TOWN COMMISSION MEETING AGENDA
TOWN OF LADY LAKE, FLORIDA
NOVEMBER 3, 2025

Commission Chambers
409 Fennell Blvd., Lady Lake, FL 32159
6:00 PM

PROCEDURE

If you wish to address the Town Commission on any item on the agenda or comment on something not on the agenda you must fill out a Speaker Card and turn it in to the Town Clerk before the agenda item. Speakers will be limited to three minutes. Persons interested in speaking on an item not on the agenda may be heard under “PUBLIC COMMENTS.” Citizen groups are asked to name a spokesperson. Upon being recognized, please approach the dais, state your name and address, and speak clearly into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and silence your electronic devices.

1. **CALL TO ORDER**

2. **INVOCATION - LED BY REV. DEBBIE CASANZIO - LADY LAKE UNITED METHODIST CHURCH**

3. **PLEDGE OF ALLEGIANCE**

4. **PRESENTATIONS**

   a. **Proclamation** — Centennial Anniversary of Lady Lake — Presented by Mayor Ed Freeman

5. **ROLL CALL**

6. **CONSENT - (PUBLIC COMMENT TAKEN)**

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one Motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and considered separately.

a. **Town Clerk's Office —** Approval of the Town Commission Meeting Minutes of October 20, 2025

7. **PUBLIC HEARINGS & QUASI–JUDICIAL HEARINGS (PUBLIC COMMENT TAKEN)**

a. **Police Department — Ordinance 2025-17 - Public Hearing and Final Reading —** An Ordinance Amending the Town Of Lady Lake Police Officers' Retirement Trust Fund (Jason Brough)

b. **Growth Management - Resolution 2025-110 – Public Hearing First and Final Reading — Variance —** A Resolution Granting a Variance to Allow Additional Wall Signs on the North Facade of the Existing 119,703 Square Foot Retail Store in Accordance with the Provisions of Chapter 17, Section 17-4. b). 2)., of the Town of Lady Lake Land Development Regulations, on Property Owned by Target Corporation T-2058, on Property Being Approximately 10.1 Acres of Land, Located at the Southwest Corner of the Intersection of North Highway 27/441 And Rolling Acres Rd, Within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

8. **NEW BUSINESS – (PUBLIC COMMENT TAKEN)**

a. **Growth Management - Ordinance 2025-15 - First Reading** - An Ordinance Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan (Thad Carroll)

Note: Public Hearing and final reading on November 17, 2025.

9. **MAYOR AND COMMISSIONER'S REPORTS**

10. **TOWN MANAGER'S REPORT**

11. **TOWN ATTORNEY'S REPORT**

12. **PUBLIC COMMENTS**

This section is reserved for members of the public to bring up concerns or comments on any matter. The time limit for such comments is (3) minutes and only those members of the public who submitted a request to speak to the Clerk in writing on the Town's approved form will be permitted to speak. Please be courteous and respectful of the views of others. Personal attacks on the Town Commission, Town Staff, or members of the public are not allowed.

13. **ADJOURN**

NOTICES: Pursuant to Section 286.0105, Florida Statutes, If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he/she may need a verbatim record of the proceedings including the testimony and evidence, a record of which is not provided by the Town of Lady Lake. (F.S. 286-0105) One or more members of any other Town Board or Committee may be in attendance at this meeting but will not be conducting business.

In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the Town Commission meeting should contact the Town Clerk's Office, 409 Fennel Boulevard, Lady Lake, FL 32159, Telephone: (352)751-1501, Email: krosado@ladylake.org not later than 48 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 7-1-1 or for a telecommunications device contact (352) 751-1565.

Please contact the Town Clerk’s Office with any questions at 352-751-1501. This meeting is being conducted in a handicapped accessible location. Any handicapped person requiring special accommodation or an interpreter for the hearing or visually impaired should contact the Clerk's Office at least two days prior to the meeting. To access a Telecommunication Device for Deaf Persons (TDD), please call 352-751- 1565.

