to say that their concept and first step is to get the County onboard. What the LEAD group is trying to do is privatize economic development. They want to model the success that Marion County and Ocala have done with their operations. They would then go to the County and say they are setup ready to do business and that they have a place to do business, hence the lease. At that point, they would go to the County to get them to buy-in and then to the cities. They will be coming to us to ask us for a contribution. Right now, we spend in the neighborhood of fifteen to twenty thousand on Economic Development through Metro EDC and some other organizations. He suggested that if we decide to buy into this concept, that we move who we write the check to. He believes there are some really good concepts for the privatization of this, but it needs to rest with the County first. Mandy Wetstein and her group, who organized the LEAD group, will be making a presentation to this body. With the airport fund, we would look to the airport fund for making those repairs. The airport does have an invested interest in the LEAD organization. They would be representing Lake County in general. We want them in Leesburg and we want them at the airport. We want the City of Leesburg to be the first place folks go to when they fly into the airport. If it is the Commission's desire to spend the money from the airport fund to fix up that facility, you would not hear any squawking from him. He thinks it is worth Leesburg's investment to be part of this and to have the airport host the location. **Commissioner Christian** stated he likes the location and he agrees with the facilities market rate. It was about the money and where it comes from, because when the rent comes in it will go into the airport fund, so why would we pay for the repairs from the utility fund? That does not sound right. We just had a big conversation about borrowing with the Resource Center. Where the Resource Center borrowed a million dollars from the utility fund and everyone said do not forgive that debt. Here we are basically saying take it from the utility fund and then the airport fund gets all the money. Yet they do not have to pay the utility fund back. It is like we are saying to the Resource Center, we are not going to forgive your loan, but we are not doing the same thing here. It may be a small amount, but the airport fund should pay for these repairs because they will be receiving the money back in two and a half years. They will be whole and their investment will be the airport, so they should pay for it. **CM Minner** responded that has been duly noted. **Commissioner Robuck** said to provide a little information about the Lake Economic Area Development, he has been really involved with it and they are trying to copy the Ocala model. Right now, the Ocala and Marion County organizations have more industrial square footage under construction than any county in the State of Florida. They have about five million square feet of industrial construction and they have been using this model for a while. They are now about eighty percent privately funded and twenty percent publicly funded. Their budget is huge because they receive the same amount from the County. They have also started increasing private contributions and that is what they are trying to do here. They have a meeting tomorrow and they have had a lot of meetings with the County already. However, tomorrow is the final approval meeting. This is to designate LEAD as the official Economic Development Agency, so when other LEADs come in from around the State they will do that. The Ocala organization will be helping them get off the ground. The Ocala CEO will actually spend one day a week, every week in Lake County for the first year. Then we will hire our own people who will help out with the backend services. He has all the relationships with the site selectors and he has some deals to bring in initially. There were a lot of other cities who wanted the LEAD headquarters and there were private developers who offered to put them in private space. He pushed really hard because he wanted this in Leesburg. We are centrally located and we have an airport. He told them that it was a big thing because there would be people flying in privately with large companies to come view different sites. He wanted them to come into Leesburg so

they could see what we have here. **Commissioner Christian** wanted to know if anyone would be opposed to the airport fund paying for the improvements. **Mayor Pro-Tem Burry** stated that he had no objections. He just wanted the improvements to be made so that when these folks come in they do not walk into a dump. **Commissioner Robuck** added that it needs to be improved. We would be getting above market rent. He is sure Mr. Reisman would agree that the building is in rough shape because it has not been used. **Commissioner Connell** asked Mr. Reisman if he had anything he would like to add. **Mr. Reisman** stated that this space would be great for this type of use. When he thinks about economic development, he thinks of the airport. He would like to see them in Leesburg. This space really cannot be used right now because the air conditioner needs to be fixed along with a few other things. If another group was to come into this facility they would have to pay for the improvements out of the airport fund, so he was fine with that. **CM Minner** pointed out that the official motion is to approve the lease. When it comes to the improvements, those will be under seventy-five thousand dollars, which falls under his spending authority and they will be paid from the airport fund. He sees that the general consensus of the Commission was for that it be paid from the airport fund, so he would see that it was done. **Commissioner Robuck** mentioned that, assuming we are still talking about it being fifteen thousand dollars, that if you find something to be closer to seventy-five thousand, it will need to come back. **CM Minner** said they are looking at around twelve thousand and some change.

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Connell	Yes
Commissioner Christian	Yes
Mayor Pro-Tem Burry	Yes

Four 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 an amendment to Public Transportation Grant Agreement (PTGA) (Financial Project No. 446941-1-94-01) with the Florida Department of Transportation, for the Customs & Border Protection Facility Rehabilitation project, to extend the end date of the Agreement to October 1, 2022; and providing an effective date.**

ADOPTED RESOLUTION 11,061

3. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to provide the Airport Manager of Leesburg International Airport, consent to sign non-monetary, grant related documents with the Florida Department of Transportation; and providing an effective date.**

ADOPTED RESOLUTION 11,062

4. **Resolution of the City Commission of the City of Leesburg, Florida, ratifying the Collective Bargaining Agreement Wage Opener with the International Association of Fire Fighters (IAFF) Local 2957; and providing an effective date.**

ADOPTED RESOLUTION 11,063

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

A. SECOND READING OF ORDINANCES

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

ADOPTED ORDINANCE 22-30

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

Commissioner Robuck made a motion to adopt the ordinance and Commissioner Christian seconded the motion.

Mayor Pro-Tem Burry requested comments from the Commission and the audience. There were no comments made. He closed the public hearing.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Robuck	Yes
Commissioner Connell	Yes
Mayor Pro-Tem Burry	Yes

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

- 2. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 71 +/- acres; and being generally located east of U.S. Highway 27 and south of Dewey Robbins Road, lying in Section 06, Township 21 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 (Lakeco AX).**

ADOPTED ORDINANCE 22-27

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

Commissioner Robuck made a motion to adopt the ordinance and Commissioner Christian seconded the motion.

Mayor Pro-Tem Burry requested comments from the Commission and the audience.

Commissioner Connell wondered if there was a conceptual plan included with the packet. He saw the PUD, but he wanted to know if there was a conceptual plan showing the proposed layout. **Mayor Pro-Tem Burry** replied there was and he believed twenty percent was supposed to be one hundred foot lots. **Commissioner Connell** said that he saw in the PUD where it said twenty feet or that some were one hundred foot lots and the density was two-point-two or something like that. **Commissioner Robuck** commented that the rendering was tough to read. When he tried to blow it up he could not read the print. **Mayor Pro-Tem Burry** said there were one hundred and eighty-four units on seventy-two acres.

Greg Belliveau of Land Planning Group, Mount Dora, stated he was there representing the applicant. All of the lots are over fifty feet in width. The lots have a 50-foot minimum and a lot depth of one hundred and twenty square feet or greater. **Mayor Pro-Tem Burry** mentioned that in the PUD it says that twenty percent of the lots were to be one hundred foot lots. Is that the back measurement of the corners? **Mr. Belliveau** replied yes. The Planning and Zoning Director made sure that the lots were greater than the fifty-foot width. The City was getting a little tired of just the fifty-foot width. That is why they have included lots greater than fifty feet. **Mayor Pro-Tem Burry** remarked that in the PUD they have a minimum showing of no less than twenty percent for the one hundred-foot wide lots and the rest of them are fifty-foot wide lots with seventeen hundred square foot homes. He wanted to know if the homes at eighteen hundred square feet would be part of the twenty percent? **Mr. Belliveau** answered yes. **Mayor Pro-Tem Burry** wanted to clarify that thirty-six of the one hundred and eighty-four homes would be eighteen hundred square feet and the rest would be seventeen hundred square feet. **Mr. Belliveau** replied that is correct.

Mayor Pro-Tem Burry asked if the entrance would still be located off Duncan Road. **Mr. Belliveau** answered yes. That road is currently clay and they will be improving it to bring it up to meet county specifications. They are also required by the County to do some right-of-way dedications to O'Brien. All the utility extensions will come off of US 27. **Mayor Pro-Tem Burry** questioned if the applicant had any problems with the inclusion of dark sky lighting and having trees in every yard because that has not been included yet and this item will be amended. **Mr. Belliveau** replied that they do not have a problem with that. They will comply with the new regulations that have been added to all the newest PUDs.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Robuck	Yes
Commissioner Connell	Yes
Mayor Pro-Tem Burry	Yes

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

3. **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 71 +/- acres from Lake County Rural Transition to City of Leesburg Estate Residential, for a property generally located east of U.S. Highway 27 and south of Dewey Robbins Road as legally described in Section 06, Township 21 South, Range 25 East, Lake County, Florida; and providing an effective date. (Lakeco LGCP)**

ADOPTED ORDINANCE 22-28

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

Commissioner Christian made a motion to adopt the ordinance and Commissioner Robuck seconded the motion.

CA Watson swore in everyone who wished to provide testimony to items 6.A.3 and 6.A.4.

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

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Connell	Yes
Commissioner Christian	Yes
Mayor Pro-Tem Burry	Yes

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

4. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 71 +/- acres from Lake County A (Agriculture) to City PUD (Planned Unit Development) to allow for single-family residential development for a property generally located east of U.S. Highway 27 and south of Dewey Robbins Road, as legally described in Section 06, Township 21 South, Range 25 East, Lake County, Florida; and providing an effective date. (Lakeco PUD)**

ADOPTED ORDINANCE 22-29

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

Commissioner Robuck made a motion to adopt the ordinance and Commissioner Christian seconded the motion.

Mayor Pro-Tem Burry requested comments from the Commission and the audience.

Mr. Belliveau remarked that if the Commission wished to amend the ordinance to add the trees and the dark skies, they would have no problem with that.

Commissioner Robuck moved to make an amendment that we adopt the city's new dark sky lighting requirements as discussed at our prior meetings, along with the increased landscape requirements as discussed, and Commissioner Christian seconded the motion.

The roll call vote on the amendment was:

Commissioner Connell	Yes
Commissioner Christian	Yes
Commissioner Robuck	Yes
Mayor Pro-Tem Burry	Yes

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

Mayor Pro-Tem Burry asked if there was any further discussion with regards to the ordinance. There being none, he closed the public hearing.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Robuck	Yes
Commissioner Connell	Yes
Mayor Pro-Tem Burry	Yes

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

B. FIRST READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Ratifying the establishment of The Villages Community Development District No. 14 (District) pursuant to Ordinance No. 21-30 and the Boundary Amendment of the District pursuant to Ordinance No. 22-10; affirming and certifying the establishment of the District, the external boundaries of the District, the initial members of the Board of Supervisors, the name of the District, the location of water and sewer connections, the time table and cost estimates, and the statement of estimated regulatory costs; providing for conflicts; providing for severability; and providing for an effective date.**

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

CM Minner remarked that when The Villages CDD No. 14 was adopted, there was an error in that the requirement of a thirty-day advertising timeframe was missed. That is why we are redoing this now.

Mayor Pro-Tem Burry requested comments from the Commission and the audience. There being none, he stated that this item would be held over.

- 2. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 0.59 acres; and being generally located on the west side of County Road 468 and north of Schoolview**

Street, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 2; and providing an effective date. (Schoolview AX)

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

Mayor Pro-Tem Burry requested comments from the Commission and the audience. There were no comments. He stated this item would be held over.

3. **An Ordinance Amending the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Designation of certain property containing approximately 0.59 acres, from Lake County Urban Medium Density to City of Leesburg Medium Density Residential for a property generally located west of County Road 468 and north of Schoolview Street, as legally described in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Schoolview Properties)**

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

Mayor Pro-Tem Burry requested comments from the Commission and the audience.

CA Watson swore in those wishing to provide testimony.

Fernando Jones, MLJ Land Trust, stated he was here on behalf of the developer and he would be more than happy to answer any questions. There were no further questions.

Mayor Pro-Tem Burry stated that this item would lay over.

4. **An Ordinance of the City of Leesburg, Florida, rezoning approximately 0.59 +/- acres from Lake County RP (Residential Professional) to City of Leesburg SPUD (Small Planned Unit Development) to allow for residential development for a property generally located west of County Road 468 and north of Schoolview Street, as legally described in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Schoolview Properties)**

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

Mayor Pro-Tem Burry requested comments from the Commission and the audience.

Commissioner Christian said that when looking at this development it is only about half an acre site. It has seven units at eleven hundred square feet with only seven parking spaces. He wanted to know if that was up to code. He asked if the city allows for two people per household to only have seven parking spaces for seven houses, since most people have at least two cars? Plus, what if they had company over where would they park when there are only seven parking spaces? **Senior Planner, Kandi Harper** stated that they negotiated extra parking on the site-plan. Those parking spots are not associated with any particular house. That extra parking was negotiated between the Planning Director and the applicant. **Commissioner Christian** replied that he understands when you put something on paper. However, the reality of it is that seven parking spaces for seven units at eleven hundred square feet is too tight. If you have two people in each house, that is fourteen parking spaces. What happens if they have kids or teenagers? Where will they park? This site is only half an acre. He likes the idea of doing something with the property, but he is concerned about it being half an acre with seven dwelling units and only seven parking spaces. That is where it may look good on paper, but in reality that will be a nightmare because where will people park, on the streets? We are not in The Villages, so we do not have that kind of accommodation at Schoolview or Woodbine. We have an elementary school, so there are concerns that we may be creating a nightmare. He wondered if the applicant could tell them where these people would be able to park. He does not see how the city or the commission could allow seven parking spaces for seven houses. That is hard for him to phathom. We would not allow this anywhere else in Leesburg, so why would we allow that to happen here? Is this a new trend? We had just talked about amending the comprehensive plan, so he was trying to figure out how we would be allowing this to happen. **SP Harper** said that she believes one thing they looked at was that this was on a transit route and was walkable to the schools. If they have children in the schools, that would not really be a concern because it was a transit route. Plus, there is a bus stop at the Resource Center. **Commissioner Christian** replied he lives right down the road and he has five cars in his yard. He gets that it is a transit route, but that does not mean they would use the transit. They could live right next to the bus station, but that does not mean they are going to ride the bus. This is not New York and most people here have cars, they have multiple cars. So, for us to say that we are going to allow seven parking spaces for seven houses because they would be near the bus and that people are going to buy these houses for two hundred thousand dollars does not make sense. These people are not walkers. Walkers do not buy two hundred thousand dollar houses and catch the bus. The people that buy two hundred thousand dollar houses own their own cars. **SP Harper** responded that she would make a note to the Planning Director, but maybe the applicant could speak to this.

Commissioner Robuck questioned, referring to a drawing, there was a circle that said one story. It said there would not be a house there and that it would be open for future use. Is there any clarity as to what that future use would be? **Fernando Jones** responded they had seven lots there, but one lot has been removed and designated as an open space. That is dependent on what they need it for. Whether it be retention or parking. They have additional parking on the side. They have to go back to the Planning Director to determine what other uses they could use that space for. He noted that there are actually six houses on this site plan. It would actually be seven lots with six houses. **Commissioner Robuck** asked if they might be able to get seven extra parking spaces where that extra house was. **Mayor Pro-Tem Burry** responded that it was supposed to be a playground. The PUD specified that it was supposed to be a playground. **Mr. Jones** said that it was supposed to be a playground or a retention area. It is now classified as open space to be determined at a later date. **Commissioner Christian** wanted to know who was supposed to determine that use at that later date. **Mr. Jones** answered that it would be the Planning Department. That was part of the negotiations they had with the Planning Department. When they bring their engineering in, they will tell them what they want there. They will work that out at that point. **Commissioner Christian** stated that his main concern was parking. **Mayor Pro-Tem Burry** agreed and said six spaces is really all that is being shown for six units. Looking at the rendering, these are supposed to be three-bedroom, two-bath townhomes. **Mr. Jones** said they are single-family homes with three

bedrooms and two baths, two bedrooms and a bath are upstairs with attic space. The smallest unit is about eleven hundred and forty square feet. They also have an optional unit of about fourteen hundred square feet. **Commissioner Robuck** commented that he agrees on the parking issue. For him, they have to get two parking spaces per unit before he can get comfortable with this. That would be important. He is not worried about recreation for a six lot community when there are parks in the area. He noted that he was looking at this in the sense that it would be okay to be a little different in what we require in different areas of the city. This would clearly be an improvement on some of the other lots in the area, but we have to make sure it works. We do not want cars all out in the street detracting from the area. He commented that the houses do look nice and he understands that you have to keep them at a price that can be affordable. He would be willing to be more flexible about that, but he needs more parking.

Commissioner Christian mentioned that he could get with the Planning Department and tell them that he does not need the park for these six houses. Tell them that he needs additional parking and maybe they would be good with that. They do not need a park for six houses because the commuters will want to come and use that park and that will cause additional problems. That will happen because it has already happened. If there are kids walking down Woodbine and they see that park, they will use that park. He is more inclined to have better parking than a park that would have to be maintained.

SP Harper wanted to clarify that they are looking for two parking spaces per unit. **Commissioner Christian** replied yes to be safe. **Mr. Jones** added that the drive in the middle of the development would be private and would have access to the public street. That may throw a different light on the total development. **Commissioner Christian** questioned if they were assuming there would be parking on that private drive in front of houses? **Mr. Jones** answered no. They discouraged that, but it would be a private drive. It is a twenty-four-foot private driveway with parking spaces on the side. As you said, that other lot could be subdivided into three other parking spaces, but we would not be able to get six parking spaces. That other lot would only get three additional parking spaces. **Commissioner Christian** asked if there was parking between the houses? **Mr. Jones** replied that there could, but the layout is not currently designed for parking in between the houses. **Commissioner Christian** stated that maybe between now and the second reading they could look and see. **Mr. Jones** said that they would need a little more than that because it is in depth. **Mayor Pro-Tem Burry** stated that he does not think parking between the houses is going to help with your overall selling ability. **Commissioner Robuck** commented that he did not want to tell him what to build, but if they could get the twelve parking spaces, he would be open to it. He would not be opposed to a townhouse-type layout if that helps, but they need more parking there.

Mayor Pro-Tem Burry stated this item would lie over.

C. NON-ROUTINE ITEMS

1. None

7. INFORMATIONAL REPORTS:

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

A. Financial Reports as of February 2022

There were no comments made.

8. CITY ATTORNEY ITEMS:

CA Watson had no items to comment on.

9. CITY MANAGER ITEMS:

CM Minner had no further comments tonight.

10. ROLL CALL:

Commissioner Christian stated he was happy to see another successful Bikefest. He knew Joanie Smalley had to take it down to one day this year and he hopes that we do everything we can to make next year's Bikefest a three-day event. He had already texted Joanie asking her to start strategizing for next year's event to see what she could come up with. There was a lot of chat on Facebook about other bikefests in other cities, but Leesburg is the premier Bikefest. Next year, he would like them, as a commission, to make sure that Joanie has everything she needs to make it a three-day event. This city needs to get back to that prestige and honor that the Leesburg Bikefest was and is for this city. He encouraged her to find some diverse entertainment so they could take Bikefest down Pine Street to extend Bikefest for even a couple hours on Pine Street. They have been holding Jazz Nights on Pine Street and those have been going very well. The older crowds have encouraged the partnership to keep doing it. There are a couple of businesses that have opened on Pine Street and they even have some vendors that have started coming out. It has been amazing to see some of the older citizens from Leesburg come out. They almost had tears in their eyes because they saw Pine Street lighting up with nighttime activities. He wanted to thank the city manager, the commission, and the citizens for allowing the CDC to partner with the city so they could work together and make Pine Street mesh with the pool. It has been great. There have been some great activities going on around Pine Street. He then thanked Joanie and said that he was looking forward to a bigger Bikefest next year.

Commissioner Robuck had no comment.

Commissioner Connell had no comment.

Mayor Pro-Tem Burry thanked everyone for bearing with him at his first meeting as Mayor Pro-Tem. **Commissioner Christian** said he did a great job.

11. ADJOURN:

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

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

The meeting adjourned at 6:20 p.m.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.1.

Meeting Date: May 9, 2022

From: Mike Thornton, (Purchasing Manager), Tino Anthony , (IT Director)

Subject: Purchase request by the Information Technology Department for the purchase of a new network core switch infrastructure from High Performance Technologies (HPT) for an amount of \$79,660.00.

Staff Recommendation:

Staff recommends approval of the purchase request by the Information Technology Department from High Performance Technologies for an amount of \$79,660.00.

Analysis:

The purpose of this purchase is to replace the core switch within the City's data network system. A core switch is the network switch installed at the backbone of the layered or hierarchy network. The data switches are responsible for routing and data switching at the core layer of the network. The data routed and switched by the core switch is carried forward to the bottom layers of the network, such as the distribution and access layers. This means the performance of the entire network relies on the data routed and switched by the core switch.

The equipment being replaced is approximately 8 years old and has come to the end of its life by IT standards for critical network infrastructure. The City has 4 core switches and this is the 4th one to be replaced recently.

Procurement Analysis:

This purchase is being made using the State of Florida awarded contract for Computer Equipment, Peripherals, and Services 43211500-WSCA-15-AC. Contract number MNWNC-134.

The City's procurement policy allows for the use of cooperative contracts such as this state contract in lieu of a competitive bid process. Procurement has reviewed the purchase request and have deemed use of the State of Florida contract to be the appropriate procurement method.

Options:

1. Approve the purchase request using the State of Florida contract with High Performance Technology, Inc. for \$79,660.00; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Funds are available in the current IT capital budget for this purchase.

Account No.	001-1633-513.64-10
Project No.	GFASST
WF No.	WF1380078 / 001
Requisition	54411

Submission Date and Time: 5/4/2022 1:18:22 PM

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.2.

Meeting Date: May 9, 2022

From: Mike Thornton, (Purchasing Manager), Cliff Kelsey, (Public Works Director)

Subject: Purchase request by the Public Works Department for demolition services to remove the old HO Dabney Pool for an amount of \$59,844.75 and an estimated \$15,000 for material disposal costs.

Staff Recommendation:

Staff recommends approval of the purchase request for the services in the amount of \$59,844.75 to WHM Foundation Services and an estimated \$15,000 in disposal fees for an estimated total project cost of \$74,844.75.

Analysis:

The purpose of this purchase request is to approve the contractors proposal for services related to the removal of the old HO Dabney Pool located on Beecher Street.

Procurement Analysis:

The City has an existing Agreement with WHM Foundation, LLC for demolition services. This work will be done under that contract. The contract is a fixed unit price contract for specific demolition services. The cost for disposal of the debris material is charged back to the City by the contractor at the actual disposal cost. The cost for demolition services is fixed at \$59,844.75. The ESTIMATED cost for disposal is \$15,000. In speaking with the contractor, the amount should be less than this but we do not know for sure. When the Venetian Garden pool was demolished, the amount of concrete was much more than anticipated. The contractor honored the contract proposal but the cost of material disposal was much more than expected due to more concrete used during construction.

Options:

1. Approve the purchase request to WHM Foundation, LLC for \$59,844.75 and the additional \$15,000 for disposal costs; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

The current budget includes \$50,000.00 for the demolition of the Dabney Pool. Funds are available in the Venetian Gardens Dock project and will be moved to this project.

Account No.	031-8125-572.62-10
Project No.	310081
WF No.	WF1380302 / 001
Requisition	54409
Budget	\$50,000.00
Available	\$50,000.00

Submission Date and Time: 5/4/2022 1:20:41 PM

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: May 9, 2022

From: Cliff Kelsey, (Public Works Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Lake County Water Authority Stormwater Grant Program Agreement to help fund the Center Street Stormwater Retrofit Project Land Acquisition and Design; and providing an effective date.

Staff Recommendation:

Staff recommends authorization of the execution of a Lake County Water Authority Stormwater Grant Program Agreement in the amount of \$106,500.00 to help fund the Center Street Stormwater Retrofit Project Land Acquisition and Design.

Analysis:

Public Works Stormwater Division applied for and was subsequently awarded a grant from the Lake County Water Authority to help fund 75% of the land acquisition and engineering design of one of our top stormwater priorities. The Center Street Stormwater Retrofit project was identified and conceptually developed in our recently completed Stormwater Master Plan. One of the critical elements of planning and budgeting for the project is the acquisition of the real estate necessary to construct the project. When LCWA informed us that they had a grant program with funding available, we submitted an expedited grant application due to the impending deadline. The award of the grant will allow the City to purchase the real estate necessary this Fiscal Year vice waiting for the Commission's approval of Fiscal Year 2023's budget and risk another party purchasing the real estate.

This project, when complete, will significantly impact the residents along Center Street as they currently do not have stormwater drainage and are prone to flooding. This project will also include water quality treatment measures that will improve the runoff that currently drains without treatment to Benton Pond. These measures will enable the City to remove large quantities of trash, oils, sediments, fine particles and nutrients from the stormwater runoff. The amount of Total Phosphorous this project is estimated to remove is 7.7 lbs/yr, which will help the City achieve its BMAP goals of pollutant and nutrient reduction of surface waters.

Procurement Analysis:

The purchase price of the real estate required is \$50,000.00 and the remainder of the grant will go to funding the engineering and design of the project which is estimated to be \$92,000.00. The remaining 25% of the project cost is to be funded by the City.

Options:

1. Execute the grant agreement with Lake County Water Authority; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

By executing this agreement saves the City \$106,500.00 or 75% of the total project cost estimated at \$142,000.00. The City's cost of this project is \$35,500.00; these funds are available in the current Stormwater Capital Projects budget. A budget adjustment will be necessary to add the \$106,500.00 in grant funds to the current budget.

Account No. 014-0000-337-3700

Submission Date and Time: 5/4/2022 1:26:08 PM

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A
LAKE COUNTY WATER AUTHORITY STORMWATER GRANT PROGRAM
AGREEMENT TO HELP FUND THE CENTER STREET STORMWATER
RETROFIT PROJECT LAND ACQUISITION AND DESIGN; 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 LAKE COUNTY WATER AUTHORITY, whose address is 27351 SR 19, Tavares, Florida 32778, for LAKE COUNTY WATER AUTHORITY STORMWATER GRANT PROGRAM AGREEMENT TO FUND CITY OF LEESBURG CENTER STREET STORMWATER RETROFIT.

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 9th day of May 2022.

Mayor

ATTEST:

City Clerk

**LAKE COUNTY WATER AUTHORITY
STORMWATER GRANT PROGRAM
AGREEMENT TO FUND CITY OF LEESBURG
CENTER STREET STORMWATER RETROFIT**

THIS AGREEMENT is made and entered into by and between the LAKE COUNTY WATER AUTHORITY, whose address is 27351 SR 19, Tavares, FL 32778-3119 (hereinafter referred to as the "Authority") and THE CITY OF LEESBURG, whose address is 550 S. 14th St., P.O. Box 490630, Leesburg, FL 34749, (hereinafter referred to as "Grantee" or "Recipient"), a body of local government within Lake County, Florida, to provide financial assistance for the Center Street Stormwater Retrofit project.

WITNESSETH:

WHEREAS, the Authority, is authorized and governed by Chapter 2005-314, Laws of Florida, for the purposes, among others, of controlling and conserving the fresh water resources of Lake County, preserving, protecting, and improving the fish and aquatic wildlife of the county, and protecting the freshwater resources by assisting local governments in the treatment of stormwater runoff, and

WHEREAS, the reduction and ultimate elimination of untreated stormwater into our public waterways will ultimately benefit the ecology of our waterways and the residents and tourists that use them, and

WHEREAS, it is desirable for the Authority to assist the local governments of Lake County in a coordinated effort through the provision of grant funds to reduce the influx of untreated stormwater into the publicly owned waterways of Lake County, and

WHEREAS, the Grantee's project consists of land acquisition and engineering design of a stormwater pond to retrofit and treat run-off discharging into Benton Pond from Center Street, hereinafter referred to as the "PROJECT"; and

WHEREAS, the Authority considers Grantee's PROJECT worthwhile and desires to assist Grantee in the funding of the PROJECT.

NOW, THEREFORE, the Authority and Grantee, in consideration of the mutual terms, covenants and conditions set forth herein, agree as follows:

In consideration of the mutual benefits to be derived here from, the Authority and the Grantee do hereby agree as follows:

1. The Grantee does hereby agree to perform and/or construct its PROJECT, in accordance with the terms and conditions set forth in this Agreement, **Attachment A, Grant Work Plan**, and all attachments and exhibits named herein, which are attached hereto and incorporated by reference. For purposes of this Agreement, the terms "Contract" and

“Agreement” and the terms “Grantee”, “Recipient” and “Contractor”, are used interchangeably.

2. This Agreement shall begin upon the date it has been executed by both parties, and terminate no later than **twenty-four (24) months** thereafter. The Grantee shall not be eligible for reimbursement for any work performed or land purchased prior to the date this Agreement has been executed by both parties. This Agreement may be amended to provide for additional services if additional funding is made available by the Authority.
3. A. For the improvement of water quality in the receiving Lake County waterbody by the Grantee under the terms of this Agreement, the Authority shall provide grant monies to the Grantee, on a cost reimbursement basis, in an amount not to exceed **\$106,500 (One Hundred Six Thousand and Five Hundred Dollars)**, or 75% (Seventy-five Percent) of the proposed land acquisition and engineering design PROJECT costs, whichever is less, for a portion of the Grantee’s water quality enhancement PROJECT, outlined in **Attachment A**, Grant Work Plan. The parties agree that the Grantee is responsible for providing at least a minimum match of **\$35,000 (Thirty-Five Thousand Dollars)**, or 25% (Twenty-five Percent) of the grant funded water quality enhancement portion of the PROJECT described in **Attachment A** for proposed land acquisition and engineering design costs. The property purchased by the Grantee will have a stormwater easement placed on it to prevent the future construction or placement of any structure, building, or other surface improvements, whether temporary or permanent, for anything other than stormwater management purposes. This agreement will need to be in place before any reimbursements are provided by the Authority for the PROJECT. Regardless of the amount of this grant, expenditures by Grantee which are determined, in the sole discretion of the Authority, to be unrelated to the enhancement of water quality in the receiving waterbody, will not be funded or reimbursed by the Authority. If the Grantee finds, after receipt of competitive bids, that the work described in **Attachment A** cannot be accomplished for the current estimated project cost, the parties hereto agree to modify the Grant Work Plan described in **Attachment A** to provide for the work that can be accomplished for the funding identified above.

(1) Payments shall further be conditioned upon the following:

- i. That funding from the Authority shall only be applied toward the portion of the project that treats the existing impervious areas and not future development, nor shall the Authority fund the repair of stormwater pipes.
- ii. That Grantee shall provide the Authority the necessary invoices and other documentation sufficient to evidence that Grantee has incurred the actual expense;
- iii. That Grantee shall provide the Authority written verification, provided by a person duly authorized by Grantee to so verify, that Grantee has incurred the actual expense;

- iv. That Grantee shall provide sufficient evidence to demonstrate that the reimbursable expenses are directly related to the water quality enhancement portion of the PROJECT.

(2) The reimbursements will have the following conditions:

- a. The Authority shall make reimbursements to Grantee within thirty (30) days of timely submitted invoices by Grantee, complete with the appropriate support documentation and any additional information requested by the Authority, which shall be submitted to the Authority at the following address:

LAKE COUNTY WATER AUTHORITY
27351 SR 19
Tavares, Florida 32778

- b. Grantee shall not use any Authority funds for purposes not specifically identified in the Grant Work Plan.
- c. The Authority shall have no obligation to reimburse Grantee for any costs under this Agreement until construction of the PROJECT has been completed.
- d. The Authority's performance and payment pursuant to this Agreement is contingent upon the Authority's Board of Trustees appropriating funds for the PROJECT.

- B. Upon completion of the PROJECT, the Grantee shall submit a written payment request, including a final project report containing before and after photographs and as-built plans, to the Authority's Grant Manager. The Grant Manager shall have thirty (30) calendar days within which to review the request. The Grantee shall be reimbursed on a cost reimbursement basis for all eligible water quality enhancement project costs, not to exceed the maximum grant amount. In addition to the payment request, the Grantee must provide from its accounting system a listing of expenditures made under this Agreement. The listing shall include, at a minimum, a description of the goods and/or services purchased, and date of the transaction, voucher number, amount paid, and vendor name.
- C. In addition to the invoicing requirements contained in paragraph 3.B. above, the Authority may request proof of transactions, such as invoices and payroll registers. If requested by the Authority, Grantee shall provide this additional information within 30 calendar days of such request.

4. The Authority's performance and obligation to pay under this Agreement is contingent upon an annual budget allocation by the Board of Trustees. The parties hereto understand that this Agreement is not a commitment of future budget allocations.
5. The Grantee shall submit written quarterly progress reports describing the PROJECT work performed, problems encountered, problem resolution, schedule updates and proposed work for the next reporting period. Quarterly reports shall be submitted to the Authority's Grant Manager no later than twenty (20) days following the completion of the quarterly reporting period. It is understood and agreed by the parties that the term "quarterly" shall reflect the calendar quarters ending March 31, June 30, September 30, and December 31. The Authority's Grant Manager shall have ten (10) calendar days to review deliverables submitted by the Grantee.
6. The Grantee shall recognize the Authority by erecting a sign at the site indicating the Authority's funding assistance for the project. The Authority's Grant Manager shall review and approve the sign prior to placement.
7. The Grantee agrees that it shall be solely responsible for the construction, operation, maintenance and/or failure of operation and/or maintenance of its PROJECT and/or stormwater system, and for its acts of omission and/or commission and for the negligent and/or wrongful acts of itself, its employees and agents. However, nothing contained herein shall constitute a waiver by Grantee of its sovereign immunity or the provisions of Section 768.28, Florida Statutes.
8. The Authority may terminate this Agreement at any time in the event of the failure of the Grantee to fulfill any of its obligations under this Agreement. Prior to termination, the Authority shall provide thirty (30) calendar days written notice of its intent to terminate this Agreement, and shall provide the Grantee an opportunity to consult with the Authority regarding the reason(s) for termination, and to remedy the deficiencies, if possible.
9. This Agreement may be unilaterally canceled by the Authority for refusal by the Grantee to allow public access to all documents, papers, letters, or other material made or received by the Grantee in conjunction with this Agreement, unless the records are exempt from Article I, Section 24(a), Florida Constitution and Chapter 119, Florida Statutes.
10. The Grantee shall maintain books, records and documents directly pertinent to performance under this Agreement in accordance with generally accepted accounting principles consistently applied. The Authority, the State, or their authorized representatives shall have access to such records for audit purposes during the term of this Agreement and for five years following Agreement completion. In the event any work is subcontracted, the Grantee shall similarly require each subcontractor to maintain and allow access to such records for audit purposes.

11. A. The Grantee may subcontract work under this Agreement without the prior written consent of the Authority's Grant Manager. The Grantee agrees to be responsible for the fulfillment of all work elements included in any subcontract and agrees to be responsible for the payment of all monies due under any subcontract. It is understood and agreed by the Grantee that the Authority shall not be liable to any subcontractor for any expenses or liabilities incurred under the subcontract and that the Grantee shall be solely liable to the subcontractor for all expenses and liabilities incurred under the subcontract.
- B. The Authority supports diversity in its procurement program and requests that all subcontracting opportunities afforded by this Agreement embrace diversity enthusiastically. It is encouraged that the award of subcontracts reflects the full diversity of the citizens of the State of Florida.
12. Nothing in this Agreement shall create, or be implied to create, any relationship between the Authority and any subcontractor of Grantee, nor any ownership, liability or responsibility of the Authority with respect to the stormwater system of Grantee.
13. Nothing in this Agreement shall be construed to benefit any person or entity not a party to this Agreement.
14. The Grantee shall comply with all applicable federal, state and local rules and regulations in its construction, performance and/or operation of the PROJECT. The Grantee acknowledges that this requirement includes compliance with all applicable federal, state and local health and safety rules and regulations. The Grantee further agrees to include this provision in all subcontracts issued as a result of this Agreement.
15. The Authority's Grant Manager for this Agreement is identified below.