Centennial Anniversary of Lady Lake

***WHEREAS*,** on October 19, 1925, the Town of Lady Lake, Florida, held its inaugural meeting, during which the "Rules of Order for the Government of the Town of Lady Lake" were formally adopted, marking the official incorporation of the town; and

WHEREAS, the area now known as Lady Lake was originally inhabited by Seminole Indians and began to flourish as a settlement around 1883, with the establishment of a railway depot circa 1883-84, serving as a catalyst for growth and development; and

WHEREAS, the town's name, "Lady Lake," is derived from a nearby body of water, with local legends suggesting it was named either after a woman who drowned in the lake or because the lake's shape resembled a lady in a long dress; and

WHEREAS, Lady Lake has a rich history as a center along a bustling railway and a purveyor of citrus and watermelon, contributing significantly to the region's agricultural heritage; and

WHEREAS, the Lady Lake Historical Society Museum serves as a repository of the town's history, offering exhibits that include citrus industry artifacts, a miniature railroad, furniture, tools, photographs, and memorabilia, providing residents and visitors with an insightful journey into the past; and

WHEREAS, Lady Lake holds the unique distinction as the birthplace of The Villages; and

WHEREAS, Lady Lake is committed to responsible development, with shopping, restaurants, and new housing that benefit residents and neighbors alike, fostering a community where people are active participants and always helpful; and

WHEREAS, the town demonstrated resilience and community spirit, notably recovering from a devastating tornado on February 2, 2007; and

WHEREAS, Lady Lake has evolved into a vibrant community, boasting a community-focused public library that ranks among the top countywide, an accredited police department, and a Parks & Recreation Department dedicated to preserving and providing recreational opportunities for families; and

WHEREAS, the town's parks, such as Snooky Park—a natural preserve featuring a 2,000-foot walking trail surrounded by cedar, live oaks, water oaks, and palm trees—serve as venues for vibrant signature community events celebrated among a historic canopy of trees; and

WHEREAS; Lady Lake has been named a Tree City for 20 years for its commitment to responsible development and creating a more beautiful community; and

WHEREAS, in 2025, Lady Lake adopted core values of Authenticity, Wisdom, and Stewardship as guiding principles and committed to the following mission: Shaping a vibrant and thriving community we are proud to call home.; and

WHEREAS, the centennial of the Town of Lady Lake is a momentous occasion, providing an opportunity to honor the past, celebrate the present, and envision the future of this cherished community; and

WHEREAS, celebrations for the centennial will bring together residents, visitors, and stakeholders to commemorate 100 years of history, culture, and community spirit;

NOW, THEREFORE, BE IT RESOLVED that the Town of Lady Lake hereby proclaims October 19, 2025, as the Centennial Anniversary of the Town of Lady Lake, encouraging all citizens to participate in the various events and activities planned from November 3 through 8, 2025 to celebrate this historic milestone.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Lady Lake to be affixed this 03rd of November, 2025.

Attest:

__________________________ __________________________

Kathleen Rosado, Town Clerk Ed Freeman, Mayor

DRAFT MINUTES OF THE TOWN COMMISSION MEETING
TOWN OF LADY LAKE, FLORIDA

October 20, 2025

The regular meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida, with Mayor Freeman presiding. The meeting convened at 6:00 p.m.

Anyone wishing to address the Commission must complete a comment card and submit it to the Town Clerk prior to the meeting.

1. CALL TO ORDER

2. INVOCATION

Reverend Dr. James E. Taylor – St. George Episcopal Church

3. PLEDGE OF ALLEGIANCE

Led by Mayor Freeman

4. PRESENTATIONS

There are no presentations

5. ROLL CALL

Commissioner (Ward)	Present
Regan (Four)	YES
Gourlie (Two)	YES
Roberts (One)	YES
Sage (Five)	YES
Freeman (Three)	YES

STAFF PRESENT

Bill Lawrence, Town Manager; Kathy Rosado, Town Clerk; Thad Carroll, Growth Management Director; Becky Higgins, Senior Planner; Lady Lake Police Chief Steve Hunt; Deputy Chief Jason Brough, Lady Lake Police Department; C.T. Eagle, Public Works Director; and Carol Osborne, Deputy Town Clerk.

Town Attorney Sasha Garcia was also in attendance.

6. CONSENT

a. October 06, 2025 – Town Commission Meeting Minutes

b. Growth Management – Consideration of the Water, Sanitary Sewer, and Reuse Utility Agreement between the Town of Lady Lake, and Benchmark Lady Lake 25 Associates LLC – Requesting Utilities Capacity Reservation of 58 Water ERUs, 58 Sewer ERUs, and 30 Reuse ERUs on approximately 35.56 acres owned by Benchmark Lady lake 25 Associates LLC, referenced as the Lady Lake Crossing Expansion, with the zoning entitlement of Planned Unit Development (PUD), located on the west side of Highway 27/441 and north of Oak Street, within the Town of Lady Lake, Florida. (Thad Carroll/C.T. Eagle)

c. Public Works Department – Resolution 2025-111 – Memorandum of Agreement (MOA) with Florida Department of Transportation for the Maintenance of Right-of–Ways in the Town of Lady Lake. (C.T. Eagle)

Upon a motion by Commissioner Gourlie and seconded by Commissioner Roberts, the Commission approved the Consent Agenda as presented. Motion carried 5-0.

7. PUBLIC HEARINGS AND QUASI-JUDICIAL HEARINGS (Public Comment Taken)

a. Growth Management - Ordinance 2025-13 – Second and Final Reading – Rezoning Lake Ella PUD Amendment – An Ordinance Modifying the Existing Zoning Entitlements and Boundary Under the Lady Lake Planned Unit Development (PUD) Designation for Five Properties Totaling approximately 50.9 acres; Referenced by Alternate Key Numbers 3922235, 3374916, 1282608, 3793911, and 1282594 within Lake Griffin Road, within Lake County Florida. (Thad Carroll)

Growth Management Director Thad Carroll stated that the applicant is Jason Bullard of EXO Limited, LLC, the current zoning designation is Planned Unit Development (PUD), and the future zoning designation is also PUD with a few amendments.

Staff recommends approval of Ord. 2025-13.

On Wednesday, August 13, 2025, an application was made to the Town of Lady Lake by Jason Bullard with EXO Limited, LLC on behalf of property owner Lake County Development Partners, LLC, amend the current boundaries and entitlements of the existing Memorandum of Agreement within Ordinance 2020-04. He stated this property is parallel to Hartsock Sawmill Road on the north and spans south to Lake Ella Road. He stated that Ordinance 2020-04 did not include proposed development for nine acres on the south portion of the property. He presented an aerial photograph of the vacant property and a sketch map of the adjacent properties: **North** - Planned Unit Development (PUD); **East** - Heavy Commercial (HC); **South -**

Fruitland Park Neighborhood Commercial (C-1); **West** - Residential Single Family Medium Density (RS-6).

Mr. Carroll presented a sketch map of the original MOA noting that there was no proposal for the bottom nine acres. He stated the primary difference is the independent living facility and age-restricted townhouse. He stated this inclusion reduces trip generation, along with water and sewer consumption.

Mr. Carroll reiterated that the applicant is requesting to amend the existing memorandum of agreement to remove condominium and restaurant as allowed uses and to add as permitted uses: professional/business offices/office complex/office warehouse facility; medical offices/clinic; adult care facility/assisted living facility/nursing home with incidental food services; commercial/retail sales businesses; hotels with incidental food services; multi-family dwelling including apartments, townhouses, and duplex, age restricted 55-plus with incidental food services; health/exercise club/spa.

Mr. Carroll clarified that a proposed restaurant will be a stand-alone building. He stated the proposed projects for this property allow for five story buildings, which is consistent with the prior MOA.

Impacts on Town Services - **Potable Water:** The proposed entitlement change is anticipated to require 188 ERUs of water, 33 % of the requirements of the existing entitlements. **Sewer:** The proposed entitlement change is anticipated to require 188 ERUs of sewer, 33 % of the requirements of the existing entitlements. This reduction is largely due to the removal of the restaurant and the conversion from condominiums (1 ERU per unit) to an independent living facility (0.2 ERU per unit). **Transportation:** Based on the ITE trip generation provided, the proposed development will have a net reduction of approximately 2,782 daily trips from the existing entitlements (from 8,590 to 5,808 daily trips). The removal of the restaurant and retail uses from the existing conceptual plan helps to reduce a significant number of trips. **Schools:** Because the Memorandum of Agreement restricts the age for the multifamily portion to 55+, this project will have no effect on the school system. **Parks and Recreation:** This project offers an internal amenity center, thus not impacting the level of service for parks and recreation. **Stormwater:** Project will be required to adhere to St. Johns River Water Management District (SJRWMD) guidelines, drainage, and engineering best management practices. **Flood:** The subject property lies within Flood Zone X per FEMA FIRM Map 12060C0170E effective December 18, 2012.

Staff mailed notices to inform the surrounding 26 property owners within 150 feet of the property proposed by the PUD amendment request on Monday, August 25, 2025. The notification signs were posted on the property on Monday August 25, 2025.

To date, staff has not received any correspondence in support or opposition of this application.

The Technical Review Committee found that Ordinance 2025-13 was ready for transmittal to the Planning and Zoning Board.

At the September 8, 2025 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance 2025-13 to the Town Commission with the recommendation of approval.

At the October 6, 2025 meeting, the Town Commission voted 4-0 to approve Ordinance 2025-13 upon first reading.

Mayor Freeman asked the Commission if there were any questions or comments. Hearing none, he asked the Town Clerk if there were speakers for public comment.

Ms. Rosado replied affirmatively and called Kim Holland to the podium.