Jason Danaher	
Water Resources Director	
Lake County Water Authority	
27351 SR 19	
Tavares, FL 32778-3119	
Telephone No.:	(352) 324-6141 ext. 138
Fax No.:	(352) 324-6364
E-mail Address:	jdanager@lcwa.org

16. The Grantee's Grant Manager for this Agreement is identified below.

Ryan Gerdon	
Administrative Services Coordinator	
City of Leesburg	
550 S. 14th St., P.O. Box 490630, Leesburg, FL 34749	
Telephone No.:	(352) 705-0248

17. To the extent required by law, the Grantee will be self-insured against, or will secure and maintain during the life of this Agreement, Workers' Compensation insurance for all of its employees connected with the work of this project and, in case any work is subcontracted, the Grantee shall require the subcontractor(s) to provide Workers' Compensation Insurance for all of the subcontractors' employees, unless such employees are covered by the protection afforded by the Grantee. All such self-insurance programs or insurance coverage shall comply fully with the Florida Workers' Compensation law. In case any class of employees are engaged in hazardous work under this Agreement, and are not protected under Workers' Compensation statutes, the Grantee shall provide, and shall cause each subcontractor to provide, adequate insurance, consistent with Grantee's primary insurance coverage, for the protection of all such employees not otherwise protected.
18. The parties specifically agree that Grantee is an independent contractor, and is not an agent, representative, or employee of the Authority. Grantee agrees to carry adequate liability insurance coverage and other appropriate forms of insurance coverage, consistent with Grantee's primary insurance coverage. The Authority shall have no liability except as to the payment of grant monies as provided above.
19. The Grantee covenants that it presently has no interest, and shall not acquire any interest, which would conflict in any manner or degree with the performance of services required.
20. The purchase of non-expendable personal property or equipment costing \$1,000 or more is not an authorized reimbursable expense under the terms of this Agreement.
21.
 - A. No person, on the grounds of race, creed, color, national origin, age, sex, or disability, shall be excluded from participation in, be denied the proceeds or benefits of, or be otherwise subjected to discrimination in performance of this Agreement.
 - B. An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not award or perform work as a contractor, supplier, subcontractor, or consultant under contract with any public entity, and may not transact business with any public entity. The Florida Department of Management Services is responsible for maintaining the discriminatory vendor list and posting the list on its website. Questions regarding the discriminatory vendor list may be directed to the Florida Department of Management Services, Office of Supplier Diversity, at 850/487-0915.
22. This Agreement represents the entire agreement of the parties. Any alterations, variations, changes, modifications or waivers of provisions of this Agreement shall only

be valid when they have been reduced to writing, duly signed by each of the parties hereto, and attached to the original of this Agreement, less otherwise provided herein.

23. The Grantee agrees that the PROJECT is not to be used to offset additional stormwater treatment requirements that may be imposed upon the Grantee as a result of future redevelopment located within the treatment basin.

(Rest of page intentionally blank)

IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this Agreement on the day and year set forth next to their signatures below.

LAKE COUNTY WATER AUTHORITY

Witness

By: _____
LCWA, Executive Director Date
Federal ID#: 59-6018003

CITY OF LEESBURG

Witness

By: _____
City of Leesburg, Mayor Date
Federal ID#: 59-6000362

List of attachments/exhibits included as part of this Agreement:

Specify Type	Letter/ Number	Description (includes number of pages)
Attachment	A	LCWA - Stormwater Grant Application (10 pages)

Attachment A

2022 Second Solicitation Applicant Information

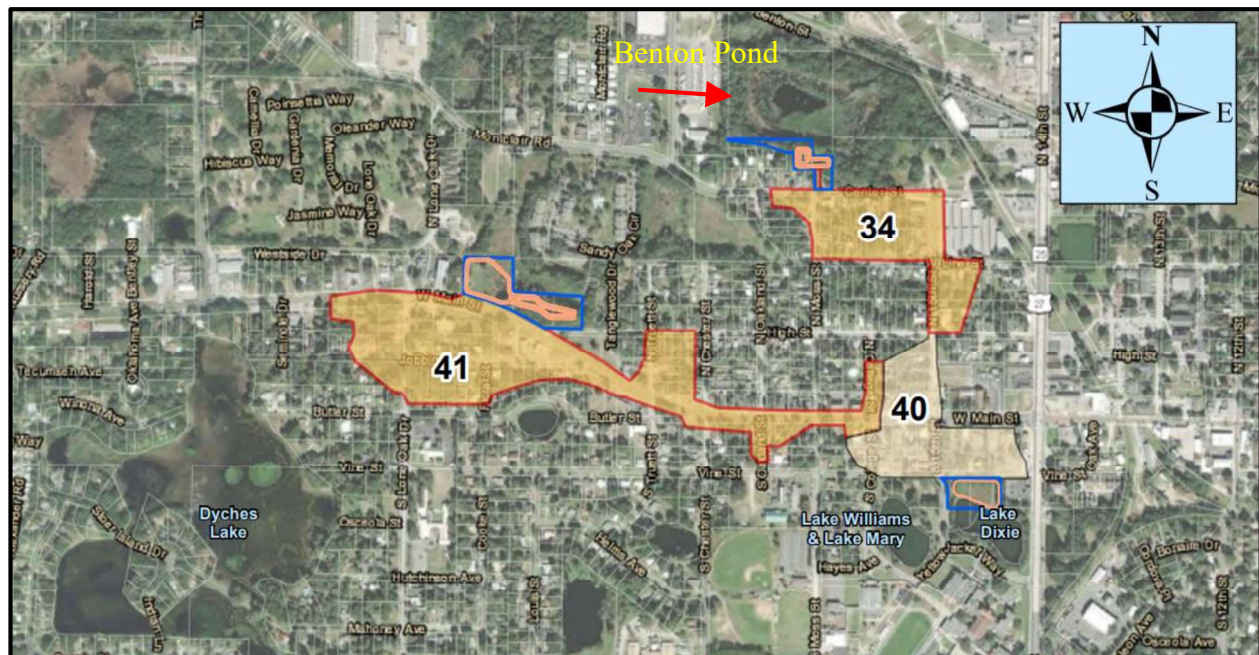
Municipality or Community Name City of Leesburg	Contact Ryan Gerdon
Phone Number (352) 705-0248	Title Administrative Services Coordinator
Project Name Center St. Stormwater Retrofit	E-mail Ryan.gerdon@leesburgflorida.gov
Mailing Address 550 S. 14 th St., P.O. Box 490630, Leesburg, FL 34749-0630	
Federal ID Number 59-6000362	

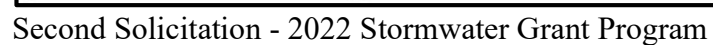
Location Maps

Please provide the following required information

- ☐ Location of proposed stormwater treatment (attach legible aerial photographs, maps or other materials to adequately depict the watershed, receiving water, and area of the proposed treatment including names of affected water bodies and street names where appropriate).

This grant application will retrofit an existing outfall to Benton Pond within the City of Leesburg. The basin and lake are located to the west of U.S. Highway 27 and North of Main Street. The Project is identified in the city's newly completed Stormwater Master Plan and on the following maps as Project #34:





Please provide input on the following criteria that will be evaluated:

- ☐ **Overall Project:** Description of proposed stormwater treatment project. Discuss the technical merits of the project. Provide the associated cost estimate for portion related to water quality treatment. Include an estimate for any additional work if the stormwater element is part of a larger project, the schedule with a completion date, and the estimated operation/maintenance plan for the proposed project. **(14 points max)**

In the newly completed Stormwater Master Plan, the City proposes retrofitting a residential and commercial basin that drains without treatment to Benton Pond. The current residential and commercial streets utilize curb and gutters to convey stormwater downhill to a ditch bottom inlet with a discharge pipe that moves polluted water northward into the pond. Next to the inlet is a large concrete flume that carries stormwater during higher flows into a sandy trash filled meandering ditch that carries pollutants and considerable amounts of sediments into the pond. This project is strictly for water quality treatment purposes.

The City proposes to purchase 4 residential lots totaling 1.4 acres in order to construct a dry retention pond for the treatment of pollutants. This project needs to proceed as soon as possible because the necessary lots for the construction of the retention pond are currently listed on the real estate market. With the dramatic increases in property values and sales, these parcels may quickly become unavailable.



The project consists of replacing the existing concrete flume and ditch bottom inlet at the street with a curb inlet and attached sediment box. The sediment box was not included in the Stormwater Master Plan but it will allow city staff to easily remove the large quantities of trash, oils, and sediments next to the street prior to decanting the remaining polluted water into the new retention pond for treatment of fine particles and dissolved nutrients. The following cost estimate from the engineer is without the addition of the proposed sediment box:

BMP #34: Center Street
Engineer's Estimate of Probable Project Costs

Item No.	Description	Unit	Quantity	Unit Price	Cost
Construction Costs					
1	Mobilization (10% of Total)	LS	1	\$ 11,200.00	\$ 11,200.00
2	Maintenance of Traffic (6% of below items)	LS	1	\$ 6,300.00	\$ 6,300.00
3	Erosion and Sediment Control	LS	1	\$ 5,000.00	\$ 5,000.00
4	Clearing and Grubbing	AC	0.8	\$ 18,900.00	\$ 14,500.00
5	Excavation	CY	209	\$ 8.00	\$ 1,700.00
6	Embankment	CY	5,230	\$ 9.00	\$ 47,100.00
7	Inlet, Curb Type P-6, <10'	EA	1	\$ 6,100.00	\$ 6,100.00
8	18-inch Mitered End Section	EA	2	\$ 1,700.00	\$ 3,400.00
9	18-inch Pipe	LF	231	\$ 80.00	\$ 18,500.00
10	Inlet, Ditch Bottom, Type C, <10' (Pond Outfall Structure)	EA	1	\$ 5,500.00	\$ 5,500.00
11	Performance Turf (Sod)	SY	1,122	\$ 3.00	\$ 3,400.00
Subtotal:					\$ 122,700.00
Contingency (20%):					\$ 24,540.00
Construction Total:					\$ 147,000.00
Engineering Costs					
Surveying		15% of Construction Total			\$ 22,000.00
Geotechnical Investigation		LS			\$ 4,000.00
Engineering Design and Permitting		30% of Construction Total			\$ 44,000.00
Construction Administration and Testing		15% of Construction Total			\$ 22,000.00
Property Costs					
Land Acquisition Costs (1.4 ac)		LS	1	\$ 50,000.00	\$ 50,000.00
TOTAL ESTIMATED PROJECT COST					\$ 289,000.00

With the addition of a sediment box, the cost is expected to increase by \$61,000 making the total project cost \$350,000. The City has some funding available as a match for the project and is requesting \$262,500 from the Lake County Water Authority.

Schedule:

Land Acquisition – 3 months
 Engineering Design – 5 months
 Permitting – 4 months
 Bidding and Approval – 5 months
 Construction – 5 months
 Total for Completion – 24 months

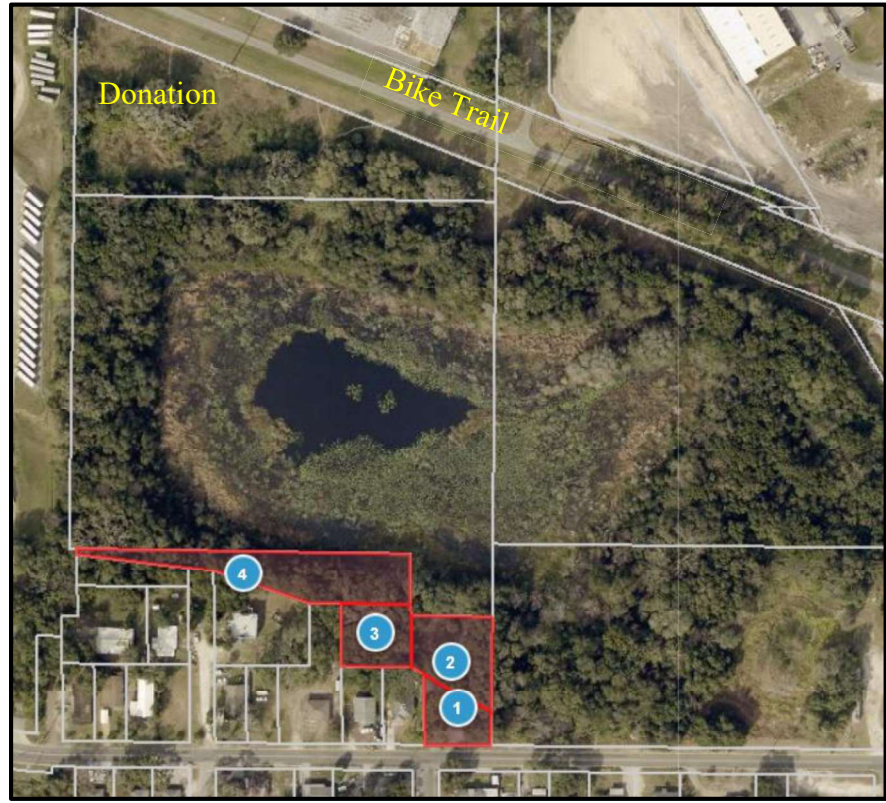
The City will be responsible for maintaining the retention pond and sediment box. Regular inspections will determine the frequency of necessary cleanings. The City plans to perform an annual inspection of the retention pond and quarterly inspections and cleanings of the sediment box. The City will adjust their cleaning schedules based on the results of their inspections.

- ☐ **Status of Project:** Which phases of the project have been completed? Provide realistic completion dates for the remaining phases. Requested contract time from the date of award to the completion of the project. **(5 points max)**

Conceptual - Completed
Study - Completed
Design – January 2023
Permits – May 2023
Bid Packages Prepared – July 2023
Time from Award to Project Completion – Two Years

- ☐ **Public Benefit:** Identify the receiving waterbody. Explain the type of existing public access to the receiving waterbody (Public Ramps, Public Docks, Adjacent Public Parks, etc.). Discuss the expected public benefit by implementing the project. **(19 points max)**

Benton Pond is a 7.5 acre lake that is surrounded by natural wooded areas and broad natural littoral zones. The City has a bike trail on the northern side of the lake that has the potential to serve as a scenic stop for travelers. Leesburg has received a verbal commitment from a property owner on the NW corner of the lake to donate 2.6 acres. The acquisition of this additional parcel greatly increases the public's access and potential use of the waterbody.



Stormwater from highly developed areas have resulted in the creation of a highly eroded ditch from the pipe and concrete flume along Center Street to Benton Pond. This eroded ditch conveys significant amounts of sediment into the lake forming an ever-increasing delta that is filling the lakes natural littoral zone. In addition, these regular discharges wash considerably high volumes of road trash into the waterbody. The construction of this project will dramatically reduce the volume of sediments, nutrients, trash, and oils that are currently washing into the lake with each storm event.

☐ **Pollutant Removal:** Identify the size of the area (in acres) proposed for treatment, the percent of the watershed that is impervious, the types of pollutants targeted for removal, and the type and percent efficiency of the treatment method selected. Estimate the pounds of the target pollutants that will be removed per year and identify the method used to calculate these totals. Include the acreage and volume of any retention ponds as well as any soil information that may be available. **(29 points max)**

The Center Street outfall is a 12.2-acre basin composed of medium density residential, commercial, and institutional land uses. Fifty-seven percent of the basin is composed of impervious areas. The selected treatment train includes a dry retention pond capable of storing 0.2 inches of runoff from the entire contributing basin.

The Florida Department of Environmental Protection determined that dry retention ponds are highly effective in removing 80% to 90% of the Total Phosphorus and Nitrogen in stormwater runoff. By utilizing the sediment box near the curb inlet, additional pollutants such as trash, oil, and sediments will be separated and removed prior to treatment in the dry pond. Currently, little stormwater treatment occurs prior to the water discharging into Benton Pond. The design engineers at DRMP estimate utilizing BMPTRAINS Software that the Total Phosphorus removal for the dry pond without the added sediment box is 7.7 lbs./yr.

The proposed pond is 0.22 acres in size and capable of storing a maximum of 0.54 ac.-ft. The soils in the basin are predominately HSG “A” with “A, B, and D” as you move down the pond site toward the pond’s littoral zone.

- ☐ **Type of Project:** What type of project is proposed by the applicant? **(15 points max)**

(Circle appropriate answer)

Stormwater Construction Only	15 points
Engineering Design and Construction	9 points
Engineering Design, Construction, and Land Acquisition	6 points
Stormwater Study	3 points
Other Pollutant Removal Items	0 points

- ☐ **Cost Sharing:** What level of cost sharing is requested (stormwater element only)? **(15 points max)**

(Enter appropriate percentage in correct category)

_____ %	0 to 25% LCWA reimbursement of project cost	15 points
_____ %	26 to 50% LCWA reimbursement of project cost	12 points
75 %	51 to 75% LCWA reimbursement of project cost	6 points
_____ %	76 to 100% LCWA reimbursement of project cost	3 points

- ☐ List additional funding partners and amount of proposed funding (stormwater element only)

Agency	Amount	Percentage
None		
Total		100

The following table represents a compilation of the six categories with their respective possible points that the Technical Review Team will utilize to evaluate and score the application. Each Team member will score each application individually and rank them from high to low. The Team will combine each Team member's ranking into an overall ranking. This final ranking will represent the basis for their final recommendation to the Board of Trustees of the Lake County Water Authority. It will be the responsibility of the Board of Trustees to determine those projects that warrant grant funds and the amount of funds to be awarded. Please keep in mind that the Technical Review Team cannot make assumptions regarding your application, so be as complete as possible with the package of materials that you provide.

Category	Possible Points	Points Awarded	Notes/Comments
Overall Project	14		
Status of Project	5		
Public Benefit	19		
Pollutant Removal	29		
Type of Project	15		
Cost Sharing	18		
Totals	100		

Reviewer Comments (attach an additional sheet if necessary):



Please provide input on the following criteria that will be evaluated:

- ☐ **Overall Project:** Description of proposed stormwater treatment project. Discuss the technical merits of the project. Provide the associated cost estimate for portion related to water quality treatment. Include an estimate for any additional work if the stormwater element is part of a larger project, the schedule with a completion date, and the estimated operation/maintenance plan for the proposed project. (14 points max)

In the newly completed Stormwater Master Plan, the City proposes retrofitting a residential and commercial basin that drains without treatment to Benton Pond. The current residential and commercial streets utilize curb and gutters to convey stormwater downhill to a ditch bottom inlet with a discharge pipe that moves polluted water northward into the pond. Next to the inlet is a large concrete flume that carries stormwater during higher flows into a sandy trash filled meandering ditch that carries pollutants and considerable amounts of sediments into the pond. This project is strictly for water quality treatment purposes.

The City proposes to purchase 4 residential lots totaling 1.4 acres in order to construct a dry retention pond for the treatment of pollutants. This project needs to proceed as soon as possible because the necessary lots for the construction of the retention pond are currently listed on the real estate market. With the dramatic increases in property values and sales, these parcels may quickly become unavailable.



City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.2.

Meeting Date: May 9, 2022

From: Brandy McDaniel, (Budget Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2021-22 Budget for the General, Stormwater, Greater Leesburg CRA, Electric, Gas, Solid Waste, Airport and Health Insurance Funds for the Second Quarter; and providing an effective date.

Staff Recommendation:

Staff recommends adoption of the attached resolution amending the Fiscal Year 2021-22 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
Repair Building (Library)	\$ 8,107	Recovery from Losses
Downtown Redevelopment Project	1,000,000	Transfer from GLCRA, Electric & WWT
Edward Byrne Grant (Police)	8,170	Federal Grant
FSL & Home Improvement Grants	12,460	Fund Balance
Additional Personnel due to Growth (Customer Service & Planning & Zoning)	51,264	Fund Balance
Purchase Mower from Airport Fund	<u>20,000</u>	Fund Balance
Total General Fund	\$1,100,001	

Stormwater Fund	Amount	Funding Source
Additional Personnel due to Growth (Cost Allocation from General Fund)	\$ <u>24,005</u>	Fund Balance
Total Stormwater Fund	\$ 24,005	

Greater Leesburg CRA Fund	Amount	Funding Source
Downtown Redevelopment Project	\$ <u>99,380</u>	Fund Balance
Total Greater Leesburg CRA Fund	\$ 99,380	

Electric Fund	Amount	Funding Source
Downtown Redevelopment Project	\$ 400,000	Fund Balance

Additional Personnel due to Growth (Cost Allocation from General Fund)		<u>66,411</u>	Fund Balance
Total Electric Fund		\$ 466,411	
Gas Fund	Amount		Funding Source
CR 470 Relocation Project	\$1,000,000		Fund Balance- R&R
Liberty Preserve Phase II	108,945		Developer Contributed
Lake Griffin Preserve Phase II	49,989		Developer Contributed
Eagletail Landing Phase I	<u>107,159</u>		Developer Contributed
Total Gas Fund	\$1,266,093		
Solid Waste Fund	Amount		Funding Source
Additional Personnel due to Growth (Cost Allocation from General Fund)	\$ 12,015		Fund Balance
Increase budget to purchase new Garbage truck	<u>65,500</u>		Fund Balance
Total Solid Waste Fund	\$ 77,515		
Airport Fund	Amount		Funding Source
Payment from General Fund for mower	\$ <u>20,000</u>		Transfer from General Fund
Total Airport Fund	\$ 20,000		
Health Insurance Fund	Amount		Funding Source
Increase Claims budget/Stop Loss funds	\$ <u>224,219</u>		Reinsurance Payments
Total Health Insurance Fund	\$ 224,219		

Procurement Analysis:

N/A

Options:

1. Adopt the attached resolution amending the Fiscal Year 2021-22 budget for the General, Stormwater, Greater Leesburg CRA, Electric, Gas, Solid Waste, Airport and Health Insurance Funds for the Second Quarter; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

See attached

Submission Date and Time: 5/4/2022 1:28:42 PM

<u>FUND</u>	FY 2022 <u>ADOPTED</u>	<u>CHANGE</u>	FY 2022 <u>AMENDED</u>
General	30,938,162	1,100,001	32,038,163
Stormwater	2,406,564	24,005	2,430,569
Housing Assistance	151,698	-	151,698
Greater Leesburg CRA	623,336	99,380	722,716
Carver Heights CRA	717,397	-	717,397
Hwy 441/27 CRA	1,413,457	-	1,413,457
Debt Service	1,750,006	-	1,750,006
Capital Projects	7,804,711	-	7,804,711
Electric	76,190,490	466,411	76,656,901
Gas	9,747,293	1,266,093	11,013,386
Water	14,171,459	-	14,171,459
Wastewater	32,085,126	-	32,085,126
Solid Waste	5,132,003	77,515	5,209,518
Airport	7,459,758	20,000	7,479,758
Police Pension	1,963,389		1,963,389
Fire Pension	1,676,985		1,676,985
General Employees Pension	3,245,409		3,245,409
Health Insurance	7,500,000	224,219	7,724,219
Workers' Compensation	672,050	-	672,050
Risk Management	876,886	-	876,886
Discretionary Sales Tax	2,538,165	-	2,538,165
Gas Tax	755,080	-	755,080
Police Impact Fees	10,500	-	10,500
Fire Impact Fees	250		250
Recreation Impact Fees	181,000	-	181,000
Building Permits	1,756,420	-	1,756,420
Police Forfeiture	41,571	-	41,571
Police Education Receipts	6,000	-	6,000
Fleet Services	4,397,559	-	4,397,559
Total	216,212,724	3,277,624	219,490,348

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA,
AMENDING THE FISCAL YEAR 2021-22 BUDGET FOR THE GENERAL, STORMWATER,
GREATER LEESBURG CRA, ELECTRIC, GAS, SOLID WASTE, AIRPORT AND HEALTH
INSURANCE FUNDS FOR THE SECOND QUARTER; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Commission of the City of Leesburg adopted a budget for the Fiscal Year 2021-22 on September 27, 2021, 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 2021-22 to provide funds for various projects as adopted at City Commission meetings, and

WHEREAS, such action was not anticipated in the original 2021-22 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 2021-22 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 2021-22 for the City of Leesburg, Florida:

GENERAL FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Intergovernmental Revenue	8,170
Miscellaneous Revenue	8,107
Other Financing Sources:	
Fund Balance Appropriated	83,724
Transfer from Other Funds	1,000,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,100,001

PROPOSED APPROPRIATIONS

General Government	1,042,582
Public Safety	8,170
Physical Environment	29,249
Non Expenditures:	
Transfers to Other Funds	20,000
TOTAL PROPOSED APPROPRIATIONS	1,100,001

STORMWATER

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Financing Sources:	
Fund Balance Appropriated	24,005
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	24,005

PROPOSED APPROPRIATIONS

Physical Environment	24,005
TOTAL PROPOSED APPROPRIATIONS	24,005

GREATER LEESBURG CRA FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Financing Sources:	
Fund Balance Appropriated	99,380
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	99,380

PROPOSED APPROPRIATIONS

Non Expenditures:	
Transfers to Other Funds	99,380
TOTAL PROPOSED APPROPRIATIONS	99,380

ELECTRIC FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Financing Sources:	
Transfer from Other Funds	400,000
Fund Balance Appropriated	66,411
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	466,411

PROPOSED APPROPRIATIONS

Physical Environment	66,411
Non Expenditures:	
Transfers to Other Funds	400,000
TOTAL PROPOSED APPROPRIATIONS	466,411

GAS FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Sources	266,093
Other Financing Sources:	
Fund Balance Appropriated	1,000,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,266,093

PROPOSED APPROPRIATIONS

Physical Environment	1,266,093
TOTAL PROPOSED APPROPRIATIONS	1,266,093

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

Other Financing Sources:	
Fund Balance Appropriated	77,515
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	77,515

PROPOSED APPROPRIATIONS

Physical Environment	77,515
TOTAL PROPOSED APPROPRIATIONS	77,515

AIRPORT FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Transfer from Other Funds	20,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	20,000

PROPOSED APPROPRIATIONS

Non- Expenditures:	
Reserve for Future Use	20,000
TOTAL PROPOSED APPROPRIATIONS	20,000

HEALTH INSURANCE FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Miscellaneous Revenue	224,219
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	224,219

PROPOSED APPROPRIATIONS

General Government	224,219
TOTAL PROPOSED APPROPRIATIONS	224,219

ALL FUNDS**ESTIMATED REVENUES AND OTHER RECEIPTS**

Miscellaneous Revenue	232,326
Other Sources	266,093
Intergovernmental Revenue	8,170
Total Estimated Revenues	506,589
Other Financing Sources:	
Fund Balance Appropriated	1,351,035
Transfer from Other Funds	1,420,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	3,277,624

PROPOSED APPROPRIATIONS

Public Safety	8,170
General Government	1,266,801
Physical Environment	1,463,273
Non Expenditures:	
Transfers to Other Funds	519,380
Reserve for Future Use	20,000
TOTAL PROPOSED APPROPRIATIONS	3,277,624

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 9th day of May 2022.

Mayor

ATTEST:

City Clerk

2nd Quarter Budget Adjustments Additional Information

Fund:	Description	Amount	Reason
General Fund (G.F.)			
Library	Book Drop damaged by truck delivering to Café	8,107	Reimbursement was received by City
Misc.	Downtown Redevelopment Grant Program	1,000,000	City Commission approved 12/13/21
Police	Edward Byrne Grant (2 in car video systems)	8,170	City Commission approved 1/24/22, Grant was awarded to City
Misc.	FSL & Home Improvement Grants	12,460	City Commission approved 2/14/22
Cust. Service/P&Z	Additional Personnel due to Growth	51,264	City Commission approved 2/28/22
Misc.	General Fund purchase of Airport mower due to Airfield mowing outsourced	20,000	City Commission approved 2/28/22
	Total General Fund	1,100,001	
Stormwater			
	Additional Personnel due to Growth	24,005	City Commission approved 2/28/22
	Total Stormwater	24,005	
Greater Leesburg CRA			
	Downtown Redevelopment Grant Program (Transfer to General Fund)	99,380	City Commission approved 12/13/21
	Total Greater Leesburg CRA	99,380	
Electric			
	Downtown Redevelopment Grant Program (Transfer to General Fund)	400,000	City Commission approved 12/13/21
	Additional Personnel due to Growth	66,411	Cost Allocation Expenses in G.F., City Commission approved 2/28/22
	Total Electric	466,411	
Gas			
	CR470 Relocation Phase 2	1,000,000	Project is ready to move forward, funds are available in Renewal & Replacement
	Liberty Preserve Phase II	108,945	City received funds, add project to current budget, City Commission approved 1/24/22
	Lake Griffin Reserve Phase II	49,989	City received funds, add project to current budget, City Commission approved 2/8/21
	Eagletail Landing Phase I	107,159	City received funds, add project to current budget, City Commission approved 10/11/21
	Total Gas	1,266,093	
Solid Waste			
	Additional Personnel due to Growth	12,015	Cost Allocation Expenses in G.F., City Commission approved 2/28/22
	Increase new Garbage Truck budget due to higher cost estimates	65,500	Truck purchase came in higher than budget, increase budget to purchase
	Total Solid Waste	77,515	
Airport			
	General Fund purchase of Airport mower due to Airfield mowing outsourced	20,000	Transfer from G.F., City Commission approved 2/28/22
	Total Airport	20,000	
Health Insurance			
	Recognize Stop Loss Insurance Payments for High Claims	224,219	City received additional revenue due to high claims, increase claims budget
	Total Health Insurance	224,219	
	Total 2nd Qtr Budget Adjustments	3,277,624	

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.3.

Meeting Date: May 9, 2022

From: Brad Chase, (Electric Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from C. Ryan Bernard and Leah S. Bernard, his wife, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.

Staff Recommendation:

Staff recommends accepting and approving the Resolution for a Utility Easement from C. Ryan Bernard and Leah S. Bernard, his wife, for the property described therein.

Analysis:

C. Ryan Bernard and Leah S. Bernard, his wife, are granting a Utility Easement to the City of Leesburg, Florida for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, and electricity.

Procurement Analysis:

N/A

Options:

1. Adopt the Resolution accepting and approving the Utility Easement as presented, or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

None

Submission Date and Time: 5/4/2022 1:30:05 PM

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING A UTILITY EASEMENT TO THE CITY OF LEESBURG FROM C. RYAN BERNARD AND LEAH S. BERNARD, HIS WIFE, FOR THE PURPOSE OF GRANTING THE CITY AN EASEMENT OVER THE PROPERTY DESCRIBED THEREIN; AND PROVIDING AN EFFECTIVE DATE.

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

THAT the Utility Easement granted to the City of Leesburg by C. Ryan Bernard and Leah S. Bernard, his wife, for the purpose of granting the City a Utility Easement over the real property described in the document, is hereby accepted.

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

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 9th day of May 2022.

Mayor

ATTEST:

City Clerk

THIS INSTRUMENT PREPARED BY & RETURN TO:
Fred A. Morrison
McLin Burnsed P.A.
Post Office Box 491357
Leesburg, Florida 34749-1357

INSTRUMENT #2022033526
OR BK 5913 PG 345 - 347 (3 PGS)
DATE: 3/9/2022 3:33:44 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT
AND COMPTROLLER, LAKE COUNTY, FLORIDA
RECORDING FEES \$27.00 DEED DOC \$0.70

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 23 day of August, 2021, by C. RYAN BERNARD AND LEAH S. BERNARD, HUSBAND AND WIFE, whose address is 3201 Youngs Road, Leesburg, Florida 34748, hereafter referred to as Grantor, to THE CITY OF LEESBURG, FLORIDA, whose address is P.O. Box 490630, Leesburg, FL 34749-0630, hereafter referred to as Grantee,

WITNESSETH:

That for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid and tendered unto Grantor, receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, a perpetual easement over and across the following described real property:

A 10.00 FEET WIDE UTILITY EASEMENT BEING IN A PORTION OF THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 33, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE N.W. CORNER OF THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 33, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, THENCE PROCEED N. 89°53'22" E., ALONG THE NORTH LINE OF SAID S.W. 1/4 OF N.W. 1/4, A DISTANCE OF 537.85 FEET; THENCE S. 00°06'54" E., DEPARTING FROM SAID NORTH LINE A DISTANCE OF 25.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF YOUNGS ROAD, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE FROM SAID POINT OF BEGINNING PROCEED N. 89°53'22" E. ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID YOUNGS ROAD, A DISTANCE OF 426.97 FEET, MORE OR LESS, TO THE WEST RIGHT OF WAY OF A DRAINAGE DITCH AND A POINT HEREBY DESIGNATED AS POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING AND PROCEED S. 00°06'54" E., A DISTANCE OF 390.00 FEET; THENCE N. 89°53'06" E., A DISTANCE OF 10.00 FEET; THENCE N. 00°06'54" W, A DISTANCE OF 380.00 FEET; THENCE N. 89°53'22" E., A DISTANCE OF 403.58 FEET, MORE OR LESS, TO THE AFORESAID WEST RIGHT OF WAY OF A DRAINAGE DITCH; THENCE N. 05°56'08" E., ALONG SAID RIGHT OF WAY A DISTANCE OF 10.06 FEET TO INTERSECT THE AFOREMENTIONED POINT "A".

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, and electricity. If Grantee damages any surface improvements in its use of this easement, it shall repair any such damage at its expense, and restore the improvements to substantially the same condition they were in prior to the damage. Grantee is also given an irrevocable license, for so long as this Easement remains in effect, to cross the adjoining real property owned by Grantor, for the purpose of conducting any activities permitted by this Easement provided that such right of passage shall not interfere substantially with Grantor's use of its adjoining property.

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever. Grantor does hereby warrant the title to the interests conveyed to Grantee hereunder and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has set his or her hand and seal the day and year first above written. As used herein, the term "Grantor" shall refer to that person, or those persons, so named above, and shall be interpreted as being singular or plural, and shall be considered to have the person, number and gender appropriate to the context of the named individuals or entities.

WITNESSES (two required)

Keri Sellers
Keri Sellers
(Type or print name of Witness)

Katy Walsh
Katy Walsh
(Type or print name of witness)

GRANTOR:

C. Ryan Bernard
C. RYAN BERNARD

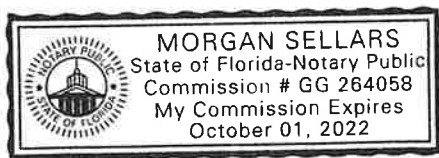
Leah S. Bernard
LEAH S. BERNARD

STATE OF FLORIDA
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared, either by means of ☒ physical presence, or ☐ online notarization, C. RYAN BERNARD and LEAH S. BERNARD, who acknowledged before me that they executed this instrument on the _____ day of _____, 2021, and who were either ☒ personally known to me, or who ☐ produced _____ as identification.

Morgan Sellars
NOTARY PUBLIC
Morgan Sellars
Type or print name of Notary

GG 264058
Commission Number
10/01/22
Commission expiration date



JOINDER & CONSENT OF MORTGAGEE

The undersigned, as holder of a mortgage or other lien on the above described property, as recorded in Official Records Book 5706, Page 2161, Public Records of Lake County, Florida, does hereby join in and consent to the granting of the easement to the City of Leesburg, Florida, and agrees that its interest in the property shall henceforth be inferior and subordinate to the easement rights herein created.

UNITED SOUTHERN BANK

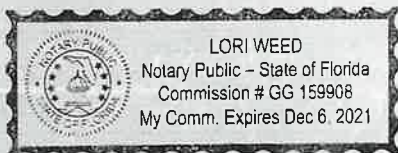
Michael A. Stephens
BY: Michael A. Stephens
Senior Vice President
Type or print name and position or title

STATE OF FLORIDA
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared, either by means of ☒ physical presence, or ☐ online notarization, Michael A. Stephens, the Senior Vice President of United Southern Bank, who acknowledged before me that (s)he executed this instrument on the 25th day of August, 2021, and who was either ☒ personally known to me, or who ☐ produced _____ as identification.

Lori Weed
NOTARY PUBLIC
Lori Weed
Type or print name of Notary

GG 159908
Commission Number
12/6/21
Commission expiration date



City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.4.

Meeting Date: May 9, 2022

From: Brad Chase, (Electric Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Joseph Richard Kauker, Individually, and Joseph Kauker and Sherri Kauker, Individually and as Trustees, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.

Staff Recommendation:

Staff recommends accepting and approving the Resolution for a Utility Easement from Joseph Richard Kauker, Individually, and Joseph Kauker and Sherri Kauker, Individually and as Trustees, for the property described therein.

Analysis:

That Joseph Richard Kauker, Individually, and Joseph Kauker and Sherri Kauker, Individually and as Trustees are granting to the City of Leesburg a Utility Easement for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, and electricity.