Kim Holland, 322 East Rose Lane, Lady Lake

Ms. Holland stated that GPS indicates a faux road behind her house and when vehicles turn into it, they eventually get stuck in the sand. She inquired if this project will construct a road in that area.

Mr. Carroll advised that a road in that area is not proposed for this project. He indicated that there are two existing accesses to the development.

Ms. Holland inquired to the size of the office warehouse.

Jason Bullard, 3319 McGuire Blvd., Orlando, FL

Mr. Bullard stated that the office space as shown on the plan is a place holder for future development and the size of the building has not been determined.

Ms. Holland inquired if Lake Ella Road be open during the construction.

Mayor Freeman replied affirmatively adding that the construction vehicles will be utilizing Lake Ella Road to access the property.

Upon a motion by Commissioner Gourlie and seconded by Commissioner Regan, the Commission approved the second and final reading of Ordinance 2025-13, by the following roll call vote:

Commissioner (Ward)	**Vote**
Regan (Four)	**YES**
Gourlie (Two)	**YES**

Commissioner (Ward)	Vote
Roberts (One)	YES
Sage (Five)	YES
Freeman (Three)	YES

Motion passed by a vote of 5-0

b. Legal Department – Ordinance 2025-14 – First Reading – Rezoning Lake Ella PUD Amendment – An Ordinance of the Town of Lady Lake, Florida, Prescribing the Procedures and Forms for the Reasonable Opportunity to be Heard at Commission Meetings and Planning and Zoning Meetings, Providing for Severability, Repeal of Conflicting Ordinances, Codification, and an Effective Date. (Sasha Garcia)

Mayor Freeman asked the Commission if there were any questions or comments. Hearing none, he asked the Town Clerk if there are speakers for public comment regarding this agenda item.

Ms. Rosado stated that there are no speakers for public comment.

Upon a motion by Commissioner Gourlie and seconded by Commissioner Roberts, the Commission approved the first reading of Ordinance 2025-14, by the following roll call vote:

Commissioner (Ward)	Vote
Regan (Four)	YES
Gourlie (Two)	YES
Roberts (One)	YES
Sage (Five)	YES
Freeman (Three)	YES

Motion passed by a vote of 5-0

8. NEW BUSINESS – (Public Comment Taken)

c. Ordinance 2025-17 – First Reading – An Ordinance Amending the Town of Lady Lake Police Officers' Retirement Trust Fund. (Jason Brough)

Town Attorney Sasha Garcia explained that Ordinance 2021-20 was adopted by the town that dealt with the police officer's trust fund and some information was removed. This ordinance is correcting those errors to ensure what was intended is back in the code.

Jason Brough, Chairman of the Police Pension Board

Mr. Brough stated that the pension board hired a new attorney and discovered this discrepancy while reviewing the plan documents. He stated that Town Attorney Derek Schroth has reviewed this ordinance.

Mayor Freeman asked the Commission if there were any questions or comments. Hearing none, he asked for a motion.

The Town Clerk stated that there were no public comments on this agenda item.

Upon a motion by Commissioner Gourlie and seconded by Commissioner Roberts, the Commission approved the first reading of Ordinance 2025-17, by the following roll call vote:

Commissioner (Ward)	Vote
Regan (Four)	YES
Gourlie (Two)	YES
Roberts (One)	YES
Sage (Five)	YES
Freeman (Three)	YES

Motion passed by a vote of 5-0

9. MAYOR AND COMMISSIONER'S REPORT

Commissioner Gourlie stated that a friend of his who lives in The Villages had his vehicle stolen and was recovered quickly. He stated that Officer Hashim was the officer assigned to this case and Commissioner Gourlie's friend commended Officer Hashim for being kind, courteous and professional.

Mayor Freeman stated that he is on the Finance and Taxation Policy Committee with the Florida League of Cities. He stated the committee has drafted two items to present to the state legislature. One item addresses the state's desire to eliminate property taxes and the other is the elimination of non-school property taxes for homesteads.

Mayor Freeman there are approximately eight House joint resolutions to remove property taxes from Homestead properties, which would have a devastating effect on all municipalities in Florida. These resolutions allocate money for public safety and not for fire protection or EMS.

Mayor Freeman encouraged everyone to write to Senator Truenow and Representative Nan Cobb regarding this issue. He stated that roads will not be well-maintained, landscaping may be affected, as will utilities services.

Commissioner Regan inquired how the state legislature believes municipalities will be able to continue providing services to its residents if property taxes are eliminated. He stated the option to increase sales tax will not make up the difference.

Mayor Freeman stated that the governor has vowed that there will be no new taxes.

Commissioner Gourlie stated that many retirees are now not able to afford their homes due to rising property taxes.