Procurement Analysis:

N/A

Options:

1. Adopt the Resolution accepting and approving the Utility Easement as presented, or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

None

Submission Date and Time: 5/4/2022 1:31:14 PM

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING A UTILITY EASEMENT TO THE CITY OF LEESBURG FROM JOSEPH RICHARD KAUKER, INDIVIDUALLY, AND JOSEPH KAUKER AND SHERRI KAUKER, INDIVIDUALLY AND AS TRUSTEES, FOR THE PURPOSE OF GRANTING THE CITY AN EASEMENT OVER THE PROPERTY DESCRIBED THEREIN; AND PROVIDING AN EFFECTIVE DATE.

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

THAT the Utility Easement granted to the City of Leesburg by Joseph Richard Kauker, Individually, and Joseph Kauker and Sherri Kauker, Individually and as Trustees, for the purpose of granting the City a Utility Easement over the real property described in the document, is hereby accepted.

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

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 9th day of May 2022.

Mayor

ATTEST:

City Clerk

THIS INSTRUMENT PREPARED BY & RETURN TO:
Loren M. Vasquez
McLin & Burnsed, P.A.
Post Office Box 491357
Leesburg, Florida 34749-1357

INSTRUMENT #2022022632
OR BK 5898 PG 1673 - 1674 (2 PGS)
DATE: 2/16/2022 3:27:12 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT
AND COMPTROLLER, LAKE COUNTY, FLORIDA
RECORDING FEES \$18.50

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 22nd day of January, 2022, by JOSEPH RICHARD KAUKER, INDIVIDUALLY, AND JOSEPH KAUKER AND SHERRI KAUKER, INDIVIDUALLY AND AS TRUSTEES OF THE JOSEPH KAUKER AND SHERRI KAUKER REVOCABLE FAMILY TRUST UTD 1/30/04, whose address is 6200 Kentucky Avenue, Leesburg, Florida 34748, hereafter referred to as Grantor, to THE CITY OF LEESBURG, FLORIDA, whose address is P.O. Box 490630, Leesburg, FL 34749-0630, hereafter referred to as Grantee,

WITNESSETH:

That for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid and tendered unto Grantor, receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, a perpetual easement over and across the following described real property:

A 10.00-FOOT-WIDE UTILITY EASEMENT, OVER AND ACROSS THE FOLLOWING DESCRIBED LANDS:

COMMENCE AT A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF KENTUCKY AVENUE (BEING 40.00 FEET WIDE) AND THE EASTERLY RIGHT-OF-WAY LINE OF THE SEABOARD AIRLINE RAILROAD (BEING 60.00 FEET WIDE) NOW ABANDONED, AS PER THE RECORD PLAT OF LENORA PARK AS RECORDED IN PLAT BOOK 11, PAGE 109, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1957.35 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 10.25 FEET, SAID ARC HAVING A CENTRAL ANGLE OF 00°18'00" AND A CHORD BEARING AND DISTANCE OF S. 29°01'01" E., 10.25 FEET; THENCE DEPARTING FROM SAID EASTERLY RIGHT-OF-WAY LINE ON A NON-RADIAL LINE, S. 87°14'15" W., 66.74 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID SEABOARD AIRLINE RAILROAD (NOW ABANDONED) AND TO THE POINT OF BEGINNING OF SAID 10.00 FEET WIDE UTILITY EASEMENT; THENCE FROM SAID POINT OF BEGINNING CONTINUE S. 87°14'15" W., 11.08 FEET TO A POINT THAT IS 10.00 FEET WESTERLY OF (WHEN MEASURED AT RIGHT ANGLES) TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID SEABOARD AIRLINE RAILROAD (NOW ABANDONED), SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2027.35 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND PARALLEL WITH SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 141.94 FEET, SAID ARC HAVING A CENTRAL ANGLE OF 04°00'41" AND A CHORD BEARING AND DISTANCE OF N. 26°10'51" W., 141.91 FEET TO THE POINT OF TANGENCY; THENCE N. 24°10'38" W., PARALLEL WITH AND 10.00 FEET WESTERLY OF SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 458.15 FEET; THENCE N. 65°44'22" E., 10.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID SEABOARD AIRLINE RAILROAD (NOW ABANDONED); THENCE S. 24°10'38" E., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 458.15 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2017.35 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 146.00 FEET, SAID ARC HAVING A CENTRAL ANGLE OF 04°08'48" AND A CHORD BEARING AND DISTANCE OF S. 26°15'02" E., 145.91 FEET, TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING SITUATE IN SECTION 31, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA AND CONTAINS 6021.25 SQUARE FEET, MORE OR LESS.

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, and electricity. If Grantee damages any surface improvements in its use of this easement, it shall repair any such damage at its expense, and restore the improvements to substantially the same condition they were in prior to the damage. Grantee is also given an irrevocable license, for so long as this Easement remains in effect, to cross the adjoining real property owned by Grantor, for the purpose of conducting any activities permitted by this Easement provided that such right of passage shall not interfere substantially with Grantor's use of its adjoining property.

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever. Grantor does hereby warrant the title to the interests conveyed to Grantee hereunder and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has set his or her hand and seal the day and year first above written. As used herein, the term "Grantor" shall refer to that person, or those persons, so named above, and shall be interpreted as being singular or plural, and shall be considered to have the person, number and gender appropriate to the context of the named individuals or entities.

WITNESSES (two required)

Judith M. Kelly
Phillip Kelly
as Trustee
(Type or print name of Witness)

Judith M. Kelly
Phillip Kelly
(Type or print name of witness)

Judith M. Kelly
Phillip Kelly
(Type or print name of witness)

Judith M. Kelly
Phillip Kelly

STATE OF FLORIDA

COUNTY OF Lake

GRANTOR:

JOSEPH KAUKER
JOSEPH KAUKER, Individually and

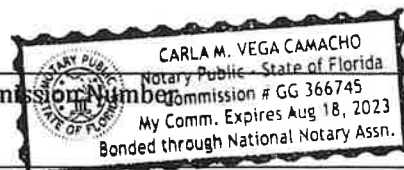
Sherri Kauker
SHERRI KAUKER, Individually and as Trustee

Joseph R. Kauker
JOSEPH RICHARD KAUKER, Individually

BEFORE ME, the undersigned Notary Public, personally appeared either by means of ☒ physical presence, or ☐ online notarization Joseph Kauker, Sherri Kauker, and Joseph Richard Kauker, who acknowledged before me that they executed this instrument on the 22nd day of January, 2022, and who were either ☐ personally known to me, or who ☒ produced Florida Driver License as identification.

Carla M. Vega Camacho
NOTARY PUBLIC
Type or print name of Notary

Commission Number
Commission expiration date



City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.5.

Meeting Date: May 9, 2022

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to submit an Application and Accept a Grant, if awarded, for the Community Development Block Grant program for the Fiscal Year 2023; and providing an effective date.

Staff Recommendation:

Approve CDBG Application Authorization Resolution.

Analysis:

In partnership with the Leesburg CDC, this resolution seeks to apply for \$750,000.00 in CDBG funding to build the Snow Apartment Complex for low income qualifying purposes. The resolution also provides for a \$250,000.00 match provided by the CDC (from the American Recovery Funds). The project aims to build the facilities through City management, and then dedicate the apartments to the CDC for lease and future maintenance.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

There is no fiscal impact as the CDC will provide the grant match.

Submission Date and Time:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA
AUTHORIZING THE MAYOR AND CITY CLERK TO SUBMIT AN APPLICATION AND ACCEPT
A GRANT, IF AWARDED, FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM FOR THE FISCAL YEAR 2023; AND PROVIDING AN EFFECTIVE DATE.**

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

THAT, the City of Leesburg desires to submit an application to the Lake County Office of Housing & Community Services for Community Development Block Grant (CDBG) funding to benefit persons of low and moderate income.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Leesburg as follows:

1. That the City of Leesburg hereby authorizes the filing of an application for a Community Development Block Grant, where funds will be used to provide housing for low income persons.
2. That the City of Leesburg will partner with the Leesburg Community Development Corporation to renovate, build, providing matching funds and operate the Snow Apartment Complex, located on Crosby Street and Snow Place in Leesburg, Florida.
3. That the Mayor of the City of Leesburg is hereby authorized to execute all documents required in connection with the filling of said CDBG application to be submitted on or before May 27, 2022.

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 9th day of May 2022.

Mike Pederson, Mayor

ATTEST:

City Clerk

APPLICANT INFORMATION AND PROJECT ABSTRACT			
1.	Project Name: Snow Apartment Complex		
2.	Title of CDBG Activity: Housing		
3.	CDBG Funding Year: FY 2022-23		
4.	Name of Applicant (Municipality or Non-profit): City of Leesburg / Leesburg CDC		
5.	Address: 501 W. Meadow St. PO Box 490630 Leesburg, FL 34749-0630		
6.	Telephone: 352-728-9786 ext 1100	7.	Facsimile: 352-728-9706
8.	Federal Tax ID No.: 59-6000362	8a.	DUNS No.: 113889752
8b.	Attach SAM.gov Proof of Registration and CAGE Number 3L2C7	8c.	Non-Profits: Attach: 501(c)(3) documentation and SAM registration
9.	Type of Organization: ☒ Municipality ☒ Non-profit		
10.	Name of Principal Contact Person: Al Minner		
11.	Title: City Manager	12.	Email address: Al.Minner@LeesburgFlorida.gov Telephone: 352-728-9786 ext. 1100
13.	Amount of CDBG funds requested: \$ 750,000.00		
14.	Funds committed from other sources: \$ 250,000.00		
15.	Total project cost (Line 13 + Line 14): \$ 1,000,000.00		
16.	Location of proposed project: (For purposes of GIS mapping, please provide a specific, US Post Office recognized address in or near the project site – i.e.: 132 Main St. Please do not provide a range or intersection) <u>1303 Crosby St. & 203/207 Snow Place</u> Leesburg, FL 34748		
17.	Attach electronic copies of Photographs of the project site if rehab or construction.		
The applicant certifies that to the best of its knowledge and belief, the information included in this application is true and correct, and that the applicant will comply with all federal requirements should this application be approved for funding.			
Signature		Date	
		Typed Name and Title	

PROJECT DESCRIPTION

Briefly describe the proposed project. The narrative should include: 1) the need or problem to be addressed, 2) the population to be served or the area to benefit, 3) the work to be performed, including the activities to be undertaken or the services to be provided, 4) the method of approach, and 5) the implementation schedule. **Attach additional sheets if necessary (no more than 3 please).**

SEE ATTACHED

Check here if the structure is historic ☐ Year constructed _____

Check here if the project is located in a flood plain ☐, attach flood plain map as applicable.

CDBG ELIGIBLE ACTIVITIES

1. Place a checkmark in one or more of the following boxes that describes your proposed activity.

Public Facilities:

- | | |
|---|--|
| ☒ Streets, curbs, sidewalks | ☐ Community centers, senior centers |
| ☒ Storm and sanitary sewers | ☐ Parking lots |
| ☒ Water lines | ☐ Fire Stations |
| ☐ Parks | ☐ Other, specify |

Public Services:

- | | |
|--|---|
| ☐ Child care | ☐ Health care |
| ☐ Recreation programs | ☐ Education programs |
| ☐ Public safety services | ☒ Fair housing activities |
| ☐ Services for senior citizens | ☐ Services for homeless people |
| ☐ Drug abuse counseling | ☐ Energy conservation counseling and testing |
| ☐ Welfare | ☐ Other, specify |
| ☐ Paying for the cost of operating and maintaining that portion of a facility in which one or more of the above services are provided | |

Other:

- | | |
|--|--|
| ☐ Acquisition | ☐ Homeownership assistance (down payment and closing costs) |
| ☐ Demolition | ☐ Planning |
| ☒ Housing Rehabilitation | ☐ Economic Development |

CDBG STATUTORY OBJECTIVE JUSTIFICATION

LMI Area Benefit | # Persons Served: 150+

☐ **Census Data** – (Please reference the **LMI Area map**)

Census Tract and Block Group #: 307.01

Area population: 2,565 LMI Population: 250 Percent LMI: 10%

OR

☒ **Survey Data** – Check this box if you intend to utilize household income surveys to document the size and annual income of each person receiving the benefit. Note: at least 51% of the program beneficiaries must be persons whose family income does not exceed the limits summarized in **Exhibit C – National Objective Qualifiers**.

****Note:** Public service activities CANNOT be qualified through the Area Benefit National Objective.

LMC Limited Clientele | # Persons Served: 65+

If the proposed activity is a public service and is limited to a specific group of people, at least 51% of whom are low- and moderate-income persons, indicate which of the three categories of limited clientele activities best describes the activity by placing a checkmark in the appropriate box.

☐ **Presumed benefit** - place a checkmark in the box that describes the beneficiaries of the proposed service: (**NOTE: Handicap Barrier Removal Projects should check Presumed Benefit/Severely Disabled Adults below**).

☐ Abused children

☐ Battered spouses

☐ Elderly persons

☐ Severely disabled adults (use census population report definition)

☐ Homeless persons

☐ Illiterate adults

☐ Persons living with AIDS

☐ Migrant farm workers

☒ **Family size and income** – check this box if you intend to utilize household income surveys to document the size and annual income of each person receiving the benefit. Note: at least 51% of the program beneficiaries must be persons whose family income does not exceed the limits summarized in **Exhibit C – National Objective Qualifiers**.

☒ **Nature and location of activity** – check this box if the nature and location of the activity are such that it will be used predominantly by low- and moderate-income persons. For example, a day care center designed to serve residents of a public housing development. Attach an explanation of how the activity meets this objective. ****See Attached Project Description****

LMH Housing | # Households Served: 30

☒ **Housing** – check this box if you will use funds to benefit low – and moderate Income homeowners or renters. Each unit must be occupied by a low- and moderate income household.

Slums/Blight | # Buildings Assisted: _____

☐ Only Public Facility building rehabilitation or demolition can be qualified as a “slums and blight” activity.

LINE ITEM BUDGET FORM – SERVICE PROJECTS

Name of Applicant: City of Leesburg

Project Name: Snow Apartments

Instructions: Please use the following format to present your proposed line item budget. In Column A, list the items for which you anticipate the need for CDBG funds. In Column B, provide the calculation explaining how you arrived at the estimated cost of the line item. In Column C, provide the projected request for CDBG funds. On the **Budget Narrative Attachment** provide a description of other funds and volunteer and donated services/resources to be used in the project.

Budget Item		CDBG Request
PERSONNEL		
Salaried Positions – Job Titles	Provide rate of pay (hourly/salary) and percentage of time spent on project (Full-Time Equivalent) or hours per week	
Salaries Total		
Fringe Benefits		
PERSONNEL TOTAL	Total of Personnel & Fringe Benefits	
OPERATING COSTS	Provide description of how you arrive at total for each line item	
Supplies		
Equipment		
Rent/Lease		
Insurance		
Printing		
Telephone		
Travel		
Other		
TOTAL OPERATING COSTS		
CONTRACT SERVICES	See Budget Detail	\$ 115,000.00
Professional Consulting, Design and Permitting		
TOTAL CONTRACT SERVICES		\$ 115,000.00
BUDGET TOTAL		\$ 115,000.00

LINE ITEM BUDGET FORM – CONSTRUCTION/ACQUISITION PROJECTS

Name of Applicant:

Project Name:

Instructions: Please use the following format to present your proposed line item budget. In Column A, list the items for which you anticipate the need for CDBG funds. In Column B, provide the calculation explaining how you arrived at the estimated cost of the line item. In Column C, provide the projected request for CDBG funds. On the **Budget Narrative Attachment** provide a description of other funds and volunteer and donated services/resources to be used in the project.

A	B	C
Budget Item	Calculation	CDBG Request
DETAIL SCOPE OF WORK AND COST ESTIMATE FOR EACH ITEM		
Site work for quadraplex site	See Budget	\$ 398,889.00
Construction Quadraplexes		\$ 236,111.00
BUDGET TOTAL		\$ 750,000.00

BUDGET NARRATIVE ATTACHMENT

1. Describe your plans to use other funds on this project. In this section, only describe funds that have been secured. Provide the source of funds, amounts, and how these funds will be used. Describe your use of donated goods and services. Estimate the value of these goods and services. (Note: Engineering costs must be paid for by the municipality or agency. All construction projects require an engineer to prepare bid specifications and documents required by federal funding).

SEE ATTACHED

2. Explain why you consider your program to be a local priority.

SEE ATTACHED

NON-PROFIT APPLICANT ORGANIZATIONAL INFORMATION

Project Administration

Describe the staff, volunteers, consultants, or board members who will be directly associated with this project/service and their responsibilities. Provide an organization chart, including employee names and titles, to characterize how this program/service fits into the overall organizational structure. Describe overall program delivery strategy.

Monitoring

Briefly describe how you will monitor progress in implementing the program. Attach copies of all data collection tools that will be used to verify achievement of program goals and objectives. Describe who will be responsible for monitoring progress.

Insurance/Bonding/Workers' Compensation

State whether or not the agency has liability insurance coverage, in what amount, and with what insuring agency. State whether or not the agency pays all payroll taxes and worker's compensation as required by federal and state laws. State whether or not the agency has fidelity bond coverage for principal staff who handle the agency's accounts, in what amount, and with what insuring agency.

NON-PROFIT APPLICANT ORGANIZATIONAL INFORMATION

CONTINUED

Financial Capacity

Describe the agency's current operating budget, itemizing revenues, and expenses. Identify commitments for ongoing funding. Describe the agency's fiscal management, including financial reporting, record keeping, accounting systems, payment procedures, and audit requirements.

Please attach the following information to your application:

Application Checklist: (non-profit applicants only)

- Articles of Incorporation / Bylaws
- Non-profit determinations (501(c)(3) tax exempt letter from IRS and/or state)
- List of Board of Directors
- Organizational chart
- Resumes of chief program administrator and chief fiscal officer
- Financial statement and audit
- W-9 Form
- Resolution from Board of Directors authorizing grant application (Exhibit "E")
- SAM.gov proof of registration and CAGE number

APPLICATION CHECKLIST PUBLIC FACILITIES PROJECTS

	Yes	No	N/A
• Application completed and certification signed			
• Project location map attached			
• Architect / Engineer cost estimates			
• Provide photographs in print and electronic format			
• Municipal Council Resolution approving submission of application			
• SAM.gov proof of registration and CAGE number			

EXHIBIT "A" - CDBG BASIC ELIGIBLE ACTIVITIES

The following activities may be funded by the CDBG Program, so long as they meet one or more of the National Objectives (see 24 C.F.R. Part 570, Subpart C for a complete list).

1. Acquisition of real property by purchase, long-term lease (15+ years), donation, or otherwise, of real property for any public purpose, subject to limitations.
2. Disposition of real property acquired with CDBG funds through a lease or donation, or otherwise; or its retention for public purposes.
3. Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements, except buildings for general conduct of government. Eligible facilities include those serving persons having special needs such as homeless shelters, convalescent homes, hospitals, nursing homes, battered spouse shelters; half-way houses for runaway children, drug offenders or parolees, group homes for mentally retarded persons; and temporary housing for disaster victims.
4. Clearance, demolition, and removal of buildings and improvements, including movement of structures to other sites.
5. Provision of public services (including labor, supplies and materials) such as those concerned with child care, health care, education, job training, public safety, fair housing counseling, recreation, senior citizens, homeless persons, drug abuse counseling and treatment, and energy conservation counseling and testing. The services must meet each of the following criteria:
 - A service must either be new or be a quantifiable increase in the level of a service above that which has been provided with state or local funds in the previous twelve calendar months; and
 - The amount obligated for public services shall not exceed 15 % of the annual grant, plus 15% of the program income received from the previous year.
6. Removal of material and architectural barriers, which restrict the mobility and accessibility of elderly or handicapped persons to publicly owned and privately owned buildings, facilities, and improvements.
7. Rehabilitation of privately and publicly owned buildings and improvements for residential purposes.
8. Rehabilitation of publicly or privately owned commercial or industrial buildings, except that the rehabilitation of such buildings owned by a private for-profit business is limited to improvements to the exterior of the building and the correction of code violations.
9. Improvements to buildings to increase energy efficiency.
10. Rehabilitation, preservation, or restoration of historic properties.
11. Provision of credit, technical assistance, and general support (including peer support programs, counseling, child care, transportation, etc.) for the establishment, stabilization, and expansion of micro enterprises. A micro enterprise is a business with five or fewer employees, one or more of whom owns the business.
12. Provision of assistance to private for-profit business where appropriate to carry out an economic development project. Any project funded must be able to document the creation or retention of a certain number of jobs, depending on the type of project proposed.

EXHIBIT "B" - National Objective Qualifiers

In order to be considered as benefiting a low or moderate-income person, an activity must fall into one of the categories below (see 24 C.F.R. Part 570, Subpart C for a complete list).

Area Benefit: Lake County is an "exception level" community. Census areas with 41.26% low-moderate income or above qualify for funding. However, smaller areas may qualify based on an income survey. When surveys are needed, at least 51% of the residents within the targeted activity area must be low-moderate income persons. The activity may also be available to all persons in the area regardless of income.

Limited Clientele: To qualify under this subcategory, a limited clientele activity must fulfill one of the following tests.

- Clientele must be one of the following groups:
 - Abused children
 - Elderly persons
 - Battered spouses
 - Homeless persons
 - Adults meeting the US Census Bureau's definition of severely disabled persons
 - Illiterate living with AIDS
 - Migrant farm workers, or
- At least 51% of the clientele must be low-moderate income persons; or
- The activity must be of such a nature and in such a location that it may reasonably be concluded that the clientele will be low-moderate income persons; or
- The activity must serve to remove material or architectural barriers to the mobility or accessibility of elderly persons or of severely disabled adults; or
- The activity must take the form of micro enterprise assistance carried out in accordance with 24 CFR 570.201(o); or
- The activity must provide job training and placement and/or other employment support services, including, but limited to peer support programs, counseling, childcare and other similar services, in which the percentage of low-moderate income persons assisted is less than 51%. This situation qualifies under the limited clientele objective only in the following circumstance:

"In such cases where such training or provision of supportive services assist business(es), and the only use of CDBG assistance received by the business is to provide the job training and/or supportive services; and the proportion of the total cost of the services borne by CDBG funds is no greater than the proportion of the number of persons benefiting from the services who are low-or moderate income".

Housing – The activity must result in housing that will be occupied by low-moderate income persons upon completion. The housing can be either owner- or renter occupied and can be either one family or multi-unit structures. Rental housing must be occupied at affordable rents.

Jobs – "Special economic development" activities may meet the low-moderate Income Benefit national objective only in the following three ways:

- Be located in a predominately low-moderate neighborhood and serve the low-moderate income residents (e.g., a grocery store serving a low-moderate income neighborhood qualifies as area benefit); or
- Involve the employment of persons, the majority of who are low-moderate income persons (e.g., a retail clothing store which creates or maintains jobs principally for low-moderate income persons).

Exhibit “C”

Low and Moderate Income Limits Summary **Lake County FL**

(2022 Income Limits – issued April 2022)

To be used for income intake or Income survey purposes. Subject to change when HUD issues revised figures.

FY 2021 Income Limit Category			
Persons in Family	Low Income (80% Income Limit) (Dollars)	Very Low Income (50% Income Limit) (Dollars)	Extremely Low Income (30% Income Limit) (Dollars)
1 person	\$46,450	\$29,050	17,400
2 person	53,050	33,200	19,900
3 person	59,700	37,350	23,030
4 person	66,300	41,450	27,750
5 person	71,650	44,800	32,470
6 person	76,950	48,100	37,190
7 person	82,250	51,400	41,910
8 person	87,550	54,750	46,630

EXHIBIT "D" - RECORDKEEPING RESPONSIBILITIES

Successful applicants will be required to sign a contract with the County, which will state all the requirements to be placed on the applicant. In general, the following will apply to all applicants:

1. Written records to justify all expenditures must be maintained for a period not less than three (3) years after the full amount of the grant is expended. Your records will be subject to review by Lake County and US HUD.
2. You will be required to maintain the County's minimum insurance standards, to be evidenced by a copy of the policy provided to Lake County within 10 days of execution of the contract.
3. You must comply with 2 CFR Part 200.302 and agree to adhere to the accounting principles and procedures required therein, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred. You must comply with 2 CFR Part 200.203 and maintain effective internal controls over the funds awarded herein. You must administer its program in conformance with 2 CFR Part 200, Subpart E, "Cost Principles". These principles shall be applied for all costs incurred whether charged on a direct or indirect basis.
4. In accordance with 2 CFR Part 200, the federal government requires that organizations expending \$750,000 or more in federal financial assistance in a fiscal year must secure an audit. Agencies spending \$750,000 or more must choose one of the following ways of meeting this requirement and state which method they choose:
 - a. If your agency already conducts audits of all its funding sources including CDBG, the agency must submit a copy of its most recent audit, and may, at its discretion, include the CDBG portion of the audit cost in its CDBG project budget.
 - b. If your agency already conducts audits of its other funding sources but has neither received nor included CDBG in the past, the scope of the audit would be modified to incorporate CDBG audit requirements. The associated cost of the augmentation could then be included in the CDBG project budget, accompanied by the auditor's written cost estimate.
5. Projects requiring income intake or presumed benefit must provide annual reports stating the total number of persons served, by race and Hispanic ethnicity origin, and whether they are female heads of household and/or disabled. Annually the County must report on program beneficiaries to HUD.
6. You will be required to obtain written proof of income of each person or household which you assist, unless your clients are presumed low income: abused children, battered spouses, elderly persons, handicapped persons, homeless persons, illiterate persons, or migrant farm workers.
7. You must have a written policy designed to ensure your facilities are free from the illegal use, possession, or distribution of drugs or alcohol.
8. If any income is derived from the activities funded by CDBG, that **income must be returned to Lake County as program income**.
9. In the event that HUD should determine that CDBG funds were improperly spent, and that money should be reimbursed to the U.S. Treasury, your organization will be responsible for this reimbursement.

EXHIBIT "E"
MUNICIPAL COUNCIL AUTHORIZING RESOLUTION

At a meeting held on May 9, 2022 (date), the (Governing Body) of Leesburg, Florida
(name of Municipality), adopted the following resolution:

The (Governing Body) authorizes an application to the Lake County Community Development Block Grant (CDBG) Program for Snow Apartment Complex (name of project) described in the proposal. If awarded CDBG funds, the Municipality shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations.

Signature of Authorized Representative

May 9, 2022

Date

Mike Pederson, Mayor

Printed Name of Authorized Representative

352-728-9786 ext. 1100

Telephone Number

CITY OF LEESBURG CDBG APPLICATION SNOW APARTMENT COMPLEX



SITE LOCATION MAP

Project Site Map – City of Leesburg – Snow Apartment CDBG Application



CITY OF LEESBURG CDBG APPLICATION SNOW APARTMENT COMPLEX

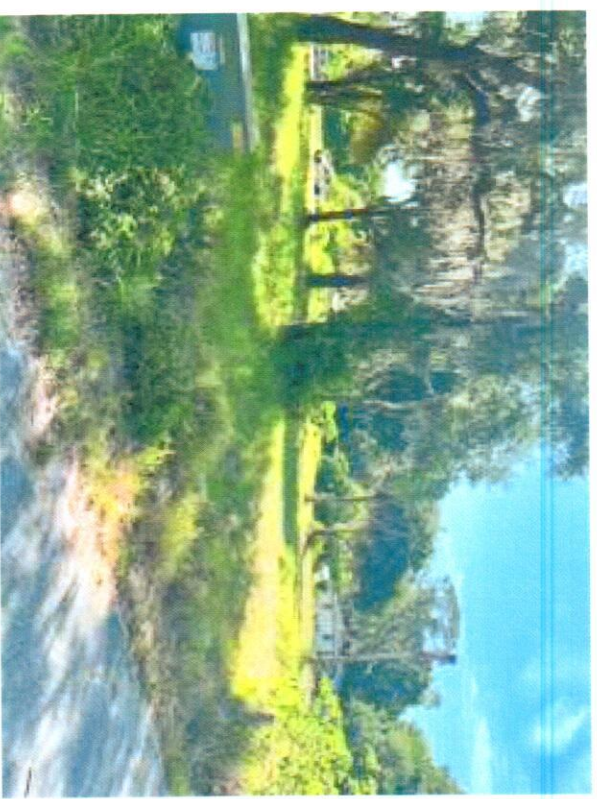


CURRENT SITE PICTURES

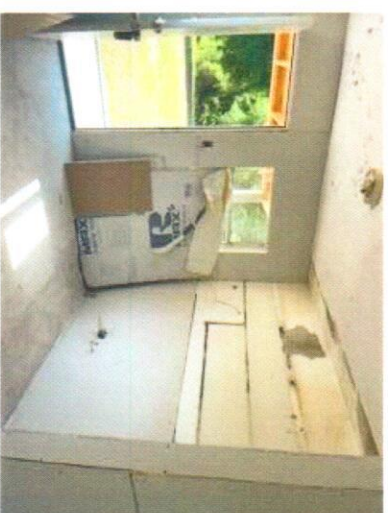
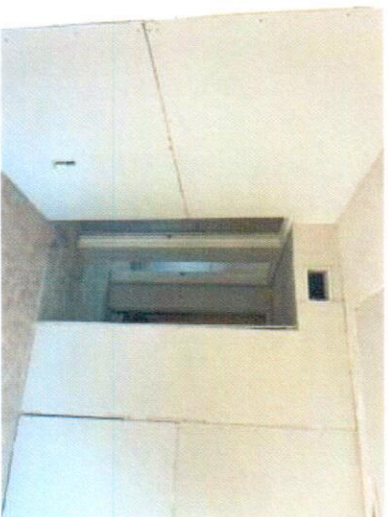
Snow Apartment Complex - View from the East (Looking West)



Snow Apartment Complex - View from the West (Looking East)



Snow Apartment Complex - Renovations Underway by Leesburg CDC



CITY OF LEESBURG CDBG APPLICATION SNOW APARTMENT COMPLEX



DESIGN CONCEPT AND SURVEY

5 New Quaddplexes

Existing, To Be Renovated



December 3rd, 2021
 *Map is subject to engineering and other influences.

CDC Concept

Leesburg, FL

URPG
 Urban & Regional Planners, Inc.
 1162 CAMP AVENUE - MT. DORA, FL 32757
 (352)385-1940 / FAX (352)383-4824
 File: 1948-1

1 of 1





SURVEY REPORT

LEGEND:

A.	ARC LENGTH	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
ASPH.	ASPHALT	P.R.M.	PERMANENT REFERENCE MONUMENT
PVMT.	PAYMENT	P.C.P.	PERMANENT CONTROL POINT
PL.	NO IDENTIFICATION	R.	RADIUS
C.L.F.	CHAIN LINK FENCE	C.D.	CHORD DISTANCE
C/L.	CENTER LINE	C.B.	CHORD BEARING
CONC.	CONCRETE	P.P.	POWER POLE
D.	CENTRAL ANGLE (DELTA)	R/W	RIGHT-OF-WAY
P.O.B.	POINT-OF-BEGINNING	R/R	RAILROAD
P.O.C.	POINT-OF-COMMENCEMENT	T.B.	TELEPHONE BOX
P.I.D.	PARCEL IDENTIFICATION	(D)	DESCRIPTION
O.R.	OFFICIAL RECORDS (BOOK/PAGE)	(F)	FIELD MEASURED
N.P.	NOT PERMANENT	(P)	PLAT
C.M.	CONCRETE MONUMENT	(C)	CALCULATED
I.R.	IRON ROD	(R)	RADIAL
N.D.	NAIL & DISK	■	CONCRETE MONUMENT
I.P.	IRON PIPE	●	IRON ROD
+	BREAK IN LINE	▲	NAIL & DISK

NOTES:

1. THIS SURVEY IS BASED ON THE PROPERTY DESCRIPTION PROVIDED BY THE OWNER.
2. ASSUMED NORTH IS BASED ON THE BEARING FOR THE LINE SHOWN WITH AN ASTERISK, I.E. *
3. UNDERGROUND ENCROACHMENTS WERE NOT LOCATED UNLESS OTHERWISE SHOWN.
4. THE LOCATIONS OF ANY EASEMENTS OR RIGHTS-OF-WAY OF RECORD, OTHER THAN THOSE SHOWN ON RECORDED PLATS, ARE NOT SHOWN.
5. ALL STREETS OR STREET RIGHTS-OF-WAY SHOWN ARE PHYSICALLY OPEN UNLESS OTHERWISE SHOWN.
6. ALL DISTANCES ARE EITHER DEED OR PLAT UNLESS OTHERWISE SHOWN.

DESCRIPTION:

PARCEL #1
FROM THE SOUTHWEST CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN SOUTH 89°25'20"E, ALONG THE SOUTH BOUNDARY OF THE SAID NE 1/4 OF THE NE 1/4, 481.00 FEET; THENCE SOUTH 0°32'10"W, PARALLEL WITH THE WEST BOUNDARY OF THE SAID NE 1/4 OF THE NE 1/4, 46.00 FEET; THENCE SOUTH 89°25'20"E, 98.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM THIS POINT OF BEGINNING, RUN SOUTH 89°25'20"E EAST 141.00 FEET; THENCE SOUTH 0°32'10"W, 17.00 FEET; THENCE SOUTH 89°25'20"E, 260.00 FEET; THENCE NORTH 0°32'10"E, 330.00 FEET; THENCE NORTH 89°25'20"W, 401.00 FEET; THENCE SOUTH 0°32'10"W, 313.00 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN LAKE COUNTY, FLORIDA.

LESS LANDS CONVEYED TO CITY OF LEESBURG IN BOOK 172, PAGE 368.

PARCEL #2
FROM THE SOUTHWEST CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN SOUTH 89°25'20"E, ALONG THE SOUTH BOUNDARY OF THE SAID NE 1/4 OF THE NE 1/4, 481.00 FEET; THENCE SOUTH 0°32'10"W, PARALLEL WITH THE WEST BOUNDARY OF THE SAID NE 1/4 OF THE NE 1/4, 46.00 FEET; THENCE SOUTH 89°25'20"E, 239.00 FEET; THENCE SOUTH 0°32'10"W, 17.00 FEET; THENCE SOUTH 89°25'20"E, 260.00 FEET FOR THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM THE POINT OF BEGINNING, RUN SOUTH 89°25'20"E, 70 FEET; THENCE NORTH 0°32'10"E, 330.00 FEET; THENCE NORTH 89°25'20"W, 70.00 FEET; THENCE SOUTH 0°32'10"W, 330.00 FEET TO THE POINT OF BEGINNING.

LESS LANDS CONVEYED TO CITY OF LEESBURG IN BOOK 172, PAGE 368 AND IN BOOK 474, PAGE 319.

PARCEL #3
THAT PARCEL OF LAND LYING NORTH OF A LINE WHICH IS PARALLEL WITH AND 46 FEET SOUTH OF THE SOUTH BOUNDARY LINE OF THE N 1/2 GOVERNMENT LOT 1, SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; EAST OF THE EASTERLY LINE OF THE 80 FOOT WIDE RIGHT OF WAY OF STATE ROAD 33 AND WEST OF THE WEST BOUNDARY LINE OF THAT PARCEL OF LAND DESCRIBED AS FOLLOWS: BEGN 481.00 FEET EAST OF THE SW CORNER OF THE N 1/2 SAID GOVERNMENT LOT 1 AND RUN THENCE SOUTH FOR A DISTANCE OF 46.00 FEET; THENCE EAST FOR A DISTANCE OF 98 FEET; THENCE NORTH FOR A DISTANCE OF 313 FEET; THENCE WEST FOR A DISTANCE OF 70 FEET; THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING.

PARCEL #4
FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN SOUTH 89°25'20"E, ALONG THE SOUTH BOUNDARY OF SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4), 481.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM THIS POINT OF BEGINNING, RUN SOUTH 0°32'10"W, PARALLEL WITH THE WEST BOUNDARY OF THE SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4), 46.00 FEET; THENCE SOUTH 89°25'20"E, 98.00 FEET; THENCE NORTH 0°32'10"W, 313.00 FEET; THENCE NORTH 89°25'20"W, 70.00 FEET; THENCE SOUTH 6°31'30"W, 268.45 FEET TO THE POINT OF BEGINNING.

LESS LANDS CONVEYED TO CITY OF LEESBURG IN BOOK 172, PAGE 368 AND LESS ROAD RIGHT OF WAY IN BOOK 121, PAGE 5.

BOUNDARY SURVEY

JOHN CHRISTIAN
A & B TITLE AND ESCROW SERVICES, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY
CERTIFIED TO:

SHEET 2 OF 2

NOTE: SEE SHEET 1 OF 2 FOR SURVEY DRAWING.

THIS SURVEY MAP AND REPORT, OR COPIES THEREOF, ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. NO ONE OTHER THAN THE PARTY OR PARTIES NAMED HEREON SHALL RELY ON THIS SURVEY.

ADDITIONS OR DELETIONS TO THIS SURVEY MAP OR SURVEY REPORT IS PROHIBITED.
THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

C & A SURVEY, INC.
ANDREW W. CARBAUGH – PSM #6787
3106 E. FORT KING STREET Ocala, Florida 34470
VOICE: 352.694.6566 www.CandAsurvey.com

SCALE: 1"=100'
F.B.: 378 PG.: 27
FILE: 1200536

SURVEY DATE: JUNE 25, 2020

CITY OF LEESBURG CDBG APPLICATION SNOW APARTMENT COMPLEX



ENGINEER'S PROJECT ESTIMATE



Springstead
Engineering, Inc.
Consulting Engineers - Planners

727 South 14th Street
Leesburg, Florida 34748

Lake (352) 787-1414
Sumter (352) 793-3639
Fax (352) 787-7221

April 29, 2022

Mr. Clifford Kelsey
Public Works Director
City of Leesburg
440 South 14th Street
Leesburg, Florida 34748

RE: Snow Quadraplex – CDC CDBG Application

Dear Mr. Kelsey:

Please find attached the estimated costs for pre-construction design, site construction and building construction for the proposed Snow Quadraplex project.

Please review the attached information and let us know if you have any questions, or require any additional information.

Sincerely,
Springstead Engineering, Inc.

David W. Springstead, P.E.

DWS/jal

Attachments: Estimates



Springstead Engineering, Inc.

Consulting Engineers
727 S 14th Street
Leesburg FL 34748
(352) 787-1414

Engineer's Estimate of Pre-Construction Design and Permitting Fees

Snow Quadraplexes - Estimated Design Costs

Site Construction Plans/Permitting	\$29,260.00
Survey - Topo/Trees	\$3,500.00
ITE Trip Generation	\$850.00
Geotechnical - Ponds/Roads/Buildings	\$4,500.00
Environmental - T&E, Wetlands	\$3,500.00
Site Landscape/Hardscape Design	\$3,500.00
Survey - As-Built	\$2,400.00

Estimated Site Design Costs **\$47,510.00**

Architectural/Building Design	\$29,500.00
HVAC Design	\$2,600.00
Elec Design	\$3,400.00
Plumbing Design	\$1,800.00

Estimated Building Design Costs **\$37,300.00**

Construction Support, Meetings, Site Inspections	\$6,000.00
--	------------

Estimated Total Design Costs **\$90,810.00**

Estimated Site Permitting Application Fees

City of Leesburg - Site Plan Review	\$1,000.00
SJRWMD - Drainage Review	\$1,190.00
FDEP - Water Line Extension	\$650.00
FDEP - Sanitary Line Extension/Reuse	<u>\$500.00</u>

Estimated Total Site Permit Application Fees **\$3,340.00**

Estimated Gopher Tortoise Survey (100%) and Relocation Fee

Comprehensive (100%) Gopher Tortoise Survey	\$2,500.00
Gopher Tortoise Relocation (Assumes 2 Gophers)	<u>\$18,350.00</u>

Estimated Gopher Tortoise Permit Survey and Relocation Fees **\$20,850.00**

Estimated Total Pre-Construction Design and Permitting Fees **\$115,000.00**



Springstead Engineering, Inc.

Consulting Engineers
727 S 14th Street
Leesburg FL 34748
(352) 787-1414

Engineer's Estimate for Site Construction - Snow Quadrplexes

	Description	Units	Unit Cost	Cost
Gen Admin	Mobilization	1 LS	\$7,500.00	\$7,500.00
	Maintenance of Traffic (MOT)	1 LS	\$2,000.00	\$2,000.00
	Silt Fencing	1900 ft	\$2.00	\$3,800.00
	Clearing & Grubbing/Tree Removal	1 LS	\$3,500.00	\$3,500.00
Site Grading	Earthwork - Rough/Final	1 LS	\$20,000.00	\$20,000.00
Drainage	Inlets	3 ea	\$3,800.00	\$11,400.00
	18" HDPE Pipe	400 ft	\$48.00	\$19,200.00
	MES	1 ea	\$2,500.00	\$2,500.00
	Earthen Weir	1 ea	\$3,500.00	\$3,500.00
Roads/Parking	Asphalt	1970 SY	\$12.95	\$25,511.50
	Limerock	2036 SY	\$11.00	\$22,396.00
	Stabilized Subgrade	2138 SY	\$4.00	\$8,552.00
	Sidewalk	250 SY	\$50.00	\$12,500.00
Sanitary Sewer	MH	5 ea	\$3,000.00	\$15,000.00
	8" San Pipe	685 ft	\$45.00	\$30,825.00
	San Service Laterals	20 ea	\$600.00	\$12,000.00
Potable Water	4" Dist Pipe	500 ft	\$39.00	\$19,500.00
	4" Gate Valve	3	\$900.00	\$2,700.00
	3/4" DBL Water Services	10 ea	\$1,600.00	\$16,000.00
Reuse Water	4" Dist Pipe	500 ft	\$39.00	\$19,500.00
	4" Gate Valve	1	\$900.00	\$900.00
	3/4 " DBL Reuse Services	10 ea	\$1,600.00	\$16,000.00
	Sod - Roadside and Pond Slopes	3500 SY	\$3.95	\$13,825.00
	Seed & Mulch Disturbed Areas	4500 SY	\$0.50	\$2,250.00
	Road/Street Signs/Striping	1 LS	\$1,200.00	\$1,200.00
	Lift Station Adjustment	1 LS	\$6,500.00	\$6,500.00
	Survey Layout/As-builts & Testing	1 LS	\$9,500.00	\$9,500.00

Site Construction - Contractor- Sub Total \$308,059.50

P&P Bonds \$4,620.89

15% Contingency \$46,208.93

Site Construction Contractor \$358,889.32

Electric Install - City \$20,000.00

Natural Gas Install - City \$20,000.00

Estimated Site Construction Total \$398,889.32



Springstead Engineering, Inc.

Consulting Engineers
727 S 14th Street
Leesburg FL 34748
(352) 787-1414

Engineer's Estimate for Building Construction - Snow Quadraplexes

Estimated Building Costs

Concrete/Foundations	\$30,469.00
Outside Concrete	\$6,082.00
Rough Carpentry/Trusses	\$74,652.00
Cabinets	\$13,078.00
Finish Carpentry	\$9,133.00
Interior Doors	\$6,960.00
Exterior Doors	\$8,048.00
Insulation	\$8,762.00
Exterior Finish/Stucco	\$45,023.00
Roofing	\$7,993.00
Hardware	\$4,398.00
Windows	\$4,772.04
Drywall	\$20,458.00
Paint/Wallcovering	\$7,466.00
Floor Covering	\$9,035.00
Plumbing	\$14,320.00
Tub/Shower/Surround	\$5,480.00
Bath Accessories/Mirrors	\$1,544.00
Appliances	\$12,934.00
Heating/Cooling	\$13,093.85
Electrical	\$12,844.50
Light Fixtures	\$2,463.00

SubTotal Direct Building Costs \$319,008.39

General Conditions	\$2,871.08
Building Permit	\$5,925.00
Utility Connection Fees (Electric, Water, Gas, Sewer)	\$4,956.00

SubTotal Indirect Building Costs \$13,752.08

Contractor Overhead and Profit \$43,258.86

Estimated Building Construction Total Each Building \$376,019.33

Estimated Total for 5 New Quadraplex Buildings \$1,880,096.63

LEESBURG, CITY OF

< Back to Workspace

Unique Entity ID

NDCSFAMQJ74

CAGE / NCAGE

3L2CT

Physical Address

501 W Meadow St
Leesburg, Florida
34749-5153, United States

Version

Current Record

BUSINESS INFORMATION

Doing Business As

(blank)

URL

http://www.leesburgflorida.gov/

State / Country of Incorporation

(blank)

MPIN

*****1142

Division Name

City Of Leesburg

Division Number

(blank)

Congressional District

Florida 11

Mailing Address

P O Box 490630
Leesburg, Florida
34749-0630, United States

Purpose of Registration

All Awards

● Active Registration

Apr 19, 2022

Registration Status

Expiration Date

SAHL

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.1.

Meeting Date: May 9, 2022

From: Dan Miller, (Planning and Zoning Director), Dianne Pacewicz, (Planner)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 33 +/- acres; and being generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, lying in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (Sundance AX)

Staff Recommendation:

The Planning and Zoning staff and the Planning Commission recommend approval of the proposed ordinance for annexation of the Sundance Subdivision.

Analysis:

The applicant has submitted a request for annexation of approximately 33 acres of land generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, as shown on the attached General Location Map. At this time, the property is in agricultural use and contains one single-family dwelling unit. The current zoning is Lake County A (Agriculture); the proposed zoning is City PUD (Planned Unit Development). The reason for this request is to attain water and sewer service for a single-family residential subdivision and mini-storage units.

The property is surrounded by Lake County MP (Planned Industrial District), Lake County R-6 (Urban Residential District), Lake County HM (Heavy Industrial District), Lake County R-1 (Rural Residential), Lake County C-2 (Community Commercial District) and Lake County R-7 (Mixed Residential District). Under the conditions of the PUD (Planned Unit Development) zoning case which is also on this agenda, no negative impacts are anticipated to adjacent properties.

This property lies within the ISBA (Interlocal Service Boundary Area) agreement. This agreement, which was approved by the 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.

Also, on this City Commission agenda, is a Large-Scale Comprehensive Plan Amendment, which, along with the Planned Unit Development zoning application, had recommendations for approval from the staff and Planning Commission. The Planning Commission held a public hearing on this request on April 22, 2021, and by a vote of 6-0 recommended approval.

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 and development of this property due to increased tax revenue added to the General Fund. Future development of the property will increase this anticipated impact.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 33 +/- ACRES; AND BEING GENERALLY LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 48, EAST OF COUNTY ROAD 33, AND WEST OF HAYWOOD WORM FARM ROAD, LYING IN SECTIONS 14 & 15, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 3; AND PROVIDING AN EFFECTIVE DATE. (SUNDANCE AX)

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.

Based upon the petition of Germana Engineering and Associates, LLC, (Richard E. Bosserman, Agent) 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 hereby 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 9th day of May 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION: (PER ORB. 4051, PG. 1522)

Lots 13, 14, 15 and 16, in Roadside Subdivision, according to the Plat thereof, as recorded in Plat Book 9, Page 62, Public Records of Lake County, Florida.

LESS the right-of-way for Atlantic Coastline Railroad along the South lot line of said Lot 13 thereof.

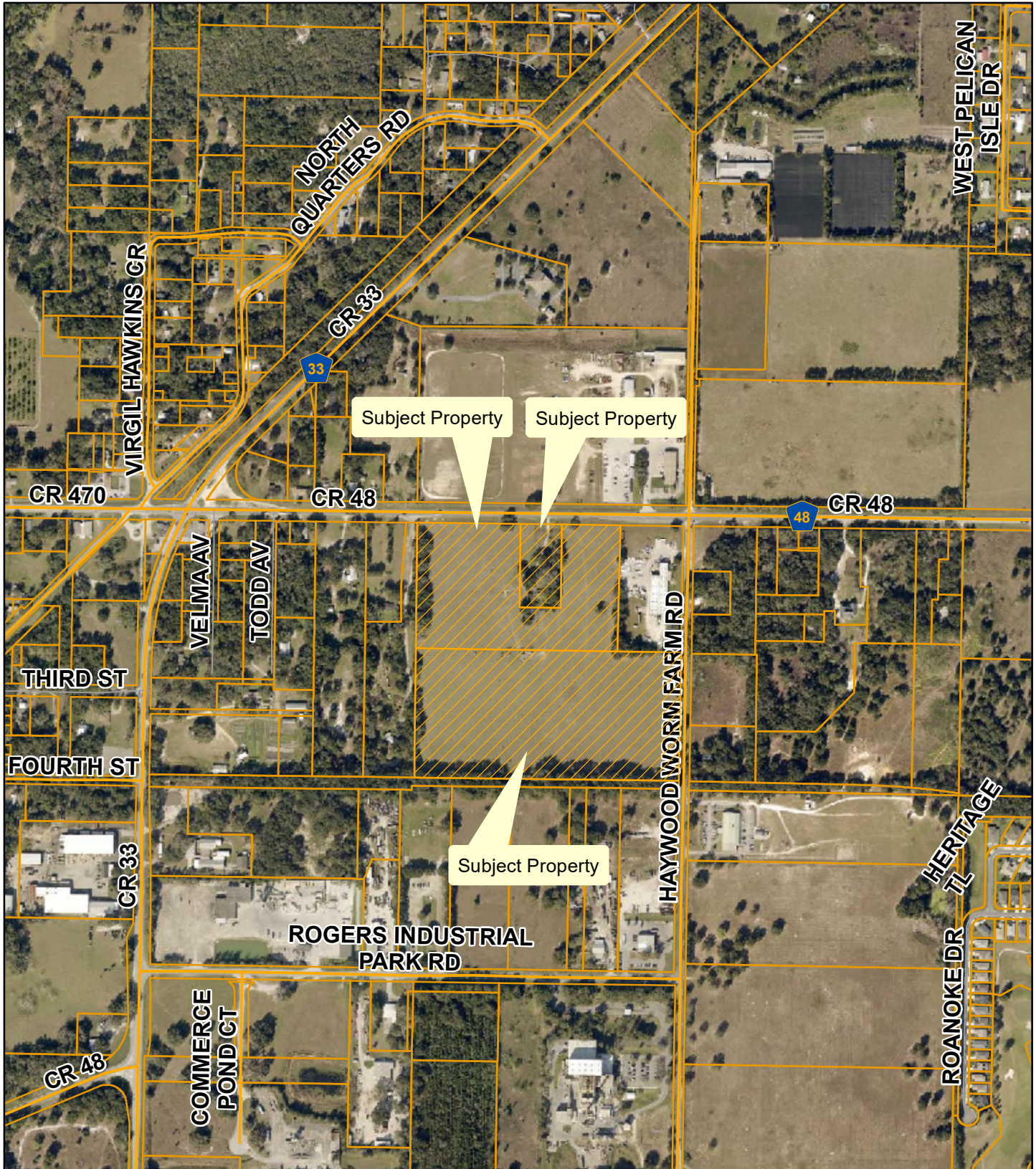
Also, LESS that part of Haywood Worm Farm Road over the East lot lines of said Lot 13, 14, 15 and 16 thereof.

AND

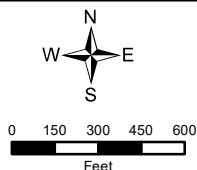
The West 3/4 of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 15, Township 20 South, Range 24 East, Lake County, Florida.

LESS the right-of-way for State Road No. 48 along the North lot line thereof.

Aerial



**Planning
& Zoning
Division**

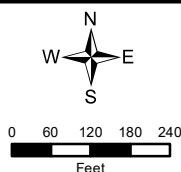


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

Surrounding Land Uses

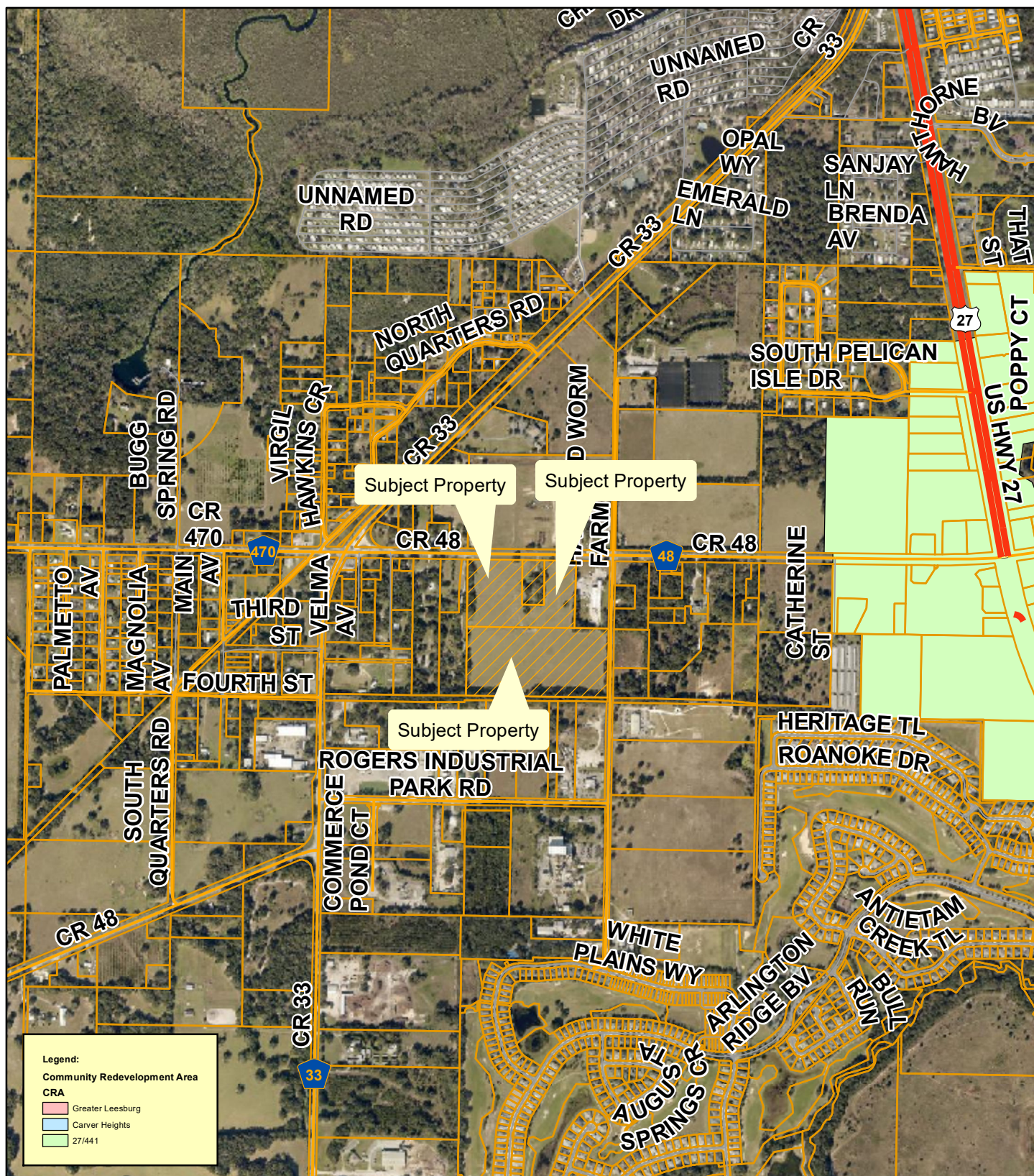


**Planning
& Zoning
Division**

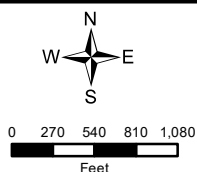


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

Community Redevelopment Area

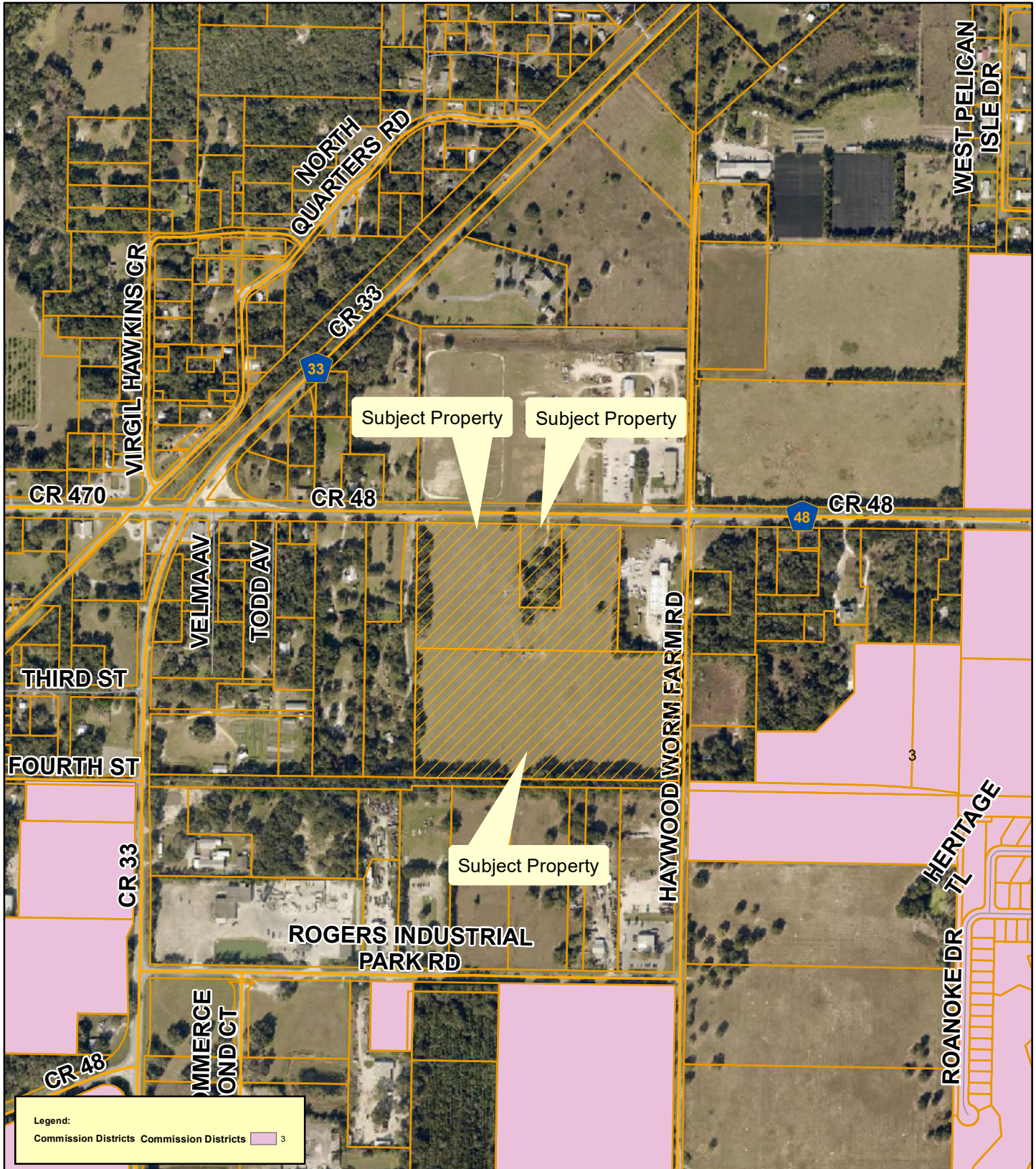


Planning & Zoning Division

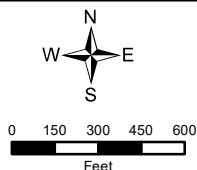


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

Commission District



**Planning
& Zoning
Division**



Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.2.

Meeting Date: May 9, 2022

From: Dan Miller, (Planning and Zoning Director), Dianne Pacewicz, (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 33 +/- acres from Lake County Regional Office to City of Leesburg Estate Residential, for a property generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, as legally described in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Sundance Subdivision SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed large-scale comp plan amendment of the City's Future Land Use Map on 33 +/- acres from Lake County Regional Office to City of Leesburg Estate Residential.

Analysis:

The project site is approximately 33 acres. The property is generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road. Currently, the property is agricultural use with one single-family dwelling unit. The proposed use is for a single-family residential subdivision. The surrounding Future Land Use Map designation of Lake County MP (Planned Industrial), Lake County R-6 (Urban Residential), Lake County HM (Heavy Industrial), Lake County A (Agriculture), Lake County R-6 (Urban Residential), Lake County LM (Light Industrial), and Lake County R-1 (Rural Residential) is compatible, as conditioned in the PUD zoning, with the proposed future land use designation of City Estate Residential. The proposed zoning designation of City PUD (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.

The Planning Commission held a public hearing on the application on January 20, 2022 and recommended approval by a vote of 6-0.

Procurement Analysis:

N/A

Options:

1. Approve the requested large-scale comprehensive plan amendment from Lake County Regional Office to City of Leesburg Estate 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 this site will create a substantial positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

Submission Date and Time:

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 33 +/- ACRES FROM LAKE COUNTY REGIONAL OFFICE TO CITY OF LEESBURG ESTATE RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 48, EAST OF COUNTY ROAD 33, AND WEST OF HAYWOOD WORM FARM ROAD, AS LEGALLY DESCRIBED IN SECTIONS 14 & 15, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (SUNDANCE SUBDIVISION 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 33 acres of land generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, from Lake County Regional Office to City of Leesburg Estate Residential, as shown on the revised map of said area, lying in Sections 14 & 15, Township 20 South, Range 24 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 on the 9th day of May 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION: (PER ORB. 4051, PG. 1522)

Lots 13, 14, 15 and 16, in Roadside Subdivision, according to the Plat thereof, as recorded in Plat Book 9, Page 62, Public Records of Lake County, Florida.

LESS the right-of-way for Atlantic Coastline Railroad along the South lot line of said Lot 13 thereof.

Also, LESS that part of Haywood Worm Farm Road over the East lot lines of said Lot 13, 14, 15 and 16 thereof.

AND

The West 3/4 of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 15, Township 20 South, Range 24 East, Lake County, Florida.

LESS the right-of-way for State Road No. 48 along the North lot line thereof.



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

OWNER: 33 AC SR 48, LLC
PROJECT: Sundance Mixed Use
REQUEST: Future Land Use of Estate Residential
CASE NO.: SSCP-21-461
MEETING DATE: January 20, 2022

THE PLANNING & ZONING DIVISION RECOMMENDS:

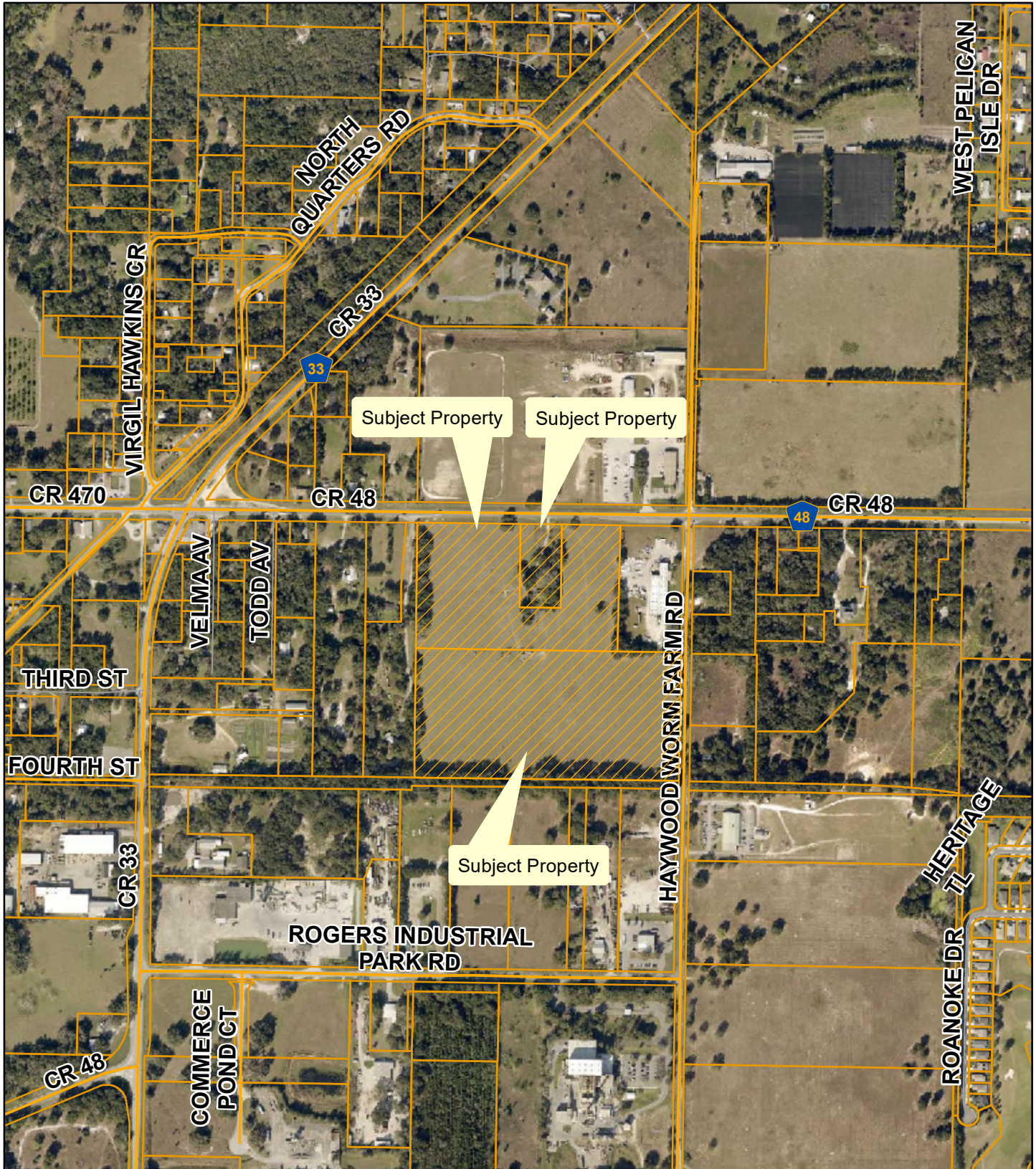
APPROVAL of the request **for the following reason(s):**

1. This project meets the requirements of Chapter 163.3184 Florida Statutes, for Comprehensive Plan Amendments.
2. The proposed request, as conditioned in City of Leesburg case number PUD 21-462, is compatible with the adjacent future land use designations of Lake County Regional Office, Lake County Industrial, and Lake County Urban Medium Density.
3. The proposed request as conditioned in City of Leesburg Case number PUD 21-462, is compatible with the current surrounding zoning districts in Lake County of MP (Planned Industrial), R-6 (Urban Residential), HM (Heavy Industrial), A (Agriculture), R-6 (Urban Residential), LM (Light Industrial), and R-1 (Rural Residential).
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

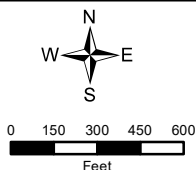
Action Requested:

1. Vote to approve the Small-Scale Comprehensive Plan designation from Lake County Regional Office to City of Leesburg Estate Residential and forward the recommendation to the City Commission for consideration.

Aerial

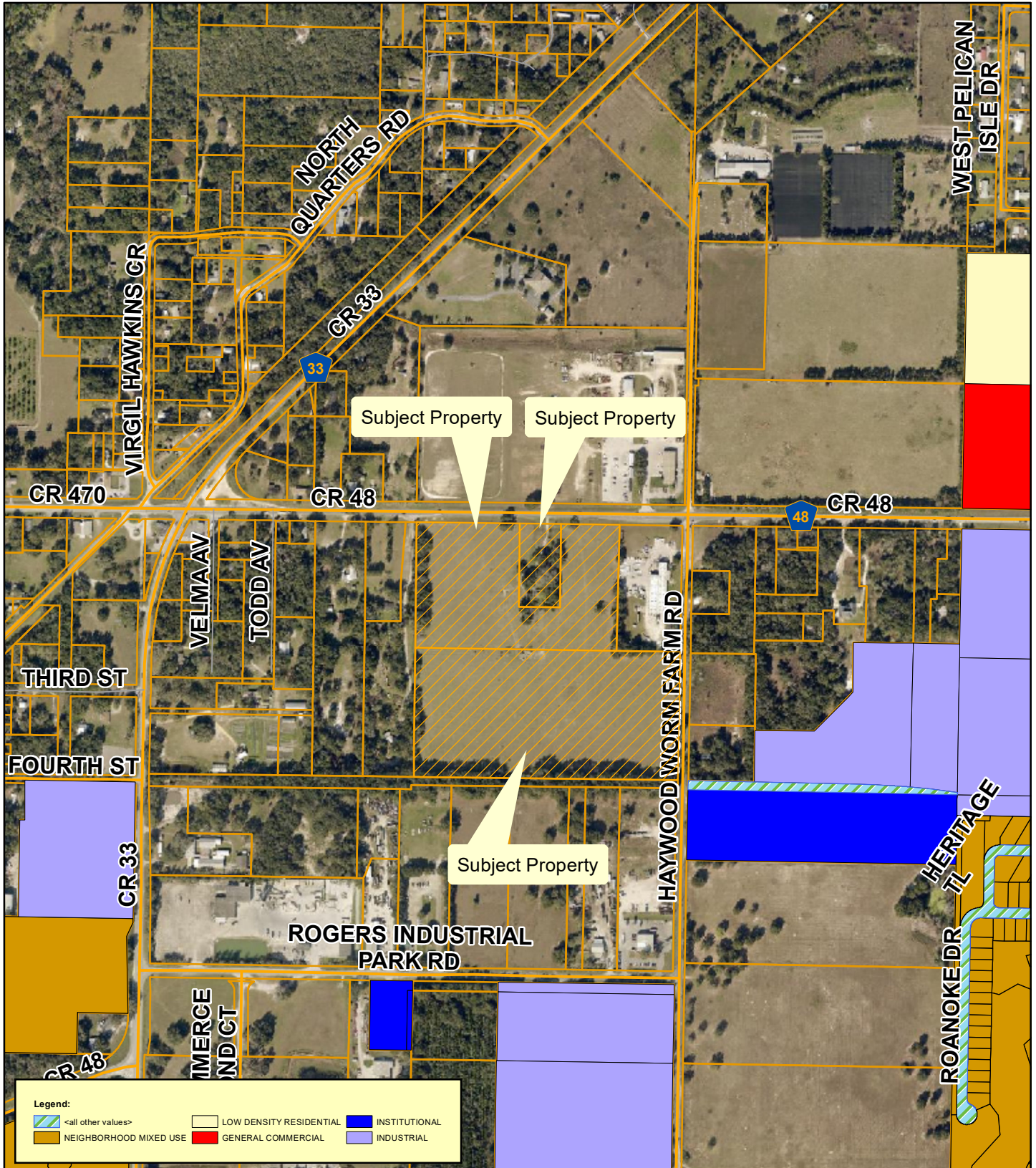


**Planning
& Zoning
Division**

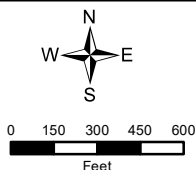


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

Future Land Use

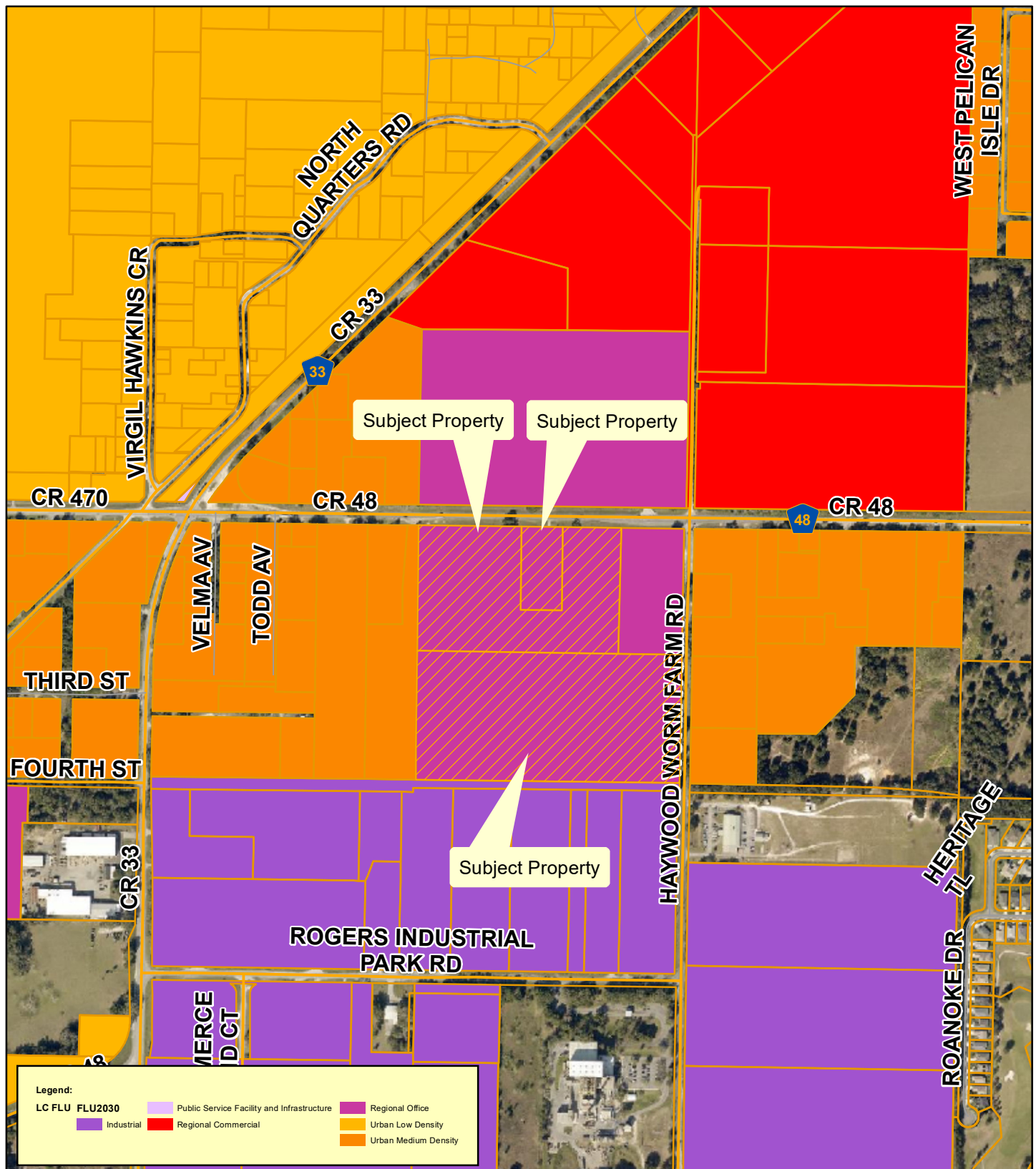


**Planning
& Zoning
Division**

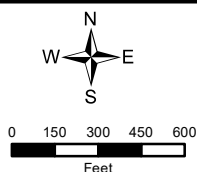


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

Lake County Future Land Use

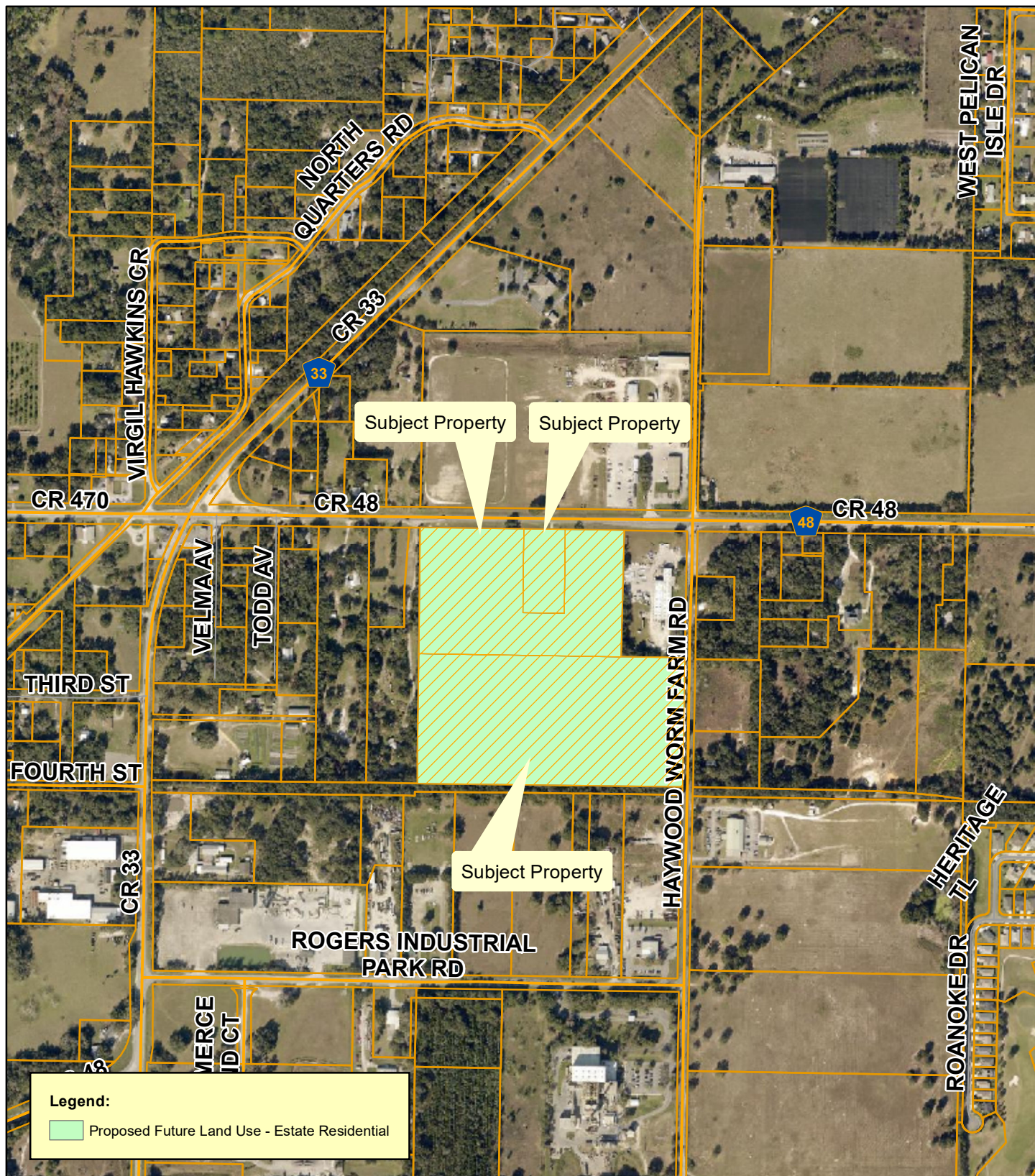


Planning & Zoning Division

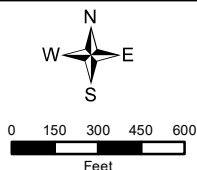


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

PROPOSED Future Land Use



**Planning
& Zoning
Division**



Sundance Mixed Use
 3822 County Road 48, Okahumpka
 Alternate Key #'s: 1111005; 1295815; 3319796
 Sections 14, 15; Township 20 South; Range 24 East
 December 29, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.3.

Meeting Date: May 9, 2022

From: Dan Miller, (Planning and Zoning Director), Dianne Pacewicz, (Planner)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 33 +/- acres from Lake County A (Agriculture) to PUD (Planned Unit Development) to allow for a mixed use development of single-family residential and mini-warehouse storage units for a property generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, as legally described in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Sundance PUD)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County A (Agriculture) to PUD (Planned Unit Development) to allow for a mixed use development of single-family residential and mini-warehouse storage units.

Analysis:

The project site is approximately 33 +/- acres, and is generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, as shown on the attached maps. At this time, the property is in agricultural use with one single-family dwelling unit. The proposal will allow for a single-family residential development. The existing land uses surrounding the property are residential and light manufacturing. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on January 20, 2022 and recommended approval.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

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

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 33 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR A MIXED USE DEVELOPMENT OF SINGLE-FAMILY RESIDENTIAL AND MINI-WAREHOUSE STORAGE UNITS FOR A PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 48, EAST OF COUNTY ROAD 33, AND WEST OF HAYWOOD WORM FARM ROAD, AS LEGALLY DESCRIBED IN SECTIONS 14 & 15, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (SUNDANCE PUD)

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

Section 1.

Based upon the petition of Germana Engineering and Associates, LLC, (Richard E. Bosserman, agent) petitioner 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 PUD (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 9th day of May 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

**SUNDANCE SUBDIVISION
PUD (PLANNED UNIT DEVELOPMENT CONDITIONS)
January 20, 2022**

These Planned Unit Development Conditions for a PUD (Planned Unit Development) zoning district are granted by the City of Leesburg Planning Commission, Lake County, Florida to **Roper Real Estate, Inc, P.O. Box 770961, Winter Garden, Florida, 34777-0961 “Permittee” (Chris Germana, Germana Engineering, Petitioner)**, 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 desirous of obtaining a Planned Unit Development (PUD) zoning district to allow future construction of a proposed residential development consisting of a maximum of 85 single family residential units and 136,500 square feet of light industrial and office uses on approximately 33 acres, generally located on the south side of County Road 48, approximately 1,200 feet east of County Road 33, and west of Haywood Worm Farm Road, on a site within the City of Leesburg in accordance with their PUD 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 more 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. If any instance where the conditions of this document may conflict with the City of Leesburg Code of Ordinances, this document shall prevail as the determining requirement.

1. **PERMISSION** is hereby granted to **Roper Real Estate, Inc, P.O. Box 770961, Winter Garden, Florida, 34777-0961 “Permittee” (Chris Germana, Germana Engineering, “Permittee”)**, to construct, operate, and maintain a 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 33 acres, shall be used for platted single-family residential development, and light industrial development pursuant to City of Leesburg development codes and standards.

A. Permitted Uses (Residential Area A)

- 1) Detached single family residential units
- 2) Accessory structures for residential uses
- 3) Sales office in a single-family unit
- 4) Accessory retail within a recreation center or clubhouse, intended for the primary use of residents, such as a snack bar
- 5) Temporary modular sales center office (during construction and sales of new units) not to exceed one year, and construction office not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model homes may be used as sales centers during the duration of the project.

B. Permitted Uses (Industrial Area B).

- 1) Mini-Warehouse/storage units
- 2) Office space

C. Prohibited Uses

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

4. **RESIDENTIAL DEVELOPMENT STANDARDS (Area A)**

A. The project consists of approximately 33 acres, which shall be divided into two developable areas. "Area A" shall be the residential portion of the property consisting of the western 21.77+/- acres, and shall contain a maximum of 85 single family residential units, at a gross density not to exceed 3.9 units per acre as shown on the attached Conceptual Development Plan. "Area B" shall be that property consisting of the eastern 10.91+/- acres, and shall contain a maximum of 136,500 square feet of development to include mini-warehouse and office uses, as shown on the attached Conceptual Development Plan. All development shall be substantially consistent with the proposed **Exhibit C, Conceptual Development Plan**.

B. Area A Development Standards:

1. A mix of lot sizes is permitted as long as all lots are equal to or larger than the required minimums.
2. Along each street, homes with the same architectural design shall not be immediately adjacent (side by side) or directly across from a lot with the same design. Facades may be varied to meet this requirement. The maximum impervious surface for the project shall be 70%. Community and private swimming pools shall not count toward the impervious surface calculation.

3. The minimum lot development standards shall be:

For all lots:

- (a) Minimum house size: 1,600 square feet.
- (b) Each additional bedroom to the above the minimum house size shall be a minimum of 120 square feet.
- (c) Minimum lot size shall be 6000 square feet.
- (d) Minimum width 50 feet
- (e) Minimum depth 120 feet
- (f) Minimum building setbacks:
 - Front – 20 feet;
 - Rear – 18 feet;
 - Side – 5 feet;
 - Corner Side – 15 feet.
 - Porch – 14 feet (porch must be a minimum width of 6 feet).

4. For all structures:

- a) Each residential structure shall have a minimum two car garage.
- b) Minimum distance between structures shall be 10 feet; measured from building wall to building wall, and the roof overhang shall not exceed forty (40) percent of the distance between the building wall and the property line.
- c) Maximum building height: two (2) stories or 35 feet.
- d) 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.
- e) Attached screened enclosures (no solid roof) must maintain a minimum setback of five (5) feet from the side and rear property line. Attached swimming pool screened enclosure shall also maintain a minimum setback of five (5) feet from the side or rear property lines.
- f) Solid roof structures attached to the residence must meet the required rear setback as noted under “Minimum building setbacks.”
- g) As part of the site plan approval process, city staff shall review final site design standards in accordance with the approved PUD (Planned Unit Development) zoning conditions set forth herein.

5. **INDUSTRIAL/COMMERCIAL DEVELOPMENT STANDARDS (Area B)**

A. The project consists of approximately 33 acres, which shall be divided into two developable areas. “Area B” shall be that property consisting of the eastern 10.91+/- acres, and shall contain a maximum of 136,500 square feet of development to include mini-warehouse and office uses, as shown on the attached Conceptual Development Plan. All development shall be substantially consistent with the proposed **Exhibit C, Conceptual Development Plan**.

B. Area B Development Standards:

- 1. Area B shall utilize the C-3 (Highway Commercial) for general development standards. Uses for this area shall be as noted in this PUD agreement.

6. DESIGN/ARCHITECTURAL STANDARDS

- A. All buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the single-family units. 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 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.

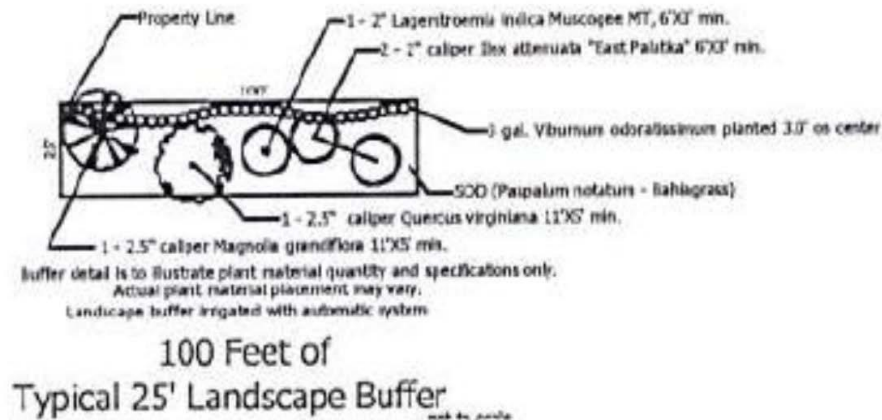
7. LANDSCAPING & BUFFER REQUIREMENTS

- A. A minimum twenty-five (25) foot buffer tract with plantings as shown in Figure A below, shall be provided along the entire boundary of the residential property. This landscape buffer shall be separate from all other platted lots, shall not be part of individually platted lots, and shall be a common area to be maintained by an entity such as a Property Owners or Homeowners Association.
- B. On the eastern and north eastern boundary of the property, in all areas adjacent to Industrial uses, a minimum six (6) foot solid wall shall be installed at the property line to provide a solid visual buffer between the subject property and the adjacent Industrial use. Fencing shall not be permitted in lieu of a wall.
- C. Land uses allowed within the upland buffers are limited to hiking trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.
- D. A six-foot privacy fence, consisting of PVC or other such synthetic material, shall be installed along the western, southern and eastern boundary of the property, not adjacent to Industrial uses or properties, in all areas not buffered by the wall required in Section 6.A. above.
- E. 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.

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



- F. Variations to the landscape and buffering requirements of the code may be approved by the Community Development Director or designee, as long as the intent of the PUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers.
- G. 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 specimen, heritage and historic trees.
 - 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.
 - 3) The tree survey shall be completed by a licensed surveyor.
- H. Each platted single-family residential lot of record shall contain a minimum of one canopy tree, located within in the front yard, and selected from the list of trees within the City of Leesburg Code of Ordinances, *Section 25-328 Table 1, Canopy Trees*. All other requirements for tree planting based on lot size shall remain in effect.

8. SITE ACCESS AND SIGNAGE

- A. The main vehicular access to the project site shall be split between at least one entrance on County Road 48 and one on Haywood Worm Farm Road. 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) 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.
 - 2) 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.
 - 3) 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. Each required 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 support and bases of a monument sign may be approved by the Community Development Director or designee, where the architectural style would be in keeping with the intent of these sign regulations.

9. 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 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 entrance roads and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain one sidewalk. All sidewalks shall be constructed in accordance with City of Leesburg Codes.
- H. All roads within the development shall be constructed to meet the City of Leesburg's standards, ARTICLE VII – TECHNICAL STANDARDS, as amended.
 - 1) Should the Permittee (or designee) desire to dedicate the proposed project's internal road system to the City of Leesburg; the Permittee shall demonstrate to the satisfaction of the City of Leesburg that the road system is in suitable condition and meets all City road design requirements.
 - 2) Should the Permittee (or designee) choose to retain the roadways, the Permittee shall establish an appropriate legal entity that shall accept responsibility to pay the cost and perform all services required to maintain the roads and transportation improvements to City of Leesburg codes and standards, as amended. A Homeowners or Property Owners Association, or other such legal entity will be considered acceptable.

10. 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, consistent with the typical pioneering agreement approved on new home projects in the city, 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. Developer shall be responsible for the installation of a natural gas water heater and natural gas furnace in eighty percent (80%) of all homes in the development.
- D. 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 to the development shall be the responsibility of the applicant.

11. 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 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.

12. 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 homeowner's 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 homeowner's 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. 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.
- H. A map indicating the location of the 100-year flood plain.
- I. 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.
- J. 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.

13. 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.

14. 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 or 17,000 square feet (0.4 acres).
- B. Recreational requirements shall include at least one primary active recreation area. Recreation areas may include such uses as a children's playground with equipment, dog park area or gazebo, swimming pool, clubhouse or other amenities as reviewed and approved by staff. The primary recreational facility shall be constructed in conjunction with and completed no later than the completion of 50% of the approved number of residential units.
- C. Credit for recreational space shall be given for areas dedicated to recreational space, to include items such as a clubhouse with recreation room, swimming pool, outdoor cooking facilities such as grills, youth playgrounds, play courts, dog parks or other similar uses which will meet the intent of this document. Other similar uses which will meet the intent of this document may be supplied by the developer.

- D. Active recreational activity space shall be calculated at a rate of 1.25 times for activities such as, but not limited to:
- 1) Trails, playgrounds, basketball, tennis, handball courts, etc.
 - 2) Community swimming pool, including the deck area surrounding such pools.
 - 3) Indoor recreation rooms provided such rooms are permanently maintained for the use of residents for recreational purposes.
 - 4) Other active recreational activities may be used for credit, subject to approval by the City of Leesburg.

15. 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.

16. DEVELOPMENT PHASING & IMPLEMENTATION

- A. The proposed project may be constructed in phases in accordance with the 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 process, if the project is constructed in phases, then 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.

17. MISCELLANEOUS CONDITIONS

- A. The uses of the proposed project shall only be those uses identified in the approved 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 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 PUD 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 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 PUD 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.

18. 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 would exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid water. 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
 1. 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.
 2. If the development requires construction of new distribution or collection lines, or other infrastructure needed to develop the subdivision, 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
 1. There are no previous commitments of any existing or planned excess capacity for this property.
- 3) Ability to Provide Services
 1. At this time, the City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
 2. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

EXHIBIT B

LEGAL DESCRIPTION

LEGAL DESCRIPTION: (PER ORB. 4051, PG. 1522)

Lots 13, 14, 15 and 16, in Roadside Subdivision, according to the Plat thereof, as recorded in Plat Book 9, Page 62, Public Records of Lake County, Florida.

LESS the right-of-way for Atlantic Coastline Railroad along the South lot line of said Lot 13 thereof.

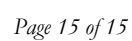
Also, LESS that part of Haywood Worm Farm Road over the East lot lines of said Lot 13, 14, 15 and 16 thereof.

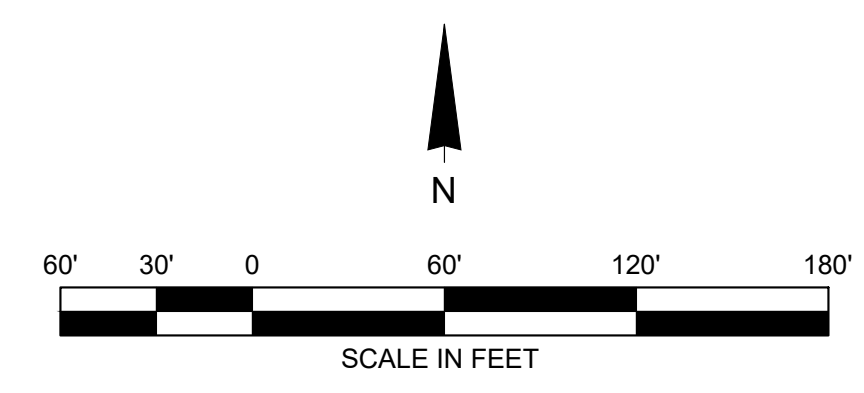
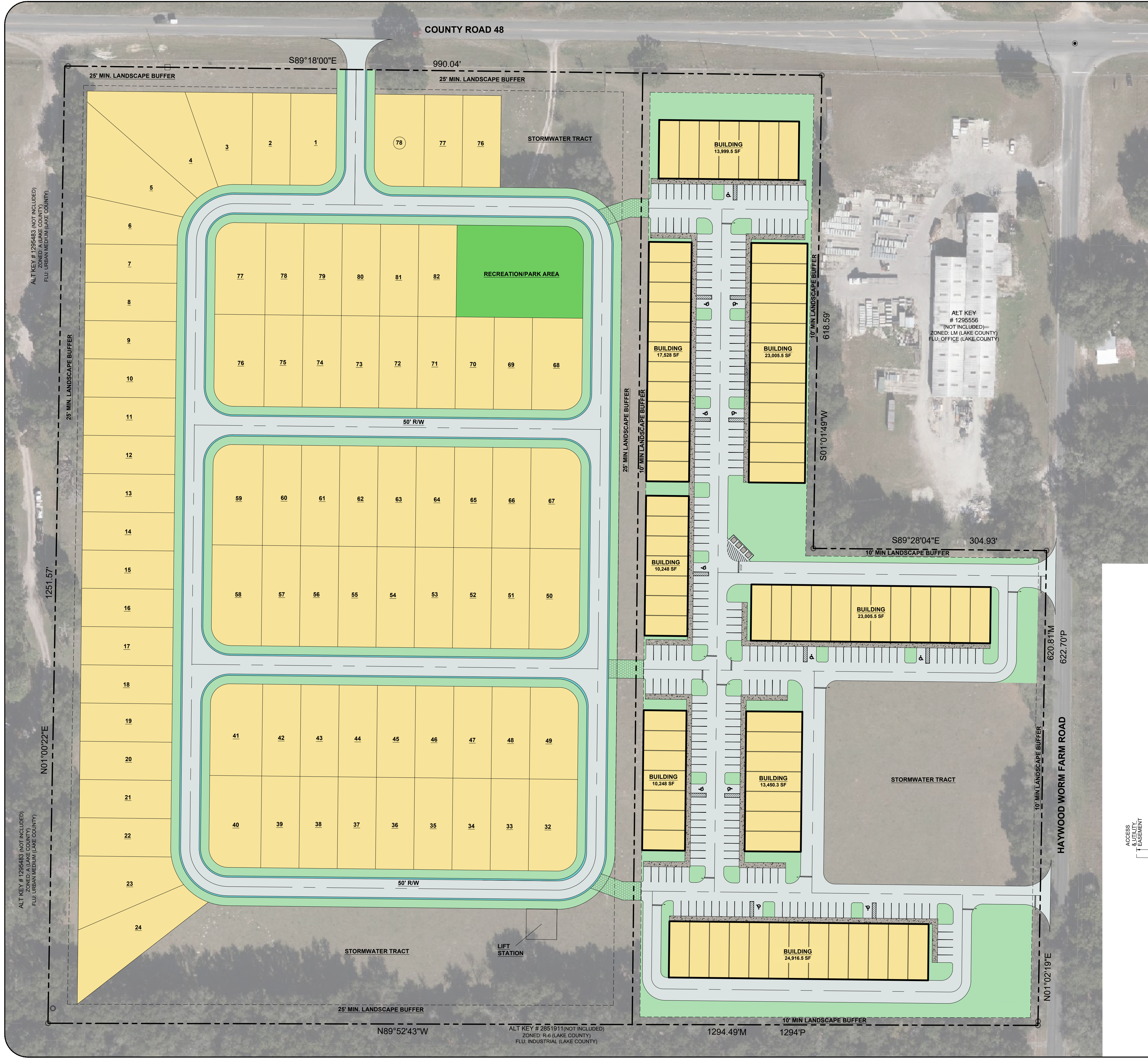
AND

The West 3/4 of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 15, Township 20 South, Range 24 East, Lake County, Florida.

LESS the right-of-way for State Road No. 48 along the North lot line thereof.

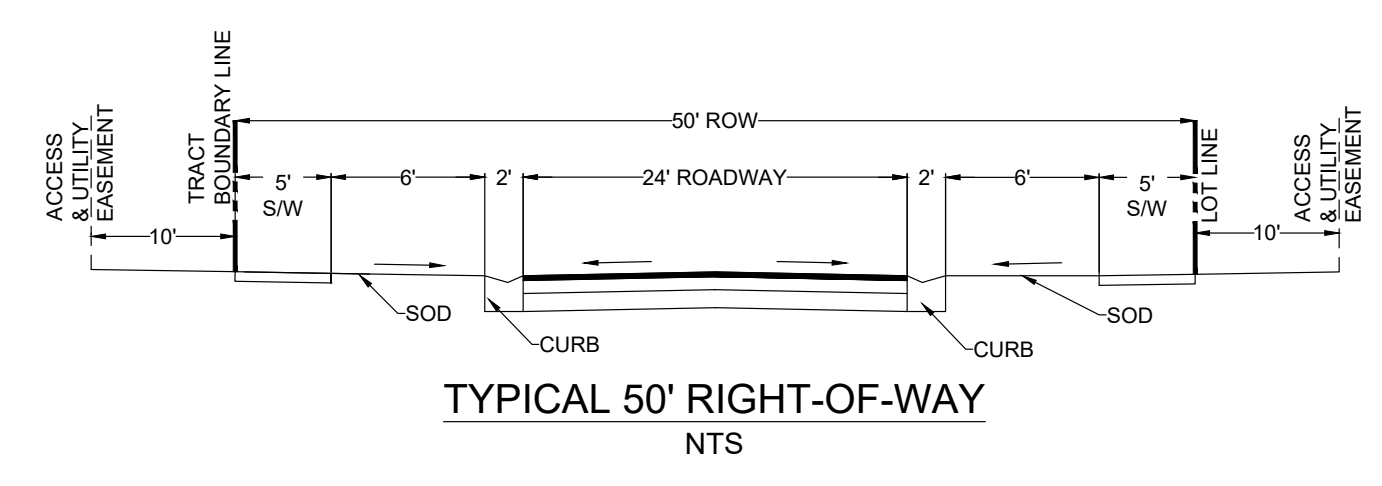
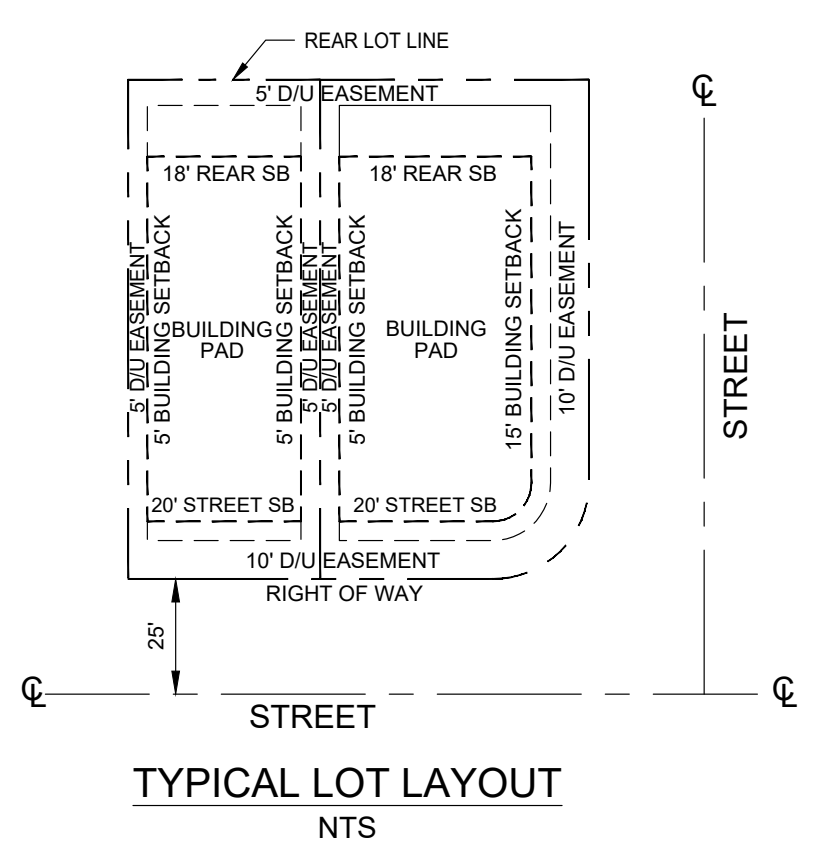
CONCEPTUAL SITE PLAN





- SUBDIVISION SITE DATA**
- SITE AREA** = ± 33.45 AC
 - SITE LOCATION**
COUNTY ROAD 48
LEESBURG, FLORIDA 34748
SECTION 15, TOWNSHIP 20 SOUTH, RANGE 24 EAST
TAX PARCELS #1295815, #1111005, #3319796
EXISTING ZONING: A (LAKE COUNTY)
 - SITE REQUIREMENTS**
MAXIMUM LOTS: 130 SINGLE FAMILY UNITS
BLDG HEIGHT: 35' MAX
SETBACKS: SEE DETAIL THIS SHEET
ISR: 65% MAX PER LOT
MIN. LOT SIZE: 50' X 120' / 6,000 SF
(MIN. RECREATION AREA: 200 SF PER LOT)
RECREATION AREA REQUIRED: 17,000 SF (0.41 AC)
RECREATION AREA PROVIDED: 19,749 SF (0.45 AC)
 - SUBDIVISION DATA**
NUMBER OF LOTS: 85
CLASSIFICATION: SINGLE FAMILY RESIDENTIAL
DENSITY: 3.98 DU/ACRE
TYPICAL LOT SIZE: 50' X 120' (6,000 SF)
SCHOOL AGE POPULATION: .65 X 85 = 55 CHILDREN
WETLANDS: NONE ON-SITE
FLOOD ZONE ELEVATION: N/A
R/W WIDTH: 50'

- BUILDING SITE DATA**
- SITE AREA** = ± 10.91 AC
 - BUILDING DATA**
USE TYPE: OFFICE / WAREHOUSE
BUILDING COUNT: 8
BUILDING HEIGHT: 1-STORY
BUILDING AREA TOTAL: 136,401 SF



PRELIMINARY
NOT FOR CONSTRUCTION
NOT FOR PERMITTING
12-01-2021
CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
FIRM CERTIFICATE OF AUTHORIZATION # 29279

CONCEPT PLAN D	REVISIONS	DATE
SUNDANCE MIXED USE LEESBURG, FLORIDA	PROJECT # GE032020	
GERMANA ENGINEERING AND ASSOCIATES, LLC 1120 WEST MINNEOLA AVENUE CLERMONT, FL 34711 WWW.GERMANAENGINEERING.COM CERTIFICATE OF AUTHORIZATION # 29279	SCALE: 1" = 60'	
	DATE: 12-01-2021	
	SHEET CONCEPT	

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

DATE: January 20, 2022
OWNER: 33 AC SR 48, LLC
PETITIONER: Germana Engineering and Associates, LLC
PROJECT: Sundance Mixed Use
REQUEST: Future Land Use of Estate Residential; Zoning of PUD (Planned Unit Development)
CASE NO.: ANNX-21-460; SSCP-21-461; PUD-21-462

GENERAL LOCATION: The property is generally located south of County Road 48, east of Haywood Worm Farm Road.

FUTURE LAND USE DESIGNATION: Lake County Regional Office

SURROUNDING FUTURE LAND USE DESIGNATION:

North —	Lake County Regional Office
South —	Lake County Industrial
West —	Lake County Urban Medium
East —	Lake County Urban Medium

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County (A) Agriculture

SURROUNDING ZONING DESIGNATIONS:

North —	Lake County MP (Planned Industrial District)
South —	Lake County R-6 (Urban Residential); Lake County HM (Heavy Industrial District)
West —	Lake County A (Agriculture); Lake County R-6 (Urban Residential)
East —	Lake County LM (Light Industrial); Lake County R-1 (Rural Residential)

PROPOSED ZONING DESIGNATION: City of Leesburg PUD (Planned Unit Development)

EXISTING LAND USE: Agricultural/single family dwelling unit

SURROUNDING LAND USE:

North —	Light Manufacturing
South —	Office; Vacant Industrial; Service Shop
West —	Residential
East —	Residential; Light Manufacturing; Vacant Commercial

PROPOSED LAND USE: Mixed Use: Mini-Warehouse and residential subdivision

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

DATE: January 4, 2022
OWNER: 33 AC SR 48, LLC
PETITIONER: Germana Engineering and Associates, LLC
PROJECT: Sundance Mixed Use
REQUEST: Future Land Use of High Density, Zoning of PUD (Planned Unit Development)
CASE NO.: SSCP 21-461; PUD-21-462

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 1/14/22

FIRE

No comments from Fire Department. Amanda Stevenson 1/11/22

ELECTRIC

This one is outside of Leesburg Electric service territory. Steve Davis 1/5/22

GAS

No issues here. Robert Thilmony 1/6/22

Natural Gas is available. Brandon Smith 1/11/22

GIS

GIS has no comments. Tammy Magamoll 1/13/22

BUILDING

No comments received as of 1/14/22

PUBLIC WORKS

Public Works has no issues with this. The PUD will need a lift station to connect to the Forced Main and we will not take ownership of their internal roadways. Clifford Kelsey 1/6/22

ADDRESSING

No comments received as of 1/14/22

ECONOMIC DEVELOPMENT

No comments received as of 1/14/22

LAKE COUNTY PUBLIC WORKS

Lake County Public Works comment letter is attached. Also, the concept plan has changed to divide the

property and uses with a direct connection to CR 48 which was commented on in previous application from last year to not be allowed. If you have any questions, please let me know. Thanks, Seth Lynch 1/14/22

LAKE COUNTY SCHOOLS

The residential portion of the proposed Sundance mixed use project is subject to school concurrency review. Proportionate share mitigation may be required at time of submittal. Let me know if you have any questions. Thanks, Helen LaValley 1/14/22

PUBLIC RESPONSES

Approval

1 approval

Disapproval

none

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)



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

January 13, 2022

Dan Miller,
Planning & Zoning Manager
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Sundance Subdivision / Planned Unit Development
CASE NO.: PUD-21-462

Lake County Department of Public Works recommended requirements for the Sundance Subdivision PUD impacts to roadways and drainage systems:

CR 48:

- Access to the development will need to be from Haywood Worm Farm Rd. and not directly from CR 48. There are currently turn lanes at the intersection of CR 48 and Haywood Worm Farm Rd.
- The development is proposed to be mixed use with residential and office/warehouse. The access for the residential portion of the site could utilize the south access proposed access off Haywood Worm Farm Rd.
- The traffic impact analysis for the site will need to analysis the storage queue for the existing turn lanes and a signal warrant analysis for the intersection.
- The Trail Master Plan has identified the Central Lake Trail along CR 48. The development will need to accommodate this trail in the site's design.
- Additional right-of-way may be required for the Central Lake Trail.
- Additional right-of-way may be required for the future CR 470/48 four lane plan.
- Grading, Drainage, and Utility easements will need to be provided along CR 48.

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

Haywood Worm Farm Rd:

- Two access connections for the proposed development may be allowed off Haywood Worm Farm Rd to accommodate the separation of the uses of the site with one for the office/warehouse and the other for residential.
- Additional right-of-way maybe required along development's frontage.
- Sidewalk will need to be provided along road frontage.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and to the Central Lake Trail along CR 48.

Traffic:

- A Traffic Impact Analysis will be required of this development for review by Lake-Sumter MPO and Lake County.

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.

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 which be addressed by other departments, such as Lake County Department of Economic Growth - Office of Planning and Zoning.

Please let me know if you have any questions on the comments and recommendations I have provided in this letter.

Sincerely,

Seth Lynch

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

Cc: Jeff Earhart, Engineering Manager for Lake County
Tim McClendon, Planning Director for Lake County
Michele Janiszewski, Chief Planner for Lake County
Kandi Harper, Senior Planner for City of Leesburg



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: September 24, 2020
OWNER: H. D. Robuck, Ted R & Gail A. Ostrander, Jr, and Charlotte R. De Laune
PETITIONER: Mike Galvin, The Galvin Company, Inc
PROJECT: Robuck/Ostrander PUD
REQUEST: Planned Unit Development
CASE NO.: PUD-20-126

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

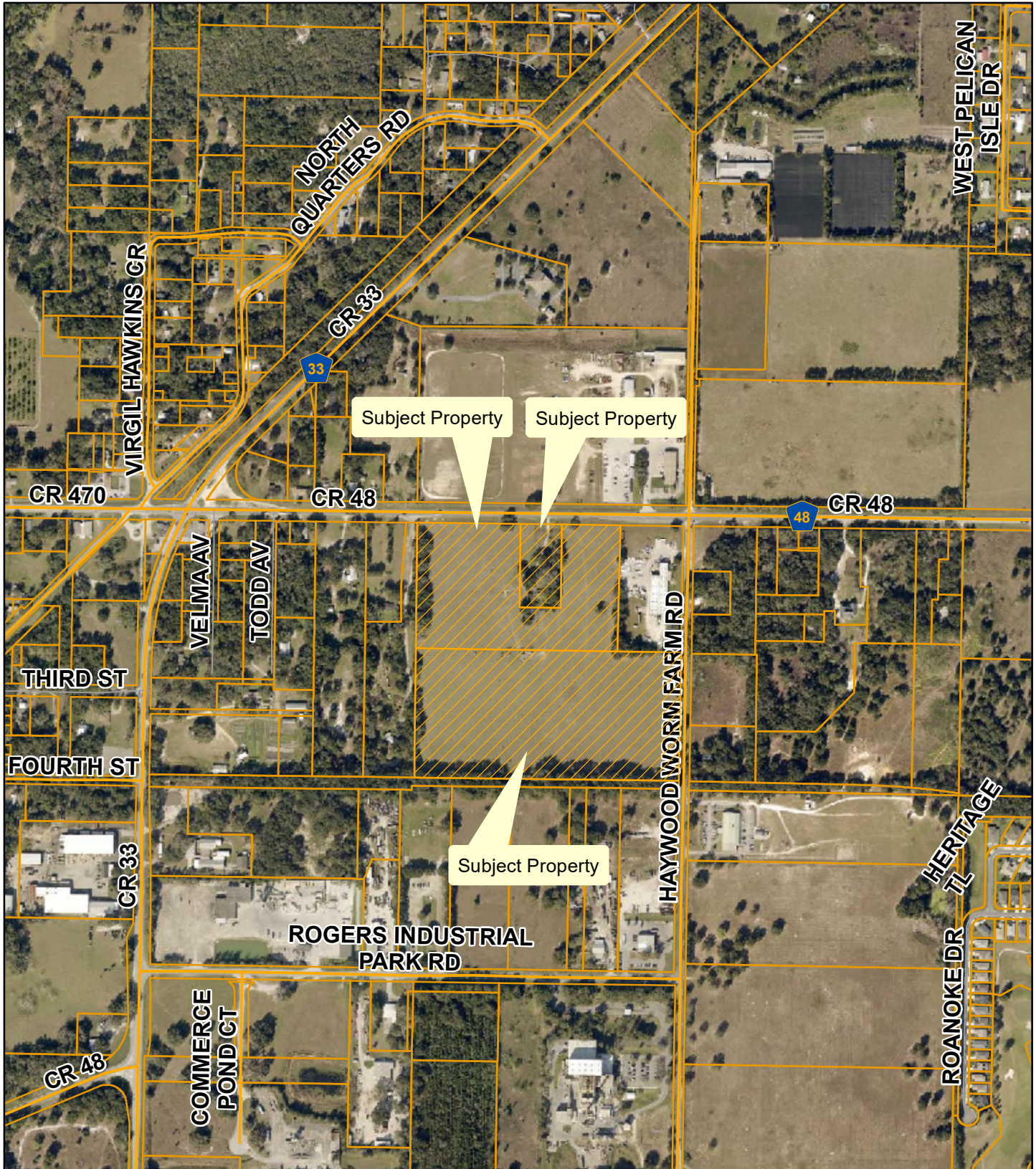
for the following reason(s):

1. The proposed request, as conditioned in the associated PUD (Planned Unit Development) zoning, is compatible with the current surrounding zoning districts of Lake County AR (Agricultural Residential), Lake County R-1 (Rural Residential), Lake County R-3 (Medium Residential District) and Lake County C-1 (Neighborhood Commercial).
2. The proposed request, as conditioned in the PUD (Planned Unit Development Zoning) is compatible with the adjacent future land use designations of Lake County Urban Low Density and Lake County Rural Transition.
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.

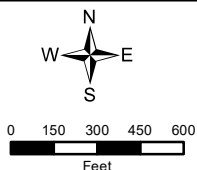
Action Requested:

1. Vote to approve the zoning designation from Lake County R-1 (Rural Residential) and Lake County R-3 (Medium Residential District) to City of Leesburg Estate Residential and forward the recommendation to the City Commission for consideration.

Aerial

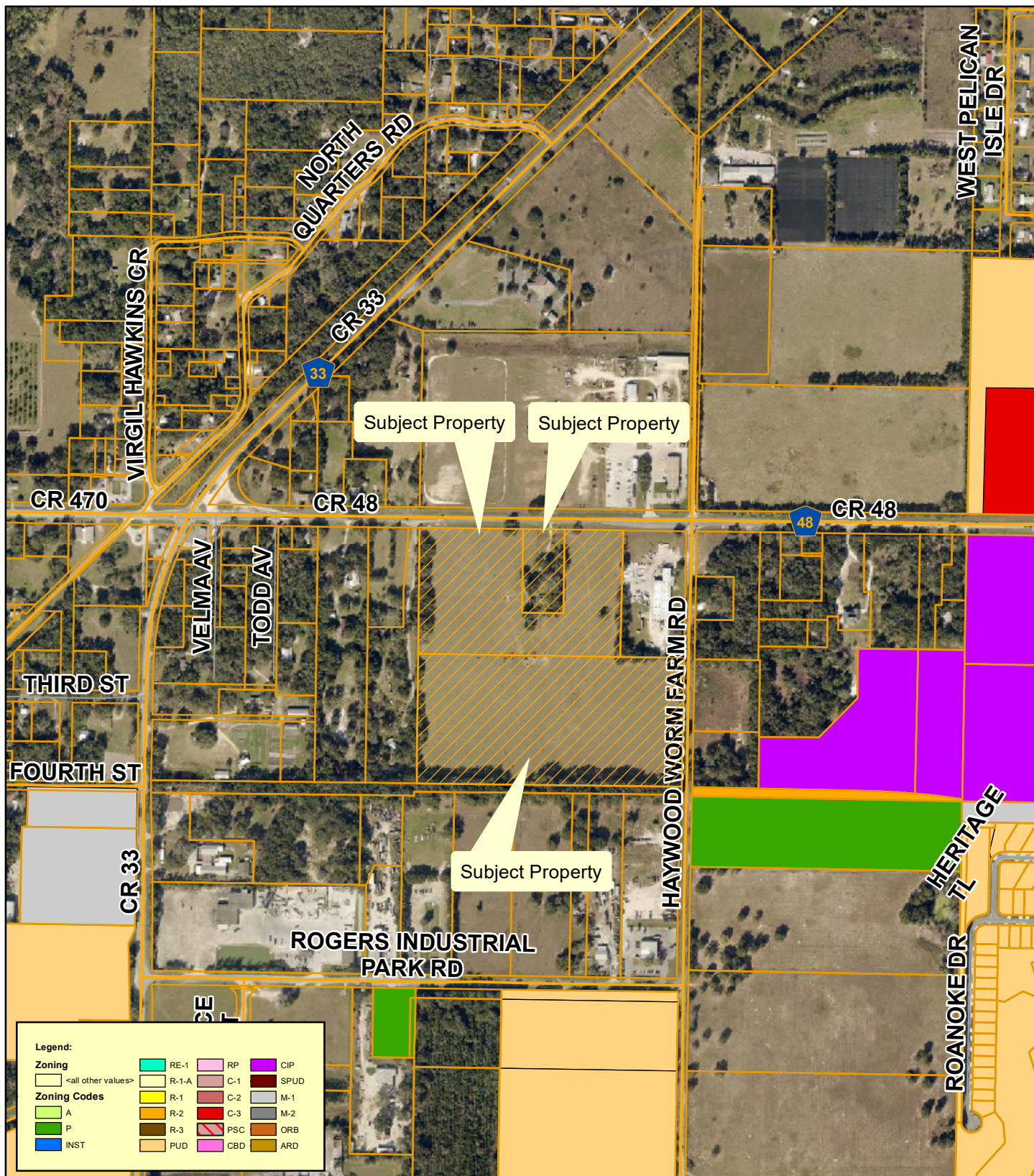


**Planning
& Zoning
Division**

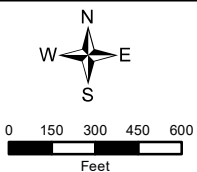


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

Zoning

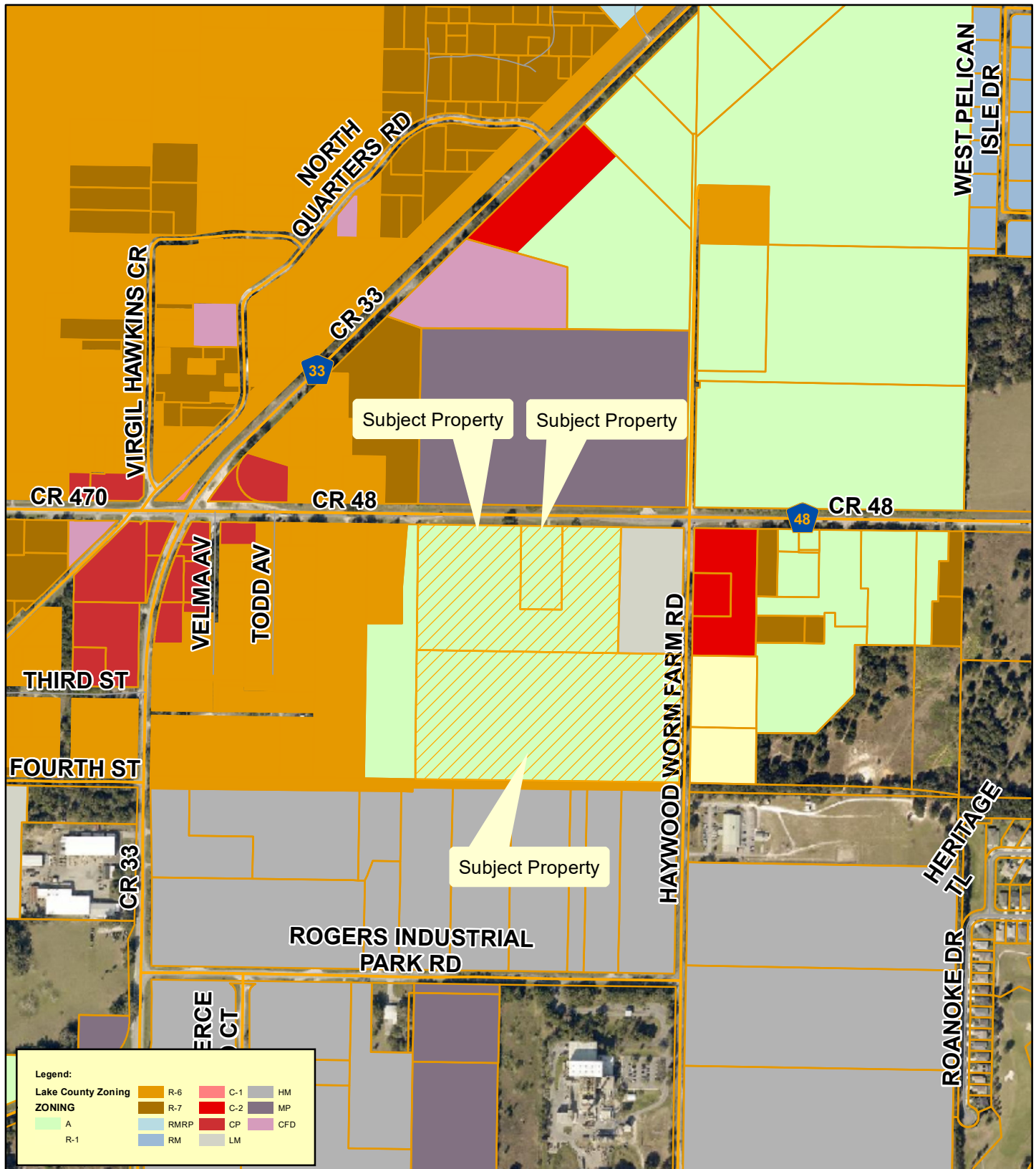


Planning & Zoning Division

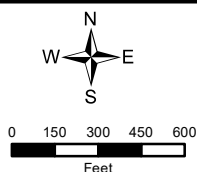


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

Lake County Zoning

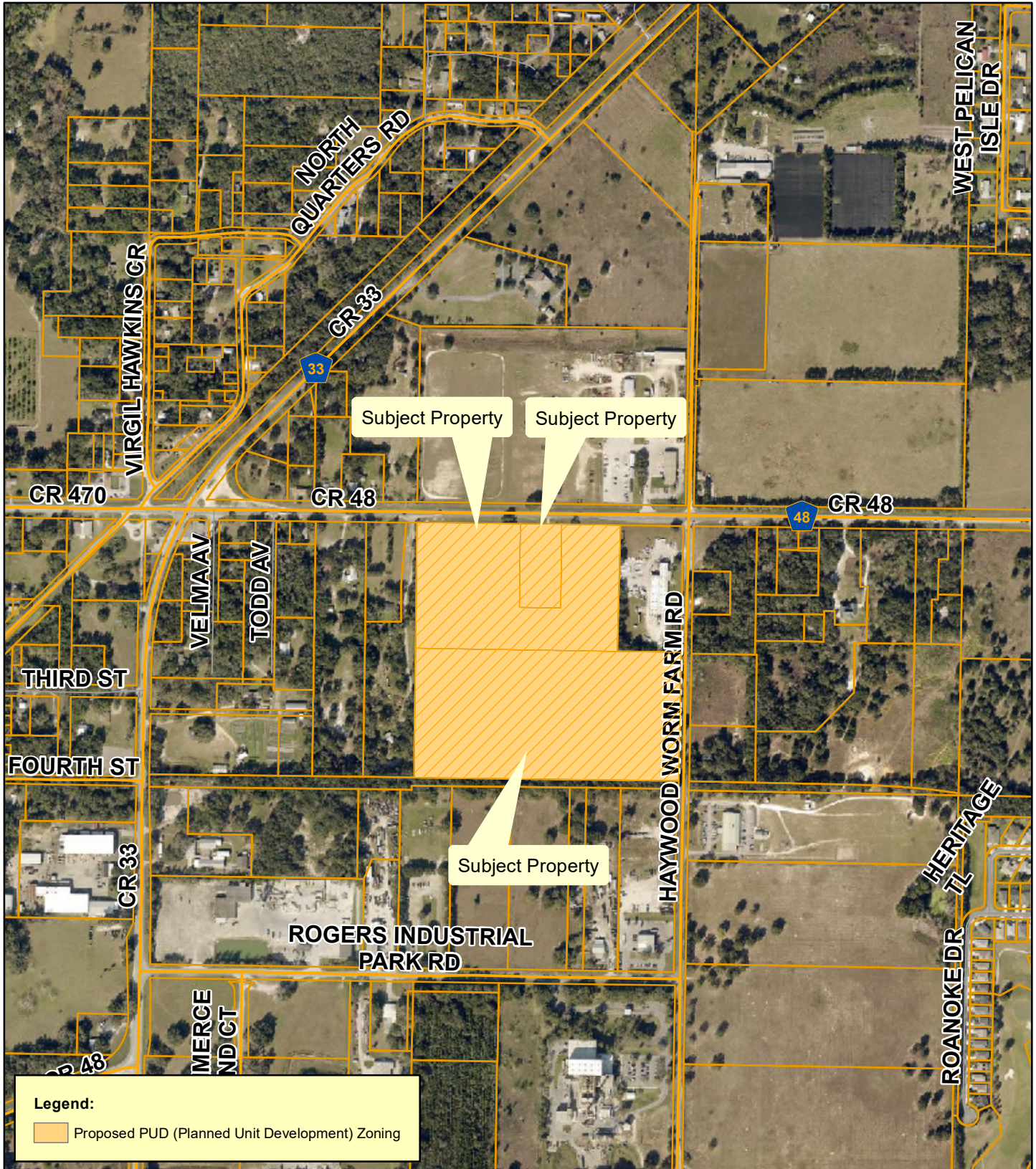


**Planning
& Zoning
Division**

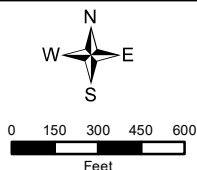


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

PROPOSED Zoning



**Planning
& Zoning
Division**

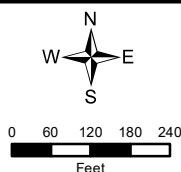


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
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Surrounding Land Uses

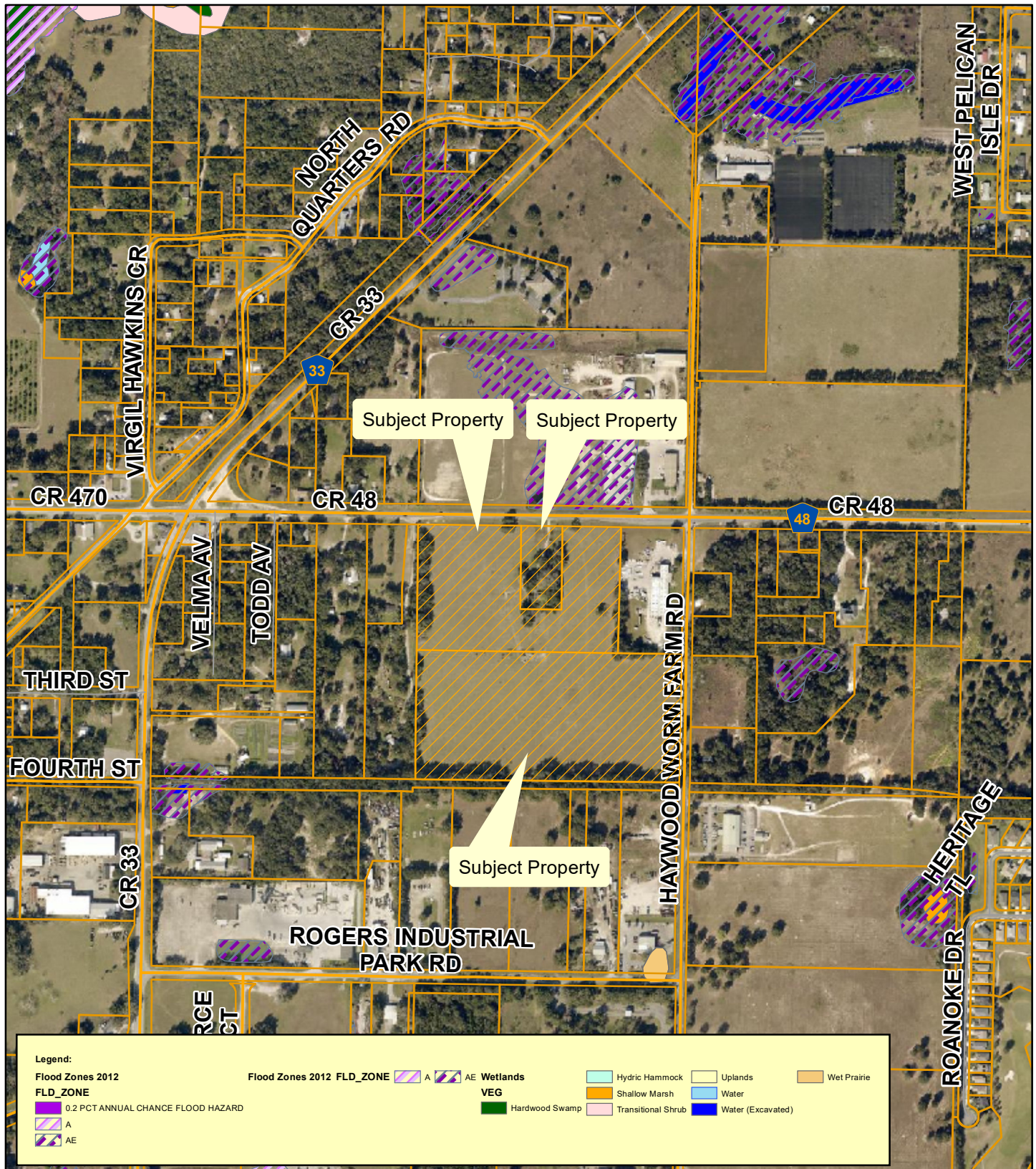


**Planning
& Zoning
Division**

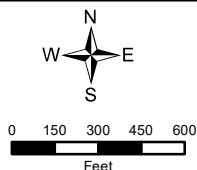


Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

Wetlands and Flood Zones



**Planning
& Zoning
Division**



Sundance Mixed Use
3822 County Road 48, Okahumpka
Alternate Key #'s: 1111005; 1295815; 3319796
Sections 14, 15; Township 20 South; Range 24 East
December 29, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.4.

Meeting Date: May 9, 2022

From: Al Minner, (City Manager)

Subject: An Ordinance of the City of Leesburg, Ratifying the establishment of The Villages Community Development District No. 14 (District) pursuant to Ordinance No. 21-30 and the Boundary Amendment of the District pursuant to Ordinance No. 22-10; affirming and certifying the establishment of the District, the external boundaries of the District, the initial members of the Board of Supervisors, the name of the District, the location of water and sewer connections, the time table and cost estimates, and the statement of estimated regulatory costs; providing for conflicts; providing for severability; and providing for an effective date.

Staff Recommendation:

Ratify the establishment of The Villages Community Development District No. 14.

Analysis:

The City of Leesburg approved Ordinance No. 21-30 and Ordinance No. 22-10 creating The Villages Community Development District No. 14. To cure a defect in the advertising requirement, the City has received a request to ratify the previous approval of the Ordinances pursuant to Chapter 190, Florida Statutes.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

N/A

Submission Date and Time:

ORDINANCE NO. 22-_____

AN ORDINANCE OF THE CITY OF LEESBURG, RATIFYING THE ESTABLISHMENT OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14 (DISTRICT) PURSUANT TO ORDINANCE NO. 21-30 AND THE BOUNDARY AMENDMENT OF THE DISTRICT PURSUANT TO ORDINANCE NO. 22-10; AFFIRMING AND CERTIFYING THE ESTABLISHMENT OF THE DISTRICT THE EXTERNAL BOUNDARIES OF THE DISTRICT, THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS, THE NAME OF THE DISTRICT, THE LOCATION OF WATER AND SEWER CONNECTIONS, THE TIME TABLE AND COST ESTIMATES, AND THE STATEMENT OF ESTIMATED REGULATORY COSTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 26, 2021, the City Commission adopted Ordinance No. 21-30 establishing Village Community Development District No. 14, providing for authority and power of the District, providing for the Board of Supervisors of the District, providing for the District Budget, providing for Functions of the District, providing for miscellaneous provisions, and providing for an effective date, attached hereto as Exhibit “A”; and

WHEREAS, on February 14, 2022, the City Commission adopted Ordinance No. 22-10 amending the boundary lines of Village Community Development District No. 14 and providing for an effective date, attached hereto as Exhibit “B”; and

WHEREAS, Ordinance No. 21-30 and Ordinance No. 22-10 were not advertised in accordance with Florida Statute §190.005(1)(d); and

WHEREAS, the City and Petitioner seek to ratify Ordinance No. 21-30 and Ordinance No. 22-10 after proper advertisement pursuant to Florida Statute §190.005(1)(d); and

WHEREAS, a Notice of Public Hearing to Ratify Ordinance No. 21-30 and Ordinance No. 22-10 concerning Village Community Development District No. 14 (Notice) ran in The Villages Daily Sun on April 8, 2022, April 15, 2022, April 22, 2022, and April 29, 2022 prior to a May 9, 2022 public hearing on this matter; and

WHEREAS, the Notice complied with all of the requirements outlined in Florida Statute §190.005.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Leesburg, Florida as follows:

SECTION 1. AUTHORITY. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development Act of 1980, Chapter 190, Florida Statutes (2021), as amended.

SECTION 2. RATIFICATION. All of the provisions in Ordinance No. 21-30 and Ordinance 22-10 are hereby ratified and reaffirmed dating back respectively to July 26, 2021 and February 14, 2022.

SECTION 3. AFFIRMATION AND CERTIFICATION. Village Community Development District No. 14 is established as of July 26, 2021 and the boundaries of the District as established pursuant to Ordinance No. 21-30, on July 26, 2021 and as amended pursuant to Ordinance No. 22-10 on February 14, 2022 are the current boundaries of Village Community Development District No. 14. Furthermore, the initial members of the Board of Supervisors, the name of the District, the location of water and sewer connections, the time table and costs estimates, and the statement of estimated regulatory costs as outlined in Ordinance No. 21-30 are affirmed and date back to July 26, 2021, and the actions taken by the Board of Supervisors of the District in accordance with and pursuant to the provisions of Ordinance No. 21-30 and Ordinance No. 22-10 are ratified and affirmed as of the dates of such actions.

SECTION 4. SEVERABILITY. If any provision of this Ordinance, or application thereof, is finally determined by a Court of competent jurisdiction to be invalid, illegal, or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal, or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 5. CONFLICTS. All ordinances or parts of ordinances previously adopted and conflicting with this Ordinance are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon its passage and adoption pursuant to general law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida at a regular meeting held on the 9th day of May, 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

Attest

City Clerk

EXHIBIT "A"

ORDINANCE NO 21-30

**AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ESTABLISHING
THE VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14,
PURSUANT TO CHAPTER 190, FLORIDA STATUTES, PROVIDING FOR
AUTHORITY AND POWER OF THE DISTRICT; PROVIDING FOR THE
BOARD OF SUPERVISORS OF THE DISTRICT, PROVIDING FOR THE
DISTRICT BUDGET, PROVIDING FOR FUNCTIONS OF THE DISTRICT,
PROVIDING FOR MISCELLANEOUS PROVISIONS; AND PROVIDING AN
EFFECTIVE DATE (VILLAGES CDD 14)**

WHEREAS, The Villages Land Company, LLC, (the "Petitioner") has petitioned the City Commission for the City of Leesburg, Florida, (the "City") to adopt an ordinance establishing the boundaries of the Village Community Development District No 14, pursuant to Chapter 190, Florida Statutes, and granting certain special powers, and

WHEREAS, the City, in determining whether to establish the District boundaries, has considered and finds that all statements contained in the Petition to establish the Village Community Development District No 14 (the "Petition") are true and correct, and

WHEREAS, the City has considered and finds that the establishment of the District is not inconsistent with any applicable element or portion of the applicable Comprehensive Plan, and

WHEREAS, the City has considered and finds that the area of land within the District is a sufficient size, and is sufficiently compact, and is sufficiently contiguous to the developed as a functional interrelated community, and

WHEREAS, the City has considered and finds that the District is the best alternative for delivering the community development services and facilities to the area that will be served by the District, and

WHEREAS, the City has considered and finds that the community development services and facilities of the District will not be incompatible with the capacity an uses of existing local an regional community development services and facilities, and

WHEREAS, The City has considered and finds that the area that will be served by the District is amenable to separate special-district government, and

WHEREAS, duly noticed public hearing on the Petition was held prior to the adoption of this Ordinance establishing the District

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Leesburg, Florida, as follows

SECTION 1 AUTHORITY This ordinance is adopted in compliance with and pursuant to the Uniform Community Development Act of 1980, Chapter 190, Florida Statutes, (2020), as amended

SECTION 2 DISTRICT NAME There is hereby created a Community Development District situated entirely within incorporated Leesburg, Florida, which District shall be known as Village Community

CITY OF LEESBURG
CITY CLERK'S OFFICE
PO BOX 490630
LEESBURG FL 34749-0630



Development District No 14

SECTION 3: EXTERNAL BOUNDARIES OF THE DISTRICT The external boundaries of the District are described in Exhibit 2 attached hereto, the overall area containing approximately 2,499.60 acres

SECTION 4: FUNCTIONS AND POWERS. The powers and functions of the District are described in Chapter 190, Florida Statutes (2020) as may be amended from time to time. The charter of the District shall be as set forth in Chapter 190, Florida Statutes, as created by general law. The District's Board of 'supervisors' may further exercise certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems facilities for (a) parks and facilities for indoor and outdoor recreational, cultural and educational uses, and (b) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cards, when authorized by applicable governmental agencies, except that the District may not exercise any police power, but may contract with the City for an increased level of such services within the proposed District Boundaries, all as authorized and described by Section 190.012(2), Florida Statutes. The District shall not provide, electricity, cable television, telephone or other telecommunications, dial-up or broadband internet, solid waste collection and disposal, or any other utility service unless otherwise approved by the City of Leesburg.

SECTION 5. BOARD OF SUPERVISORS The five persons designated to serve as initial members of the District Board of Supervisors are

- 1 Supervisor/Chair Dale Borrowman
- 2 Supervisor/Vice-Chair Joe Riccardi
- 3 Supervisor/Secretary-Treasurer Cody Yoder
- 4 Supervisor Colby Sharp
- 5 Supervisor Amanda Isaacs

SECTION 6. NOTICE TO PURCHASERS Any and all agreements for the sale of property within the boundaries of the district must include the disclosure statement required in Section 190.048, Florida Statutes, (2020) or any successor provision thereto. This requirement shall apply not only to the initial sale of a parcel, but also to all subsequent sellers, successors and assigns, for the life of the District.

SECTION 7: SEVERABILITY. If any provision of this Ordinance, or the application therefore, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

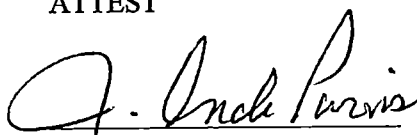
SECTION 8. EFFECTIVE DATE This Ordinance shall take effect upon its passage and adoption pursuant to general law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 26th day of July 2021

THE CITY OF LEESBURG, FLORIDA


Mayor

ATTEST


City Clerk

**PETITION TO ESTABLISH
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14**

Petitioner, The Villages Land Company, LLC, a Florida limited liability company, petitions the City of Leesburg (hereinafter referred to as "City") pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to adopt an ordinance to establish a Uniform Community Development District and to designate the land area for which the District would manage a finance basic service delivery and states as follows

1 Petitioner is a Florida limited Liability Company with its principal place of business at 3619 Kiessel Road, The Villages, Florida 32163

2 The land area to be served by the District comprises of 2499.60 acres. A map showing the location of the land area to be serviced by the District is attached as **Exhibit 1**. All of the land in the proposed District is within the City of Leesburg, Florida.

3 A metes and bounds legal description and sketch of the external boundaries of the District is attached as **Exhibit 2**. Section 190.005(2)(a) and (1)(a)(1), Florida Statutes. There is no real property wholly within the external boundaries of the District, which is to be excluded from the District.

4 Attached as **Exhibit 3** is documentation constituting written consent to establishment of the District by the owners of the real property to be included in and serviced by the District (Section 190.005(2)(a) and (1)(a)(2), Florida Statutes).

5 The five (5) persons designated to serve as the initial members of the Board of Supervisors of the District are named in **Exhibit 4** attached hereto (Section 190.005(2)(a) and (1)(a)(3), Florida Statutes).

6 The proposed name of the District is Village Community Development District No 14 (Section 190.005(2)(a) and (1)(a)(4), Florida Statutes).

7 The major trunk water mains, sewer interceptors, and outfalls currently in existence on the property to be serviced by the District are identified on **Exhibit 5** attached hereto (Section 190.005(2)(a) and (1)(a)(5), Florida Statutes).

8 The proposed timetables and related estimates of cost to construct the District services and facilities, based upon available data, are attached as **Exhibit 6** (Section 190.005(2)(a) and (1)(a)(6), Florida Statutes).

9 All of the property to be included in the District, as shown in **Exhibit 7** will be designated Age Restricted Development (ARD) pursuant to the approved development plan of the Villages of West Lake.

10 The Statement of Estimated Regulatory Costs of the granting of this Petition and the establishment of the District is attached as **Exhibit 8** (Section 190.005(2)(a) and (1)(a)(8), Florida Statutes)

WHEREFORE, Petitioner respectfully requests the City of Leesburg to

A Schedule a public hearing on July 26, 2021 to consider this Petition filed pursuant to the uniform procedures set forth in Section 190.005(2), Florida Statutes

B Grant the Petition and adopt an ordinance to establish the District and designate the land area to be serviced by the District, pursuant to Sections 190.005(2), Florida Statutes

RESPECTFULLY SUBMITTED this 14th day of June, 2021.

THE VILLAGES LAND COMPANY, LLC

By: TVL Company, LLC, it's Manager

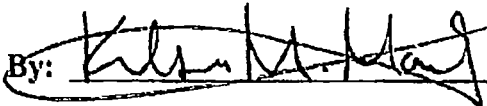
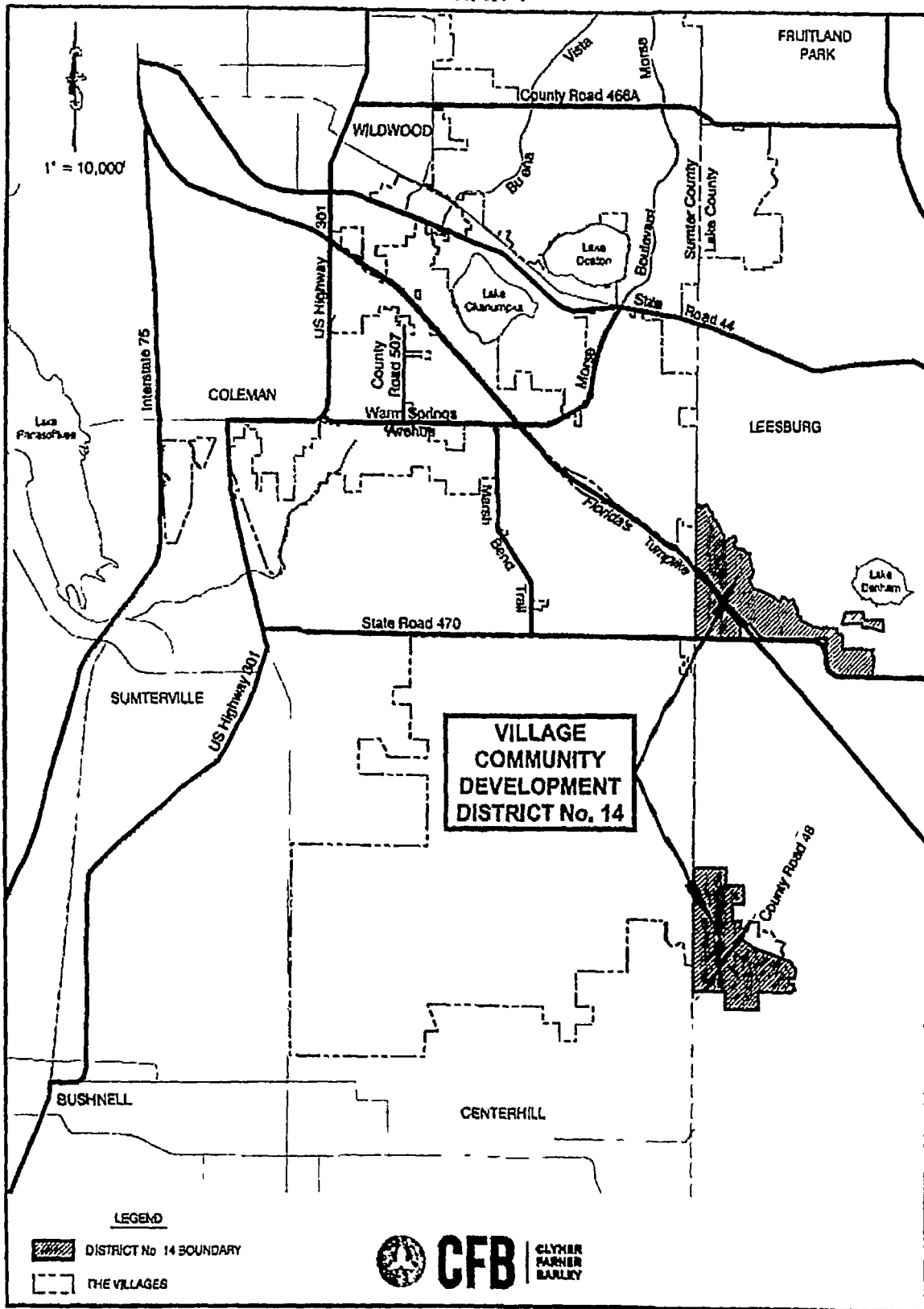
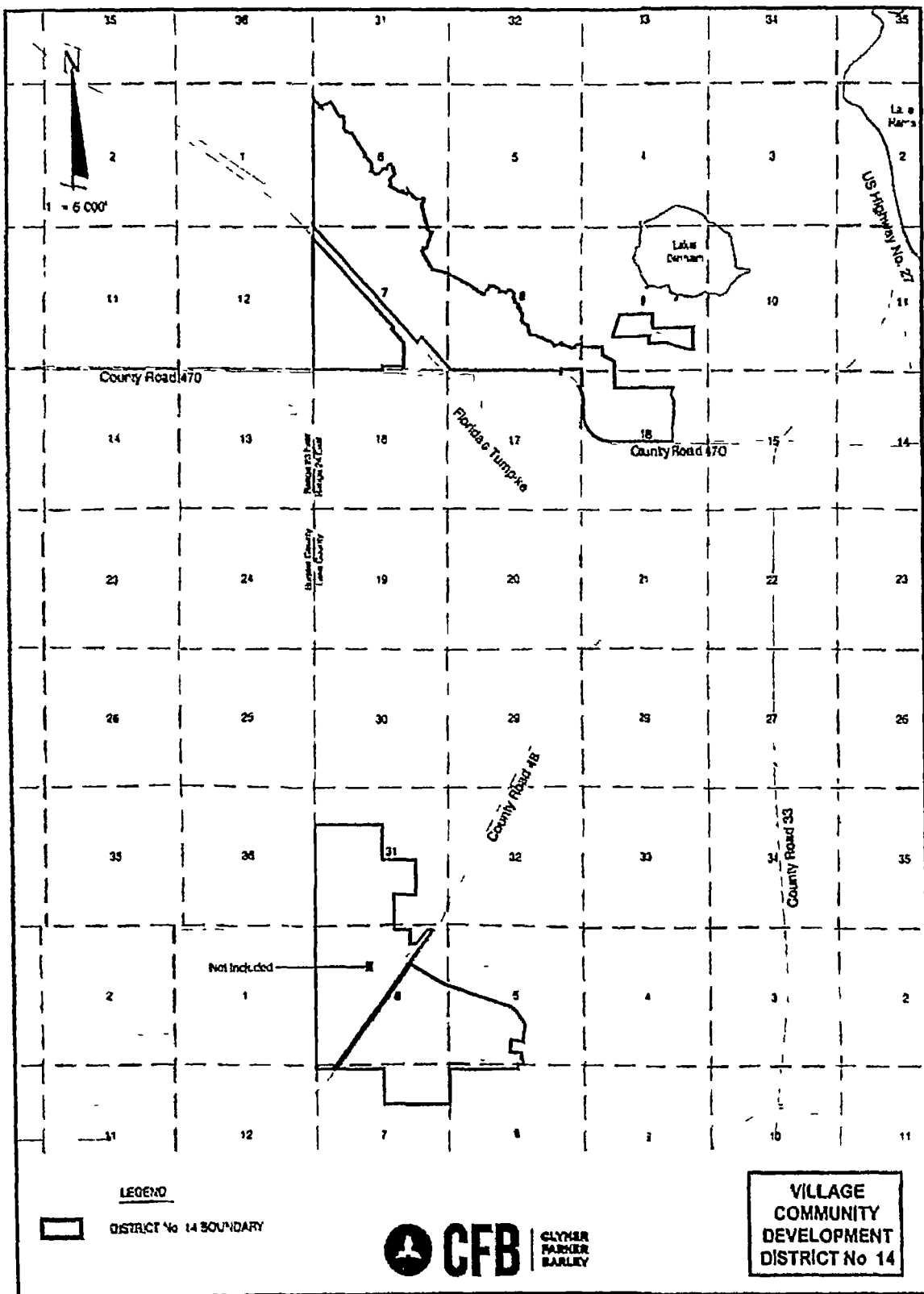
By: 
Kelsea MorseManly, Manager

EXHIBIT 1



GENERAL LOCATION MAP

EXHIBIT 2



VILLAGE COMMUNITY DEVELOPMENT DISTRICT No. 14

**DESCRIPTION OF THE
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14
APPROXIMATELY 2499.6 ACRES**

A PORTION OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGIN AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF AFORESAID SECTION 7, THENCE ALONG THE WEST LINE THEREOF RUN N00°36'58"E, 2,377.49 FEET TO THE WESTERLY RIGHT OF WAY LINE OF FLORIDA'S TURNPIKE; THENCE DEPARTING SAID WEST LINE AND ALONG SAID WESTERLY RIGHT OF WAY LINE RUN S42°26'19"E, 4,618.14 FEET TO THE BOUNDARY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1719, PAGE 874, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THE FOLLOWING FIVE (5) COURSES BEING ALONG THE BOUNDARY LINE OF SAID LANDS, DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN S47°33'41"W, 100.00 FEET; THENCE S40°22'13"E, 738.95 FEET; THENCE S00°35'33"W, 850.09 FEET, THENCE N89°24'47"W, 850.00 FEET; THENCE S00°35'13"W, 130.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO 470; THE FOLLOWING TWO (2) COURSES BEING ALONG SAID NORTHERLY RIGHT OF WAY LINE: RUN N89°24'47"W, 65.18 FEET; THENCE N89°23'45"W, 2,649.62 FEET TO THE WEST LINE OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 7, THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE AND ALONG SAID WEST LINE RUN N00°36'58"E, 2,604.18 FEET TO THE POINT OF BEGINNING

AND

A PORTION OF SECTIONS 6, 7, 8, 9, 16 AND 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGIN AT THE WEST 1/4 CORNER OF SAID SECTION 6, THENCE RUN NORTH 00°39'41" EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 2360.48 FEET, THENCE DEPARTING SAID WEST LINE, RUN SOUTH 30°29'04" EAST, A DISTANCE OF 19.79 FEET; THENCE RUN SOUTH 20°37'14" EAST, A DISTANCE OF 84.19 FEET; THENCE RUN SOUTH 76°53'11" EAST, A DISTANCE OF 47.78 FEET; THENCE RUN SOUTH 36°10'15" EAST, A DISTANCE OF 68.70 FEET; THENCE RUN SOUTH 53°58'30" EAST, A DISTANCE OF 83.28 FEET; THENCE RUN SOUTH 44°52'44" EAST, A DISTANCE OF 70.96 FEET, THENCE RUN SOUTH 03°00'03" WEST, A DISTANCE OF 85.15 FEET, THENCE RUN SOUTH 64°52'10" EAST, A DISTANCE OF 45.25 FEET, THENCE RUN SOUTH 88°04'24" EAST, A DISTANCE OF 34.38 FEET; THENCE RUN NORTH 09°21'14" EAST, A DISTANCE OF 78.78 FEET; THENCE RUN SOUTH 88°37'45" EAST, A DISTANCE OF 36.40 FEET; THENCE RUN NORTH 61°16'45" EAST, A DISTANCE OF 78.67 FEET, THENCE RUN NORTH 79°11'16" EAST, A DISTANCE OF 87.21 FEET; THENCE RUN NORTH 82°04'48" EAST, A DISTANCE OF 69.61 FEET, THENCE RUN NORTH 60°17'41" EAST, A DISTANCE OF 102.77 FEET; THENCE RUN SOUTH 46°03'35" EAST, A DISTANCE OF 89.04 FEET, THENCE RUN SOUTH 25°57'33" EAST, A DISTANCE OF 431.46 FEET, THENCE RUN SOUTH 46°18'25" EAST, A DISTANCE OF 100.01 FEET; THENCE RUN SOUTH 80°46'10" EAST, A DISTANCE OF 82.69 FEET; THENCE RUN SOUTH 82°49'12" EAST, A DISTANCE OF 85.20 FEET; THENCE RUN SOUTH 39°42'02" EAST, A DISTANCE OF 45.75 FEET, THENCE RUN SOUTH 14°23'50" WEST, A DISTANCE OF 70.58 FEET; THENCE RUN SOUTH 29°58'34" EAST, A DISTANCE OF 76.07 FEET, THENCE RUN SOUTH

2-2

May 14, 2021

23°08'46" EAST, A DISTANCE OF 39.04 FEET; THENCE RUN SOUTH 11°00'19" WEST, A DISTANCE OF 95.71 FEET; THENCE RUN SOUTH 09°22'14" WEST, A DISTANCE OF 123.51 FEET; THENCE RUN SOUTH 09°41'56" EAST, A DISTANCE OF 80.26 FEET; THENCE RUN SOUTH 43°34'44" EAST, A DISTANCE OF 98.73 FEET; THENCE RUN NORTH 76°35'25" EAST, A DISTANCE OF 50.82 FEET; THENCE RUN SOUTH 62°33'16" EAST, A DISTANCE OF 86.58 FEET; THENCE RUN SOUTH 64°36'42" EAST, A DISTANCE OF 71.30 FEET; THENCE RUN NORTH 76°42'30" EAST, A DISTANCE OF 44.48 FEET; THENCE RUN SOUTH 32°12'12" EAST, A DISTANCE OF 957.86 FEET; THENCE RUN SOUTH 07°10'01" WEST, A DISTANCE OF 91.08 FEET; THENCE RUN SOUTH 61°21'16" EAST, A DISTANCE OF 47.28 FEET; THENCE RUN SOUTH 40°28'15" EAST, A DISTANCE OF 120.86 FEET; THENCE RUN SOUTH 44°33'11" EAST, A DISTANCE OF 69.24 FEET; THENCE RUN SOUTH 37°26'37" EAST, A DISTANCE OF 89.41 FEET; THENCE RUN SOUTH 07°06'18" EAST, A DISTANCE OF 113.64 FEET; THENCE RUN SOUTH 09°52'34" EAST, A DISTANCE OF 113.85 FEET; THENCE RUN SOUTH 35°28'16" WEST, A DISTANCE OF 89.69 FEET; THENCE RUN SOUTH 64°22'33" EAST, A DISTANCE OF 118.81 FEET; THENCE RUN SOUTH 52°22'56" EAST, A DISTANCE OF 90.58 FEET; THENCE RUN NORTH 79°20'02" EAST, A DISTANCE OF 136.10 FEET; THENCE RUN NORTH 52°22'55" EAST, A DISTANCE OF 86.83 FEET; THENCE RUN NORTH 36°24'30" EAST, A DISTANCE OF 105.87 FEET; THENCE RUN NORTH 48°55'55" EAST, A DISTANCE OF 45.49 FEET; THENCE RUN SOUTH 89°56'18" EAST, A DISTANCE OF 151.08 FEET; THENCE RUN NORTH 24°38'40" EAST, A DISTANCE OF 110.35 FEET; THENCE RUN NORTH 46°09'26" EAST, A DISTANCE OF 81.02 FEET; THENCE RUN SOUTH 86°18'52" EAST, A DISTANCE OF 62.24 FEET; THENCE RUN SOUTH 27°38'50" EAST, A DISTANCE OF 68.64 FEET; THENCE RUN SOUTH 41°23'00" EAST, A DISTANCE OF 95.74 FEET; THENCE RUN SOUTH 09°19'22" EAST, A DISTANCE OF 161.00 FEET; THENCE RUN SOUTH 22°58'56" EAST, A DISTANCE OF 78.10 FEET; THENCE RUN SOUTH 41°13'52" WEST, A DISTANCE OF 71.83 FEET; THENCE RUN SOUTH 67°32'49" WEST, A DISTANCE OF 60.90 FEET; THENCE RUN SOUTH 22°37'04" WEST, A DISTANCE OF 125.78 FEET; THENCE RUN SOUTH 05°54'07" WEST, A DISTANCE OF 58.17 FEET; THENCE RUN SOUTH 09°17'29" EAST, A DISTANCE OF 113.07 FEET; THENCE RUN SOUTH 17°42'35" WEST, A DISTANCE OF 84.59 FEET; THENCE RUN SOUTH 54°18'47" EAST, A DISTANCE OF 86.37 FEET; THENCE RUN SOUTH 59°31'01" EAST, A DISTANCE OF 114.87 FEET; THENCE RUN SOUTH 62°38'05" EAST, A DISTANCE OF 134.39 FEET; THENCE RUN SOUTH 39°09'25" EAST, A DISTANCE OF 51.70 FEET; THENCE RUN SOUTH 80°59'23" EAST, A DISTANCE OF 80.02 FEET; THENCE RUN NORTH 35°54'34" EAST, A DISTANCE OF 63.23 FEET; THENCE RUN SOUTH 74°27'55" EAST, A DISTANCE OF 81.89 FEET; THENCE RUN SOUTH 04°00'12" EAST, A DISTANCE OF 73.97 FEET; THENCE RUN SOUTH 80°14'56" EAST, A DISTANCE OF 67.06 FEET; THENCE RUN SOUTH 62°54'57" EAST, A DISTANCE OF 47.02 FEET; THENCE RUN SOUTH 80°58'05" EAST, A DISTANCE OF 47.16 FEET; THENCE RUN NORTH 50°24'47" EAST, A DISTANCE OF 52.77 FEET; THENCE RUN NORTH 16°30'08" WEST, A DISTANCE OF 34.10 FEET; THENCE RUN NORTH 00°36'32" WEST, A DISTANCE OF 52.85 FEET; THENCE RUN SOUTH 40°59'45" EAST, A DISTANCE OF 106.23 FEET; THENCE RUN SOUTH 55°44'00" EAST, A DISTANCE OF 86.62 FEET; THENCE RUN SOUTH 33°10'27" EAST, A DISTANCE OF 83.20 FEET; THENCE RUN SOUTH 55°17'24" EAST, A DISTANCE OF 68.84 FEET; THENCE RUN SOUTH 46°21'25" EAST, A DISTANCE OF 101.01 FEET; THENCE RUN NORTH 74°50'26" EAST, A DISTANCE OF 86.17 FEET; THENCE RUN SOUTH 82°04'41" EAST, A DISTANCE OF 120.38 FEET; THENCE RUN NORTH 58°22'49" EAST, A DISTANCE OF 68.80 FEET; THENCE RUN SOUTH 60°56'38" EAST, A DISTANCE OF 75.22 FEET; THENCE RUN SOUTH 03°14'40" WEST, A DISTANCE OF 76.66 FEET; THENCE RUN SOUTH 50°59'10" WEST, A DISTANCE OF 90.51 FEET; THENCE RUN SOUTH 36°37'10" WEST, A DISTANCE OF 76.43 FEET; THENCE RUN SOUTH 12°29'53" EAST, A DISTANCE OF 471.98 FEET; THENCE RUN SOUTH 24°47'34" EAST, A DISTANCE OF 104.62 FEET; THENCE RUN SOUTH 12°21'53" WEST, A DISTANCE OF 65.63 FEET; THENCE RUN SOUTH 18°03'40" EAST, A DISTANCE OF 67.17 FEET; THENCE RUN SOUTH

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25°58'11" EAST, A DISTANCE OF 64.57 FEET; THENCE RUN SOUTH 27°55'06" EAST, A DISTANCE OF 100.44 FEET; THENCE RUN SOUTH 35°22'32" WEST, A DISTANCE OF 59.70 FEET; THENCE RUN SOUTH 13°35'06" EAST, A DISTANCE OF 68.53 FEET; THENCE RUN SOUTH 51°53'59" EAST, A DISTANCE OF 156.93 FEET; THENCE RUN SOUTH 66°50'45" EAST, A DISTANCE OF 64.60 FEET; THENCE RUN SOUTH 48°38'48" WEST, A DISTANCE OF 54.10 FEET; THENCE RUN SOUTH 08°34'50" WEST, A DISTANCE OF 80.78 FEET; THENCE RUN SOUTH 08°53'51" WEST, A DISTANCE OF 102.76 FEET; THENCE RUN SOUTH 13°03'25" WEST, A DISTANCE OF 64.08 FEET; THENCE RUN SOUTH 27°21'03" WEST, A DISTANCE OF 92.67 FEET; THENCE RUN SOUTH 58°32'05" WEST, A DISTANCE OF 39.73 FEET; THENCE RUN SOUTH 05°28'43" WEST, A DISTANCE OF 111.73 FEET; THENCE RUN SOUTH 12°31'44" WEST, A DISTANCE OF 83.93 FEET; THENCE RUN SOUTH 55°17'54" WEST, A DISTANCE OF 62.16 FEET; THENCE RUN NORTH 84°37'02" WEST, A DISTANCE OF 51.91 FEET; THENCE RUN NORTH 88°34'03" WEST, A DISTANCE OF 32.60 FEET; THENCE RUN SOUTH 42°06'52" WEST, A DISTANCE OF 58.01 FEET; THENCE RUN SOUTH 12°33'12" WEST, A DISTANCE OF 37.53 FEET; THENCE RUN SOUTH 20°36'57" WEST, A DISTANCE OF 33.88 FEET; THENCE RUN SOUTH 20°04'52" EAST, A DISTANCE OF 53.52 FEET; THENCE RUN SOUTH 24°42'25" EAST, A DISTANCE OF 74.30 FEET; THENCE RUN SOUTH 30°43'24" EAST, A DISTANCE OF 665.00 FEET; THENCE RUN SOUTH 76°34'14" EAST, A DISTANCE OF 477.21 FEET; THENCE RUN SOUTH 71°58'41" EAST, A DISTANCE OF 165.94 FEET; THENCE RUN SOUTH 54°48'46" EAST, A DISTANCE OF 79.68 FEET; THENCE RUN SOUTH 62°41'15" EAST, A DISTANCE OF 108.65 FEET; THENCE RUN SOUTH 62°55'30" EAST, A DISTANCE OF 667.14 FEET; THENCE RUN SOUTH 60°27'48" EAST, A DISTANCE OF 87.14 FEET; THENCE RUN SOUTH 64°03'50" EAST, A DISTANCE OF 106.68 FEET; THENCE RUN SOUTH 43°54'25" EAST, A DISTANCE OF 79.20 FEET; THENCE RUN SOUTH 72°01'07" EAST, A DISTANCE OF 124.60 FEET; THENCE RUN SOUTH 60°09'14" EAST, A DISTANCE OF 62.29 FEET; THENCE RUN SOUTH 31°27'02" EAST, A DISTANCE OF 86.64 FEET; THENCE RUN SOUTH 63°57'31" EAST, A DISTANCE OF 63.36 FEET; THENCE RUN NORTH 89°40'02" EAST, A DISTANCE OF 61.47 FEET; THENCE RUN SOUTH 25°03'35" EAST, A DISTANCE OF 41.98 FEET; THENCE RUN SOUTH 58°26'41" EAST, A DISTANCE OF 77.10 FEET; THENCE RUN NORTH 64°51'43" EAST, A DISTANCE OF 59.71 FEET; THENCE RUN NORTH 22°27'00" EAST, A DISTANCE OF 133.33 FEET; THENCE RUN NORTH 52°49'57" EAST, A DISTANCE OF 66.67 FEET; THENCE RUN NORTH 35°29'20" EAST, A DISTANCE OF 82.69 FEET; THENCE RUN NORTH 27°10'34" EAST, A DISTANCE OF 56.95 FEET; THENCE RUN SOUTH 79°02'53" EAST, A DISTANCE OF 94.44 FEET; THENCE RUN NORTH 62°59'52" EAST, A DISTANCE OF 87.39 FEET; THENCE RUN SOUTH 55°10'19" EAST, A DISTANCE OF 51.33 FEET; THENCE RUN SOUTH 56°42'06" EAST, A DISTANCE OF 76.72 FEET; THENCE RUN SOUTH 69°38'47" EAST, A DISTANCE OF 98.62 FEET; THENCE RUN SOUTH 33°07'22" EAST, A DISTANCE OF 66.32 FEET; THENCE RUN SOUTH 12°34'18" EAST, A DISTANCE OF 67.51 FEET; THENCE RUN SOUTH 73°43'09" EAST, A DISTANCE OF 32.57 FEET; THENCE RUN NORTH 88°46'08" EAST, A DISTANCE OF 89.59 FEET; THENCE RUN SOUTH 72°00'24" EAST, A DISTANCE OF 88.54 FEET; THENCE RUN NORTH 82°00'35" EAST, A DISTANCE OF 82.23 FEET; THENCE RUN NORTH 28°08'41" EAST, A DISTANCE OF 77.60 FEET; THENCE RUN SOUTH 79°52'28" EAST, A DISTANCE OF 72.13 FEET; THENCE RUN SOUTH 84°08'18" EAST, A DISTANCE OF 76.52 FEET; THENCE RUN SOUTH 50°04'27" EAST, A DISTANCE OF 116.72 FEET; THENCE RUN SOUTH 18°05'38" EAST, A DISTANCE OF 86.72 FEET; THENCE RUN SOUTH 11°26'26" WEST, A DISTANCE OF 91.89 FEET; THENCE RUN SOUTH 29°04'26" EAST, A DISTANCE OF 89.79 FEET; THENCE RUN SOUTH 09°58'55" EAST, A DISTANCE OF 91.28 FEET; THENCE RUN SOUTH 40°14'22" EAST, A DISTANCE OF 56.45 FEET; THENCE RUN SOUTH 43°10'08" EAST, A DISTANCE OF 86.77 FEET; THENCE RUN SOUTH 30°23'40" EAST, A DISTANCE OF 63.23 FEET; THENCE RUN SOUTH 36°06'06" WEST, A DISTANCE OF 69.17 FEET; THENCE RUN SOUTH 49°24'38" EAST, A DISTANCE OF 39.36 FEET; THENCE RUN NORTH 51°47'53" EAST, A DISTANCE OF 66.55 FEET; THENCE RUN SOUTH

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18°39'03" EAST, A DISTANCE OF 66.42 FEET; THENCE RUN SOUTH 13°29'51" EAST, A DISTANCE OF 121.98 FEET; THENCE RUN SOUTH 37°08'09" EAST, A DISTANCE OF 78.28 FEET; THENCE RUN SOUTH 18°59'20" EAST, A DISTANCE OF 85.31 FEET; THENCE RUN SOUTH 29°01'05" WEST, A DISTANCE OF 50.31 FEET; THENCE RUN SOUTH 14°39'12" WEST, A DISTANCE OF 122.19 FEET; THENCE RUN SOUTH 18°44'14" EAST, A DISTANCE OF 78.53 FEET; THENCE RUN SOUTH 53°17'25" EAST, A DISTANCE OF 80.53 FEET; THENCE RUN SOUTH 37°24'41" EAST, A DISTANCE OF 83.16 FEET; THENCE RUN SOUTH 55°25'31" EAST, A DISTANCE OF 71.44 FEET; THENCE RUN NORTH 58°27'23" EAST, A DISTANCE OF 43.35 FEET; THENCE RUN SOUTH 19°10'27" EAST, A DISTANCE OF 37.15 FEET; THENCE RUN SOUTH 63°34'27" WEST, A DISTANCE OF 31.07 FEET; THENCE RUN SOUTH 22°20'25" EAST, A DISTANCE OF 134.31 FEET; THENCE RUN SOUTH 08°26'23" WEST, A DISTANCE OF 67.96 FEET; THENCE RUN SOUTH 22°50'36" EAST, A DISTANCE OF 95.16 FEET; THENCE RUN SOUTH 68°08'39" EAST, A DISTANCE OF 101.39 FEET; THENCE RUN SOUTH 84°06'33" EAST, A DISTANCE OF 143.78 FEET; THENCE RUN SOUTH 53°36'32" EAST, A DISTANCE OF 79.23 FEET; THENCE RUN SOUTH 62°30'27" EAST, A DISTANCE OF 79.89 FEET; THENCE RUN SOUTH 80°26'17" EAST, A DISTANCE OF 103.16 FEET; THENCE RUN SOUTH 50°11'10" EAST, A DISTANCE OF 58.15 FEET; THENCE RUN SOUTH 66°52'59" EAST, A DISTANCE OF 72.77 FEET; THENCE RUN SOUTH 63°53'24" EAST, A DISTANCE OF 143.33 FEET; THENCE RUN SOUTH 83°14'16" EAST, A DISTANCE OF 82.39 FEET; THENCE RUN SOUTH 46°01'21" EAST, A DISTANCE OF 132.57 FEET; THENCE RUN SOUTH 30°59'41" EAST, A DISTANCE OF 81.79 FEET; THENCE RUN NORTH 86°11'27" EAST, A DISTANCE OF 73.17 FEET; THENCE RUN NORTH 62°36'40" EAST, A DISTANCE OF 109.25 FEET; THENCE RUN NORTH 76°42'21" EAST, A DISTANCE OF 117.81 FEET TO A POINT ON THE WEST LINE OF A 79.02 ACRE LEESBURG INTERNATIONAL AIRPORT SEA PLANE MITIGATION AREA; THENCE ALONG SAID SEA PLANE MITIGATION AREA THE FOLLOWING SIXTEEN (16) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 00°30'28" WEST, A DISTANCE OF 58.37 FEET; 2) THENCE RUN NORTH 59°53'32" EAST, A DISTANCE OF 54.81 FEET; 3) THENCE RUN SOUTH 43°52'35" EAST, A DISTANCE OF 38.23 FEET; 4) THENCE RUN SOUTH 75°34'26" EAST, A DISTANCE OF 45.20 FEET; 5) THENCE RUN SOUTH 70°37'50" EAST, A DISTANCE OF 23.34 FEET; 6) THENCE RUN SOUTH 65°59'05" EAST, A DISTANCE OF 142.77 FEET; 7) THENCE RUN SOUTH 71°48'27" EAST, A DISTANCE OF 41.59 FEET; 8) THENCE RUN SOUTH 73°29'01" EAST, A DISTANCE OF 85.77 FEET; 9) THENCE RUN NORTH 83°59'28" EAST, A DISTANCE OF 72.88 FEET; 10) THENCE RUN NORTH 82°39'04" EAST, A DISTANCE OF 75.52 FEET; 11) THENCE RUN NORTH 22°53'15" EAST, A DISTANCE OF 49.24 FEET; 12) THENCE RUN NORTH 42°47'28" EAST, A DISTANCE OF 36.32 FEET; 13) THENCE RUN NORTH 66°51'09" EAST, A DISTANCE OF 48.16 FEET; 14) THENCE RUN NORTH 82°25'46" EAST, A DISTANCE OF 75.22 FEET; 15) THENCE RUN NORTH 82°09'15" EAST, A DISTANCE OF 66.23 FEET; 16) THENCE RUN NORTH 72°05'31" EAST, A DISTANCE OF 32.56 FEET TO A POINT ON THE WEST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID SEA PLANE MITIGATION AREA, RUN ALONG THE BOUNDARY OF SAID LANDS THE FOLLOWING FIFTEEN (15) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 00°30'28" WEST, A DISTANCE OF 107.66 FEET; 2) THENCE RUN SOUTH 89°33'30" EAST, A DISTANCE OF 841.08 FEET; 3) THENCE RUN SOUTH 02°20'16" EAST, A DISTANCE OF 303.39 FEET; 4) THENCE RUN SOUTH 60°11'33" EAST, A DISTANCE OF 533.18 FEET; 5) THENCE RUN SOUTH 00°10'55" WEST, A DISTANCE OF 387.25 FEET; 6) THENCE RUN SOUTH 00°48'18" WEST, A DISTANCE OF 599.91 FEET; 7) THENCE RUN SOUTH 88°56'30" EAST, A DISTANCE OF 2556.25 FEET; 8) THENCE RUN SOUTH 00°49'33" WEST, A DISTANCE OF 5.52 FEET; 9) THENCE RUN SOUTH 43°39'58" WEST, A DISTANCE OF 170.17 FEET; 10) THENCE RUN SOUTH 13°50'45" WEST, A DISTANCE OF 147.54 FEET; 11) THENCE RUN SOUTH 26°56'42" EAST, A DISTANCE OF 135.90 FEET; 12) THENCE RUN SOUTH 41°29'44" EAST, A DISTANCE OF 127.17 FEET; 13) THENCE RUN SOUTH 00°49'33" WEST, A DISTANCE OF 891.81 FEET; 14) THENCE RUN NORTH

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88°56'27" WEST, A DISTANCE OF 65 00 FEET; 15) THENCE RUN SOUTH 00°49'33" WEST, A DISTANCE OF 644 96 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 470 (A 100 FOOT WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 11670-2601); THENCE DEPARTING SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262, RUN ALONG SAID NORTH AND EAST RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN NORTH 88°56'30" WEST, A DISTANCE OF 2673.97 FEET TO A POINT OF CURVATURE OF A 1095.82 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; 2) THENCE RUN NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°43'22" AN ARC DISTANCE OF 1716.01 FEET TO A POINT OF TANGENCY; 3) THENCE RUN NORTH 00°46'52" EAST, A DISTANCE OF 378.96 FEET TO A POINT OF CURVATURE OF A 1196 40 FOOT RADIUS CURVE CONCAVE TO THE WEST; 4) THENCE RUN NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°56'25" AN ARC DISTANCE OF 646.07 FEET TO A POINT ON THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4496, PAGE 70, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE AND ALONG SAID SOUTH LINE RUN SOUTH 89°13'08" EAST A DISTANCE OF 120.24 FEET TO THE SOUTHEAST CORNER OF SAID LANDS AND THE EAST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 17; THENCE ALONG SAID EAST LINE RUN NORTH 00°46'52" EAST A DISTANCE OF 535.00 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE RUN NORTH 00°30'28" EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9, A DISTANCE OF 100 00 FEET TO THE NORTHEAST CORNER OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4496, PAGE 70, THENCE DEPARTING SAID WEST LINE, RUN NORTH 89°24'17" WEST, ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 807.90 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°30'28" WEST, ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 99.99 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 470, SAID POINT BEING ON A 1196 40 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE SOUTH WHOSE RADIUS POINT BEARS SOUTH 17°12'59" WEST; THENCE DEPARTING SAID WEST LINE, RUN WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°37'16" AN ARC DISTANCE OF 347.07 FEET TO A POINT OF TANGENCY; 2) THENCE RUN NORTH 89°24'17" WEST, A DISTANCE OF 1499.57 FEET; 3) THENCE RUN NORTH 89°23'48" WEST A DISTANCE OF 2,315.45 FEET; 4) THENCE RUN NORTH 84°15'10" WEST A DISTANCE OF 213.38 FEET TO THE NORTHEASTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4556, PAGE 1743, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE AND ALONG SAID NORTHEASTERLY LINE RUN NORTH 42°26'19" WEST A DISTANCE OF 1675 88 FEET TO THE MOST NORTHERLY CORNER OF SAID LANDS; THENCE DEPARTING SAID NORTHEASTERLY LINE, RUN SOUTH 47°33'41" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LANDS, A DISTANCE OF 270.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA TURNPIKE (STATE ROAD NO. 91, A VARIABLE WIDTH RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, STATE PROJECT NO. 190747-2), THENCE DEPARTING SAID NORTHWESTERLY LINE, RUN NORTH 42°26'19" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 5956.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE, RUN NORTH 00°45'14" EAST, ALONG SAID WEST LINE, A DISTANCE OF 2487.91 FEET TO THE POINT OF BEGINNING

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A PORTION OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE RUN SOUTH 89°11'07" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9, A DISTANCE OF 2650.14 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 9; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00°45'24" EAST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9, A DISTANCE OF 1340.43 FEET TO A POINT ON A LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE, RUN ALONG THE BOUNDARY OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262 THE FOLLOWING FIVE (5) COURSES AND DISTANCES. 1) THENCE RUN NORTH 90°00'00" WEST, A DISTANCE OF 1427.39 FEET; 2) THENCE RUN NORTH 20°12'05" EAST, A DISTANCE OF 896.56 FEET; 3) THENCE RUN SOUTH 89°45'55" EAST, A DISTANCE OF 1510.88 FEET; 4) THENCE RUN SOUTH 00°00'00" EAST, A DISTANCE OF 538.26 FEET; 5) THENCE RUN NORTH 90°00'00" EAST, A DISTANCE OF 1602.12 FEET TO A POINT ON THE EAST LINE OF THE LANDS DESCRIBED AS PARCEL 2 IN OFFICIAL RECORDS BOOK 2070, PAGE 2098, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262, RUN ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2070, PAGE 2098 THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 00°36'49" WEST, A DISTANCE OF 831.10 FEET; 2) THENCE RUN NORTH 88°50'30" WEST, A DISTANCE OF 192.44 FEET TO A POINT ON THE BOUNDARY OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262, THENCE DEPARTING SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2070, PAGE 2098, RUN ALONG SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262 THE FOLLOWING FOUR (4) COURSES AND DISTANCES. 1) THENCE RUN NORTH 74°45'27" WEST, A DISTANCE OF 957.72 FEET; 2) THENCE RUN NORTH 90°00'00" WEST, A DISTANCE OF 631.59 FEET; 3) THENCE RUN NORTH 01°16'27" EAST, A DISTANCE OF 278.48 FEET; 4) THENCE RUN NORTH 90°00'00" WEST, A DISTANCE OF 244.47 FEET TO THE POINT OF BEGINNING.

AND

A PORTION OF SECTION 6, TOWNSHIP 21 SOUTH, RANGE 24 EAST AND SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE RUN NORTH 0°40'22" EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 2641.21 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 6, THENCE DEPARTING SAID WEST LINE, RUN NORTH 0°40'23" EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 2641.21 FEET TO THE NORTHWEST CORNER OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN NORTH 0°51'49" EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 2645.51 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 31; THENCE DEPARTING SAID WEST LINE, RUN NORTH 0°52'48" EAST, ALONG THE WEST LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 1322.56 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 89°12'12" EAST, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 2647.14 FEET TO THE NORTHEAST

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CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 0°50'27" WEST, ALONG THE EAST LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 1323.15 FEET TO THE CENTER OF SAID SECTION 31; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°15'43" EAST, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 1323.75 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 0°43'08" WEST, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 1323.54 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID EAST LINE, RUN NORTH 89°13'10" WEST, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 863.02 FEET TO THE NORTHEAST CORNER OF THE WEST 462 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID SOUTH LINE, RUN SOUTH 0°46'34" WEST, ALONG THE EAST LINE OF THE WEST 462 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 1322.90 FEET TO THE SOUTHEAST CORNER OF THE WEST 462 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31 AND A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°10'38" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 639.44 FEET TO A POINT ON THE BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3573, PAGE 1, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID NORTH LINE, RUN ALONG THE BOUNDARY OF SAID LANDS THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) THENCE RUN SOUTH 0°49'22" WEST, A DISTANCE OF 518.18 FEET; (2) THENCE RUN SOUTH 89°10'38" EAST, A DISTANCE OF 217.51 FEET; (3) THENCE RUN NORTH 42°32'39" EAST, A DISTANCE OF 694.25 FEET TO A POINT ON THE AFORESAID NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID BOUNDARY, RUN SOUTH 89°10'38" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 215.45 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 48 (A 100.00 FOOT PUBLIC RIGHT-OF-WAY PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, PROJECT NO. 1092), SAID POINT BEING ON A 5724.15 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS NORTH 53°26'45" WEST; THENCE DEPARTING SAID NORTH LINE, RUN SOUTHWESTERLY ALONG SAID CURVE AND WESTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 1°11'29" AN ARC DISTANCE OF 119.03 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 37°44'44" WEST, A DISTANCE OF 6490.63 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, RUN NORTH 89°03'26" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 665.09 FEET TO THE POINT OF BEGINNING

LESS AND EXCEPT A PORTION OF SECTION 6, TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 6; THENCE RUN NORTH 89°09'35" WEST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 453.05 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 00°36'59" WEST, A DISTANCE OF 235.00 FEET; THENCE RUN NORTH 89°09'35" WEST, A DISTANCE OF 180.00 FEET; THENCE RUN NORTH 00°36'59" EAST, A DISTANCE OF 291.57 FEET; THENCE RUN SOUTH 75°50'19" EAST, A DISTANCE OF 185.15 FEET; THENCE RUN SOUTH 00°36'59" WEST, A DISTANCE OF 13.91 FEET TO THE POINT OF BEGINNING.

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AND

A PORTION OF SECTIONS 5, 6 AND 7, TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE RUN SOUTH 89°03'26" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 790.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO.48 (A 100.00 FOOT PUBLIC RIGHT-OF-WAY PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, PROJECT NO 1092) AND THE POINT OF BEGINNING, THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 37°44'44" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 4987.44 FEET TO THE CENTERLINE OF NORTH AUSTIN MERRITT ROAD (A 50.00 FOOT PUBLIC RIGHT-OF-WAY, PER OCCUPATION AND MONUMENTATION, AS SHOWN ON A HALL FARNER & ASSOCIATES SURVEY DATED FEBRUARY 5, 2005); THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN ALONG SAID CENTERLINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: (1) THENCE RUN SOUTH 58°59'00" EAST, A DISTANCE OF 1279.33 FEET TO A POINT ON A 1746.98 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS NORTH 31°01'40" EAST; (2) THENCE RUN SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°07'28" AN ARC DISTANCE OF 400.17 FEET TO A POINT OF NON-TANGENCY; (3) THENCE RUN SOUTH 71°25'50" EAST, A DISTANCE OF 2547.80 FEET TO A POINT OF CURVATURE OF A 664.96 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; (4) THENCE RUN SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°58'34" AN ARC DISTANCE OF 417.53 FEET TO A POINT OF TANGENCY; (5) THENCE RUN SOUTH 35°27'16" EAST, A DISTANCE OF 424.68 FEET TO A POINT OF CURVATURE OF A 329.60 FOOT RADIUS CURVE CONCAVE TO THE WEST; (6) THENCE RUN SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°48'34" AN ARC DISTANCE OF 263.52 FEET TO A POINT OF TANGENCY; (7) THENCE RUN SOUTH 10°21'18" WEST, A DISTANCE OF 554.86 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 523, PAGE 828, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID CENTERLINE RUN ALONG SAID EASTERLY EXTENSION, THE BOUNDARY OF SAID LANDS AND THE EASTERLY EXTENSION OF SAID BOUNDARY THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) THENCE RUN NORTH 80°39'04" WEST, A DISTANCE OF 479.13 FEET; (2) THENCE RUN SOUTH 6°13'16" WEST, A DISTANCE OF 461.15 FEET; (3) THENCE RUN SOUTH 86°49'44" EAST, A DISTANCE OF 459.74 FEET TO AFORESAID CENTERLINE OF NORTH AUSTIN MERRITT ROAD, SAID POINT BEING ON A 1059.17 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE EAST WHOSE RADIUS POINT BEARS SOUTH 87°38'50" EAST; THENCE ALONG SAID CURVE AND CENTERLINE RUN SOUTHERLY THROUGH A CENTRAL ANGLE OF 24°37'50" AN ARC DISTANCE OF 455.32 FEET TO A POINT OF NON-TANGENCY; SAID POINT BEING AN INTERSECTION WITH THE EASTERLY EXTENSION OF THE BOUNDARY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5129, PAGE 1486, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID CENTERLINE, RUN ALONG SAID EASTERLY EXTENSION AND THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) THENCE RUN NORTH 89°23'30" WEST, A DISTANCE OF 243.36 FEET; (2) THENCE RUN SOUTH 0°34'26" WEST, A DISTANCE OF 170.37 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 5; THENCE DEPARTING THE BOUNDARY OF SAID LANDS, RUN NORTH 89°23'24" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 69.69 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 5; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 89°30'25" WEST,

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ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 5, A DISTANCE OF 2645.41 FEET TO THE NORTHEAST CORNER OF SAID SECTION 7, THENCE DEPARTING SAID SOUTH LINE RUN SOUTH 0°33'51" WEST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 1319.74 FEET TO SOUTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 7, THENCE DEPARTING SAID EAST LINE, RUN NORTH 89°09'29" WEST, ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 2646.95 FEET TO THE SOUTHWEST CORNER OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 7, THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 0°31'07" EAST, ALONG THE WEST LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 1324.42 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89°03'26" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 1867.34 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT RIGHT-OF-WAY FOR AUSTIN MERRITT ROAD

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May 14, 2021

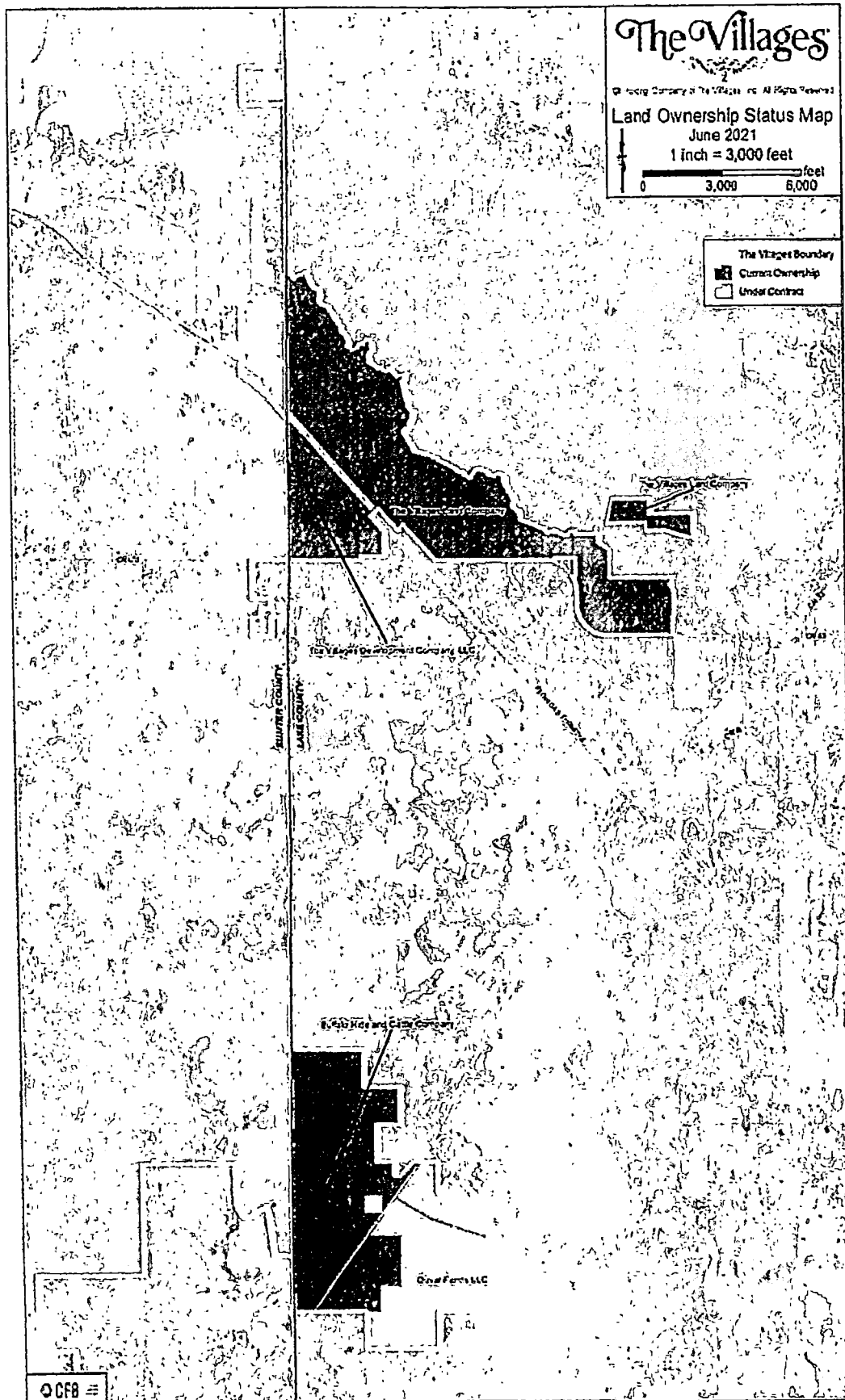
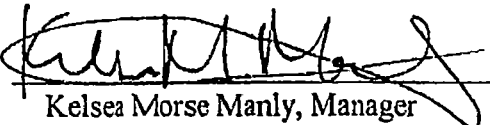


EXHIBIT 3**CONSENT TO THE ESTABLISHMENT OF
VILLAGES COMMUNITY DEVELOPMENT DISTRICT NO. 14**

The undersigned, being the owner of the property described in Exhibit 2 to the Petition to Establish Village Community Development District No 14, hereby consents to the Petition to Establish Village Community Development District No 14, dated the 14 of June, 2021

THE VILLAGES LAND COMPANY, LLC

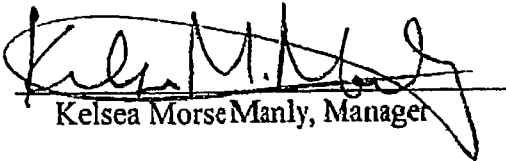
By: TVL Company, LLC, it's Manager

By 
Kelsea Morse Manly, Manager

**CONSENT TO THE ESTABLISHMENT OF
VILLAGES COMMUNITY DEVELOPMENT DISTRICT NO. 14**

The undersigned, being the owner of the property described in Exhibit 2 to the Petition to Establish Village Community Development District No 14, hereby consents to the Petition to Establish Village Community Development District No 14, dated the 14 of June, 2021.

BUFFALO HIDE AND CATTLE COMPANY

By 
Kelsea Morse Manly, Manager

**CONSENT TO THE ESTABLISHMENT OF
VILLAGES COMMUNITY DEVELOPMENT DISTRICT NO. 14**

The undersigned, being the owner of the property described in Exhibit 2 to the Petition to Establish Village Community Development District No 14, hereby consents to the Petition to Establish Village Community Development District No 14, dated the 25 of June, 2021

DUVAL FARMS LLC

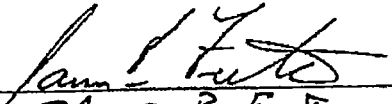
By 
Name THOMAS P Feator
Title Manager

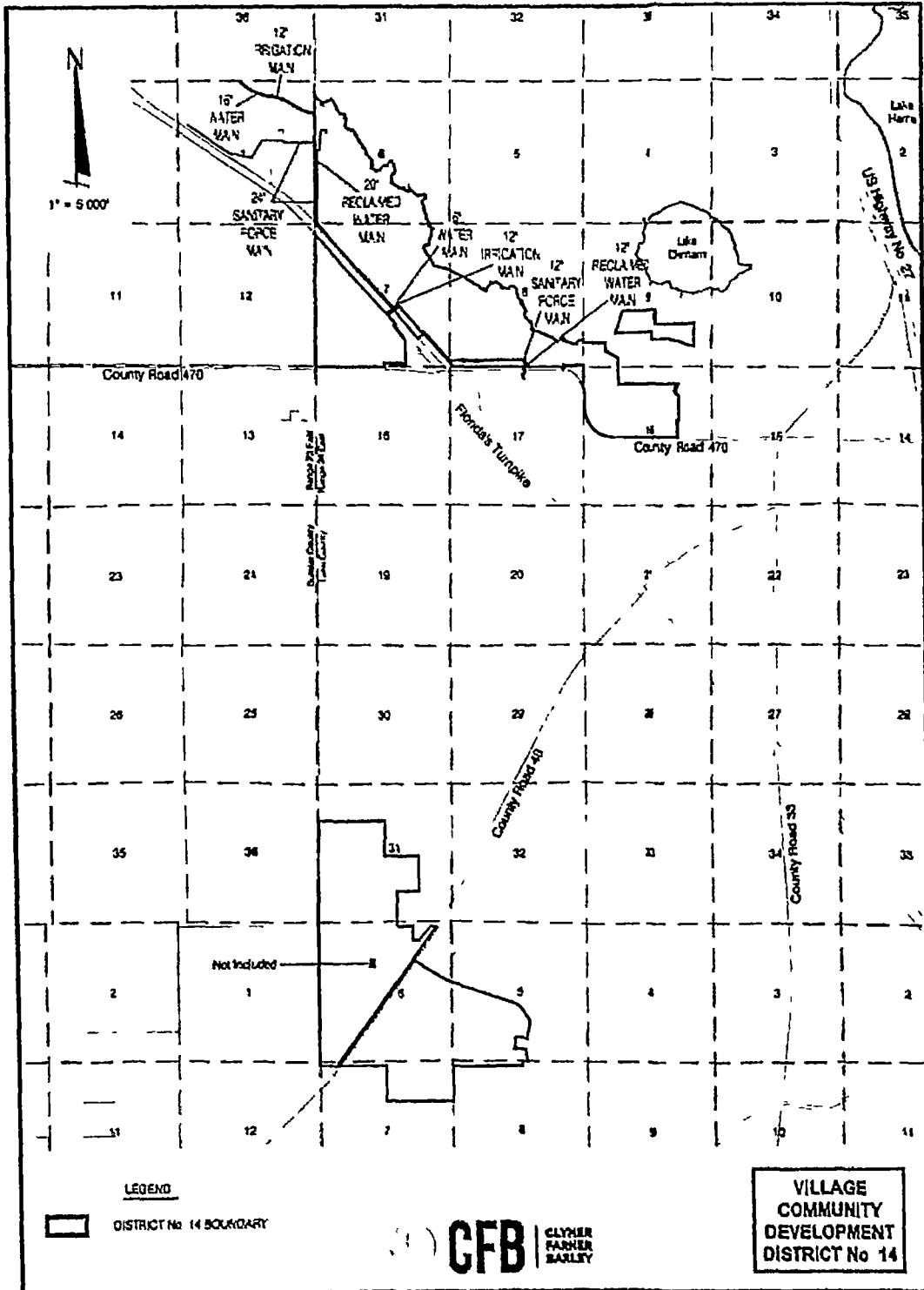
EXHIBIT 4**BOARD OF SUPERVISORS
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14**

1. Supervisor/Chair – Dale Borrowman
- 2 Supervisor/Vice Chair – Joe Riccardi
- 3 Supervisor/Secretary-Treasurer – Cody Yoder
- 4 Supervisor – Colby Sharp
- 5 Supervisor – Amanda Isaacs

EXHIBIT 5

MAJOR TRUNK WATER MAINS, SEWER INTERCEPTIONS OR OUTFALLS
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14

EXHIBIT 5



VILLAGE COMMUNITY DEVELOPMENT DISTRICT No. 14

EXHIBIT 6

**PROPOSED TIME TABLES AND RELATED ESTIMATES OF COST
OF THE DISTRICT SERVICES AND FACILITIES
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14**

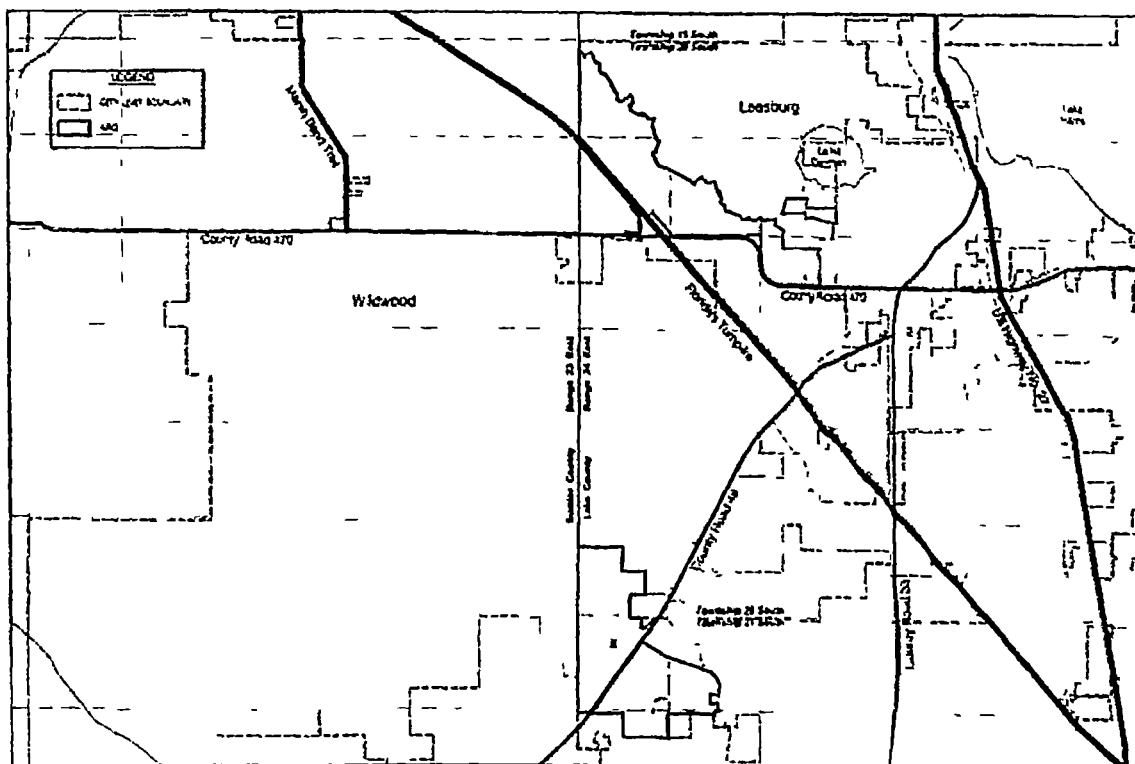
ITEM	ANTICIPATED SCHEDULE	ESTIMATED COST
Subdivision Infrastructure Roads & Drainage	2021-2024	\$44,077,300
Collector Road Infrastructure Roads & Drainage	2021-2024	\$29,640,656
Multi-Use Trails & Paths, Golf Cart Bridges & Tunnels	2021-2024	\$36,692,068
Landscaping & Irrigation in Common Areas ¹	2021-2024	\$32,440,714
Boundary Security Buffers/Walls & Fencing in Common Areas	2021-2024	\$3,999,077
Master Earthwork and Stormwater Collection Systems	2021-2024	\$143,435,666
Wetland & Wildlife Mitigation/Protection Measures	2021-2024	\$1,750,481
Project Entry Features	2021-2024	\$7,486,290
TOTAL		\$299,522,252

Note: Costs are preliminary in nature and are subject to change. Costs include engineering and contingencies.

¹ The irrigation system beyond the point of delivery serving common areas will be owned and maintained by the District, with water purchased pursuant to a bulk water agreement. The master irrigation system up to the point of delivery will be funded by the Utility.

EXHIBIT 7

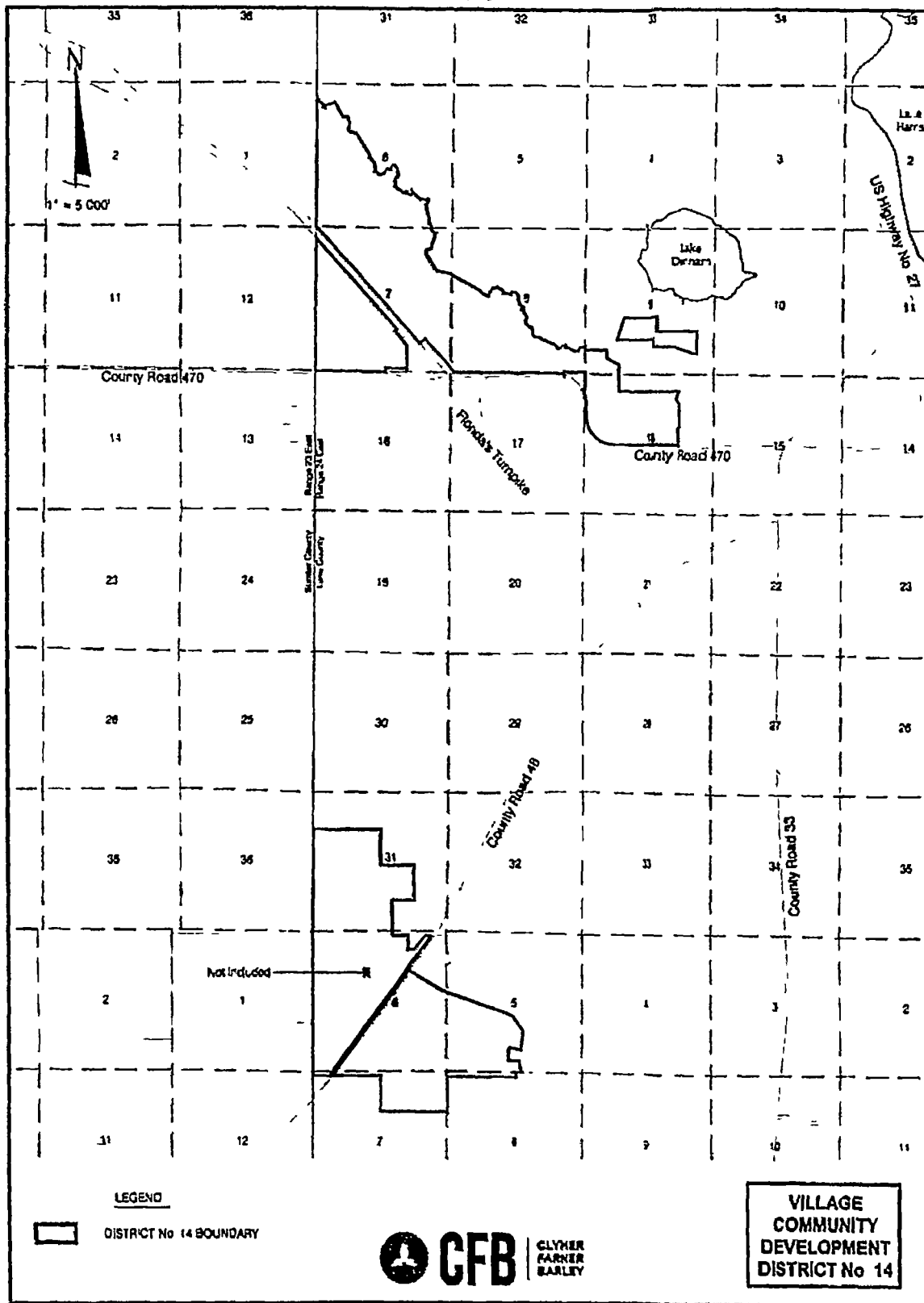
The Village Community Development District No. 14 (the "District") is located within the city limits of the City of Leesburg (the "City") in Lake County, Florida. The District lies within The Villages of West Lake (VOWL), which was approved on February 12, 2018 as an Age Restricted Development (ARD) and subsequently amended by the City on May 14, 2019 and again on February 24, 2020.



LAND USE AND ZONING MAP

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EXHIBIT A



VILLAGE COMMUNITY DEVELOPMENT DISTRICT No. 14

EXHIBIT 8**STATEMENT OF ESTIMATED REGULATORY COSTS****ESTABLISHMENT OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14****1.0 Introduction****1.1 Purpose and Scope**

This statement of estimated regulatory costs (SERC) supports the petition to establish Village Community Development District No. 14 (the "District"). The proposed District will include approximately 2499.60 acres of land on which roughly 7,000 dwelling units are planned for development. The District proposes to provide infrastructure and community services to this area in the District as described more fully below.

The limitations on the scope and use of this SERC are set out in Section 190.002(2)(d), Florida Statutes ("F.S."), as follows:

"That the process of establishing such a District pursuant to uniform general law shall be fair and based only on factors material to managing and financing the service delivery function of the District, so that any matter concerning permitting or planning of the development is not material or relevant."

1.2 Overview of the Proposed District No. 14

The proposed District would provide community infrastructure, services, and facilities, along with their operations and maintenance, to the proposed area, located in the City of Leesburg, Lake County, Florida. The proposed District will encompass 2499.60 acres to be used exclusively for residential development. The District will include roughly 7,000 units with a mix of housing types, designs and models consistent with previous completed by the developer.

1.3 Requirements for Statement of Estimated Regulatory Costs (SERC)

Section 120.541(2), F.S. (2020) defines the elements a SERC must contain (or in this case, City ordinance):

(a) An economic analysis showing whether the rule directly or indirectly

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within five (5) years after the implementation of the rule,

- 2 Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within five years after the implementation of the rule, or
 - 3 Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within five years after the implementation of the rule
- (b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule
 - (c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues
 - (d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule
 - (e) An analysis of the impact on small businesses as defined by Section 288 703, F S , and an analysis of the impact on small counties and small cities as defined in Section 120 52, F S. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses
 - (f) Any additional information that the agency determines may be useful
 - (g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

2.0 An economic analysis showing whether the rule/ordinance directly or indirectly will have an adverse impact on economic growth, job creation, employment, private-sector investment, business competitiveness, or regulatory costs.

Section 120.541(2)(a), F.S., requires an economic analysis showing whether the establishment of the District will directly or indirectly have an adverse impact on economic growth, job creation, employment, private-sector investment, business competitiveness, or regulatory costs exceeding \$1 million in the aggregate within five years after the establishment takes place. The answer, based upon numerous other residential community development Districts, is that the establishment of the District will not have an adverse impact on economic growth, job creation, employment, private-sector investment, business competitiveness, or regulatory costs.

The establishment of the District is likely to increase economic growth, job creation, employment, private-sector investment, and business competitiveness. This is because the District will provide infrastructure improvements within the District's boundaries, allowing for the development of the land within the District. The development is planned to include roughly 7,000 dwelling units. The residents of the District will purchase goods and services. This new demand created by the District's residents will increase economic growth, job creation, employment, private-sector investment, and business competitiveness in the areas surrounding the District.

The District will have the ability to assess the property owners to pay for the installation, operation, and maintenance of its infrastructure improvements. However, such costs will not be in addition to, or unique to, the District. The infrastructure improvements to be funded by the District would be required to support development of the planned residences, regardless of the District's existence. Community development districts, such as District No. 14, can fund their infrastructure improvements with long-term bond financing that typically carries more favorable terms than other sources of funding. Thus, the costs related to the installation of the public infrastructure serving the planned development will not be increased due to the existence of the District.

3.0 A good-faith estimate of the number of individuals and entities likely to be required to comply with the rule/ordinance, together with a general description of the types of individuals likely to be affected by the rule/ordinance.

The landowner of the District plans to develop roughly 7,000 dwelling units within the District. Establishment of the proposed District would put all of these residents under the jurisdiction of the proposed District. Prior to the sale of the property within the District, the developer will also be subject to the District's jurisdiction.

4.0 Good-faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state and local revenues

4.1 Impact on State and Local Costs

State Government Entities

There will be only modest costs to various Florida ("State") governmental entities due to the formation of the District. The District consists of less than 2,500 acres, therefore, the City of Leesburg (the "City") is the establishing entity, pursuant to Florida Statutes Section 190.005(2). The State will incur no costs in reviewing the petition to establish the District and the State will not be required to hold any public hearings on the matter.

The ongoing costs to various State entities to implement and enforce the establishment of the District relate strictly to the receipt and processing of various reports that the District is required to file annually with the State and its various entities. These annual reports are outlined in the attached Appendix. However, the costs to the State agencies that will receive and process the District's reports will be minimal. The District is only one of many governmental subdivisions required to submit various reports to the State. Additionally, pursuant to Section 189.018, F.S., the District will pay an annual fee to the State Department of Economic Opportunity to offset such processing costs.

The City of Leesburg

City staff will process, analyze, and conduct public hearing(s) on the petition to establish the District. These activities will utilize the time of the staff and City Commissioners. However, these costs to the City are likely to be minimal for a number of reasons. First, review of the petition does not include analysis of the development to be served by the District. Second, the petition itself provides most of the information needed for City staff's review. Third, the City currently employs the staff needed to conduct the review of the petition. Fourth, no capital expenditure is required to review the petition. Finally, local governments routinely process similar petitions for land use and zoning changes that are more complex than is the petition to establish a Community Development District.

The annual costs to the City, related to the ongoing operations of the District, are also minimal. The District will be an independent unit of local government. The only annual costs incurred by the City will be the minimal costs of receiving and, to the extent desired, reviewing the various reports that the District is required to provide to the City.

4.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on State or local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. It has its own sources of revenue. No State or local subsidies are required or expected.

In this regard, it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State, the County, the City, or any unit of local government. By State law, the debts of the District are strictly its own responsibility.

5.0 A good-faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule/ordinance.

Table 2, below, provides an outline of the various facilities and services the proposed District may provide. The District plans to fund, own, operate, and maintain certain drainage and stormwater systems, landscaping, and ponds. The District will also plan, construct, and finance some of the community's roadways, along with possibly offsite roadway improvements. The roadways and drainage systems within publicly dedicated rights-of-way will be conveyed to the appropriate general-purpose government for operation and maintenance. The landowner will construct the utilities and other community infrastructure and facilities. The District will be responsible for maintenance of some of these facilities.

Table 2 Proposed Facilities and Services

<u>Improvements/Facility</u>	<u>Funded By</u>	<u>O&M By</u>	<u>Ownership</u>
Roads	Landowner/CDD	City	City
Utilities	Landowner	Landowner	Landowner
Amenities	Landowner	CDD	Landowner/CDD
Drainage	CDD	CDD	CDD
Landscape/Lakes	CDD	CDD	CDD

The petitioner has estimated the costs for providing the capital improvements and facilities outlined in Table 2. The cost estimates for these improvements and facilities are shown in Table 3, below. Total costs are estimated at approximately \$299,522,252. To fund these improvements, the District may issue special assessment or other revenue bonds. These bonds would be repaid through non-ad valorem assessments levied on all properties located within the District that benefit from these improvements.

Table 3 Summary of Estimated Capital Costs and Time Table

<u>Improvement/Facility</u>	<u>Anticipated Schedule</u>	<u>Estimated Cost</u>
Subdivision Infrastructure Roads & Drainage	2021-2024	\$44,077,300
Collector Road Infrastructure Roads & Drainage	2021-2024	\$29,640,656
Multi-Use Trails & Paths, Golf Cart Bridges & Tunnels	2021-2024	\$36,692,068
Landscaping & Irrigation in Common Areas	2021-2024	\$32,440,714
Boundary Security Buffers/Walls & Fencing in Common Areas	2021-2024	\$3,999,077
Master Earthwork and Stormwater Collection Systems	2021-2024	\$143,435,666
Wetland & Wildlife Mitigation/Protection Measures	2021-2024	\$1,750,481
Project Entry Features	2021-2024	\$7,486,290
TOTAL:		\$299,522,252

*Note: Costs are preliminary in nature and are subject to change. Costs include engineering and contingencies.

Prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred by the District through one or more bond issuances. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

It is important to note that the various costs outlined in Table 3 are typical for residential developments of the type contemplated here. In other words, there is nothing unusual about the District's financing that requires additional infrastructure over and above what would normally be needed. Therefore, these costs are not in addition to normal development costs. Instead, the facilities and services provided by the District are substituting in part for developer-provided infrastructure and facilities. Along these same lines, District-imposed assessments for operations and maintenance costs are similar to what would be charged in any event by a property owner's association common to most master-planned developments.

Real estate markets take into account the District's cost because buyers and renters evaluate all of the costs and benefits associated with various alternative locations. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive, the operations and maintenance charges must also be in line with the competition.

Furthermore, locating in the District by new residents is completely voluntary. So ultimately, all owners and users of the affected property choose to accept the District's costs because of the benefits that the District provides.

The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal services taxing unit (MSTU), a neighborhood association, County provision (directly or via a dependent special District), or through developer-bank loans.

6.0 An analysis of the impact on small businesses, as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.

There will be no adverse impact on small businesses because of establishment of the District. If anything, the impact will be positive. This is because the District must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

The City of Leesburg has an estimated population of 22,672 according to the most recent U.S. Census Bureau (2019) and the population was 20,117 at the 2010 census. Therefore, the City is not defined as a "small" City according to Section 120.52 of the Florida Statutes. However, as noted above, there will be no adverse impact on the City due to the creation of the District. The District will provide infrastructure facilities and services to the property

located within the District. These facilities and services will help to make this property developable.

Development of the property within the District will increase the value of this property, and consequently, will increase the property taxes that accrue to the City. These increased property taxes, along with other direct and indirect revenues accruing to the City as a result of the development of the land within the District, will offset any new staff, facilities, or equipment the City adds to provide services to the property owners within the District.

7.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the developer's engineer and other professionals associated with the developer.

It is useful to reflect upon the question of whether the establishment of the District is the best alternative to provide community facilities and services to the development. As an alternative to the District, the City could approve a dependent special District for the area, such as an MSBU or a special taxing District under Chapter 170 of the Florida Statutes. Either of these alternatives could finance the improvements contemplated in Table 2 in a fashion similar to the existing District.

However, unlike the District, the alternatives would require the City to continue to administer the projects and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District. In addition, administering a project of the size and complexity of the development program for the District is a very significant and expensive undertaking, especially in light of the fact that the District already exists.

Another alternative to the District would be for the developer to provide the infrastructure and to use a property owners association (POA) for operations and maintenance of community facilities and services. A District is superior to a POA for a variety of reasons. First, unlike a POA, a District can impose and collect its assessments along with other property taxes on the combined real estate tax bill through the County tax collector. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Second, the District is a unit of local government. Therefore, unlike a POA, the District must abide by all governmental rules and regulations.

Additionally, any debt of a District is strictly the District's responsibility. While it may be technically true that the debt of a City-established, dependent special District, is not strictly the City's responsibility, any financial problems that the special District may have will inevitably entangle the City. This will not be the case if the District is established as proposed.

With a District, residents (owners and renters) within the District would have a focused unit of government under their direct control. The District can then be more responsive to resident needs without disrupting other City responsibilities.

APPENDIX

REPORT	STATUTE SECTION	DUE DATE
Annual Financial Audit	218 39	Nine months after end of fiscal year
Annual Financial Report (AFR)	218 32	Within 45 days after completion of audit but no later than 9 months after end of fiscal year
Financial Disclosure Form 1	112 3145	By July 1
Public Depositor Report	280 17	By November 30
Proposed Budget	190.008	By June 15
Adopted Budget	190.008	By October 1
Public Meetings Schedule	189 015	Quarterly semiannually or annually
Notice of Bond Issuance	218.38	Within 120 days after delivery
Registered Agent	189 014	30 days after first Board meeting
Notice of Establishment	190 0485	30 days after formation
Establishment Documents	189 016	30 days after adoption
Notice of Public Finance	190 009	After financing

ORDINANCE NO. 22-10

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE BOUNDARY LINES OF THE VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14, PURSUANT TO CHAPTER 190, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE. (VILLAGES CDD 14)

WHEREAS, on July 26, 2021, the City Commission adopted Ordinance No. 21-30 establishing the Village Community Development District No. 14, pursuant to Chapter 190, Florida Statutes, providing for authority and power of the District, providing for the Board of Supervisors of the District, providing for the District Budget, Providing for Functions of the District, providing for miscellaneous provisions, and providing for an effective date; and

WHEREAS, The Village Community Development District No. 14 (the "Petitioner") has petitioned the City Commission for the City of Leesburg, Florida (the "City") to adopt an ordinance amending the District Boundary Lines, pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the City has considered and finds that the proposed amended boundary lines are not inconsistent with any element or portion of the applicable Comprehensive Plan; and

WHEREAS, the City has considered and finds that the area of land within the amended District is a sufficient size, and is sufficiently compact, and is sufficiently contiguous to be developed as a functional interrelated community; and

WHEREAS, the City has considered and finds that the amended District is the best alternative for delivering the community development services and facilities to the area that will be served by the District; and

WHEREAS, the City has considered and finds that the community development services and facilities of the amended District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

WHEREAS, the duly noticed public hearing on the Petition was held prior to the adoption of this Ordinance amending the District boundary lines.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Leesburg, Florida, as follows:

SECTION 1. AUTHORITY. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development Act of 1980, Chapter 190, Florida Statutes, (2021), as amended.

SECTION 2. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are amended and described in Exhibit 1 attached hereto contains the overall area containing approximately 2,385.2 acres.

SECTION 3. SEVERABILITY. If any provision of this Ordinance, or application therefore, is finally determined by a Court of competent jurisdiction to be invalid, illegal, or unenforceable, such

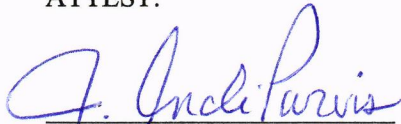
provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal, or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon its passage and adoption pursuant to general law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida at a regular meeting held on the 14th day of February, 2022.

THE CITY OF LEESBURG, FLORIDA

ATTEST:


City Clerk


Mayor