Mayor Freeman stated that the legislature should be discussing tax reform rather than eliminating property taxes.

Commissioner Sage inquired about alternative revenue sources in the event property taxes are eliminated.

Mr. Lawrence stated that town staff has been working on this for several months. He stated that utilities would not be impacted because it is an enterprise fund and is not funded by taxes. He stated that the general fund receives approximately $6million in property taxes, which is one-quarter of the town's budget. The Town of Lady Lake is one of the few municipalities in Florida that receives low revenue from property taxes.

Mr. Lawrence stated if property taxes are eliminated this would reduce the general fund by one-third, which would require a staff reduction. This would affect several departments including the police department and public works. He stated that the county sheriff's department would not be able to absorb servicing municipalities because their staff would also be reduced.

Mr. Lawrence stated the alternative is to raise sales tax. He stated that town staff plans to do grass roots efforts to inform the community how the Town of Lady Lake utilizes their property taxes and how the tax elimination would affect the services provided by the town.

Commissioner Gourlie stated that eliminating property taxes affects homesteaded properties. He stated that the state would continue receiving property taxes from the property owners who do not live in Florida year round, investment properties and commercial real estate.

Commissioner Regan stated that the state would not divide the proposed increased sales tax revenue equally among municipalities.

10. TOWN MANAGER'S REPORT

Mr. Lawrence acknowledged Deputy Chief Jason Brough, Senior Planner Becky Higgins, and Kourtney Fehr who took over their respective departments while their department managers were out of the office.

Mr. Lawrence commended Sergent Michelle Bilbrey who was one of four officers nationwide featured in the *Police1.com* website's "Women in Law Enforcement". He stated the full page article was a good reflection on the Town of Lady Lake and the Lady Lake Police Department. Police1.com is a nationwide recruitment website.

Mr. Lawrence stated the first Snooky Park Haunted Trail was an overwhelming success with approximately 1500 people attending.

Mr. Lawrence announced the upcoming events:

Not Too Scary Halloween Boo Bash - Saturday, October 25 at the Guava Street Athletic Complex.

Farmers and Craft Market every Tuesday at the Rolling Acres Sports Complex.

Taste of Lady Lake Speakeasy - November 7 at the Lady Lake Library.

Mr. Lawrence stated that he will be attending the Police Accreditation Recognition program in Sanibel, Florida, along with Mayor Freeman and Mayor Pro-Tem Roberts. He stated this is the third re-accreditation the Lady Lake Police Department has received.

11. TOWN ATTORNEY'S REPORT

No report.

12. PUBLIC COMMENTS

There were no public comments.

13. ADJOURN

There being no further business to discuss, the meeting adjourned at 6:36 p.m.

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Kathleen Rosado, Town Clerk

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Ed Freeman, Mayor

TOWN COMMISSION MEETING AGENDA ITEM
TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Police Department — Ordinance 2025-17 - Public Hearing and Final Reading — An Ordinance Amending the Town Of Lady Lake Police Officers' Retirement Trust Fund (Jason Brough)

AGENDA ITEM ID

2025-810

DEPARTMENT

Police

SUMMARY

On October 04, 2021, the Town adopted Ordinance No. 2021-20, amending the Town of Lady Lake Police Officers' Retirement Trust Fund. When this ordinance was adopted, the intent was to make the following changes:

1. Amend ONLY subsections (1), (2) and (3) of Section 10.5-36, Benefit Amounts and Eligibility. The remaining subsections were all inadvertently removed from and by Municode.
2. Amend ONLY subsections (1) and (3) of Section 10.5-38, Disability. The remaining subsections were all inadvertently removed and subsections (1) and (3) were re-numbered by Municode.
3. Amend ONLY the first paragraph of Section 10.5-39, Excess Premium Tax Revenues; Supplemental Share Account Benefit. The remaining sections of 10.5-39 were all inadvertently removed from Municode.
4. On May 5, 2025, the Town adopted Ordinance 2025-06, further amending the Town of Lady Lake Police Officers' Retirement Trust Fund. When this ordinance was adopted, one subsection from Section 10.5-36 was added back in.

The purpose of this proposed ordinance, at the direction of the Town's Attorney, was to make the necessary additions/corrections to the Police Officers' Retirement Trust Fund that were inadvertently removed or renumbered incorrectly.

With the changes presented in this corrective ordinance, the terms of the Police Officers' Retirement Trust Fund accurately reflect the provisions of the Plan.

This ordinance was introduced on October 20th and approved by the Town Commission to move on to the second and final reading for adoption.

Action - Final Reading and adoption.

STAFF RECOMMENDATION

Staff recommends approval of Ordinance 2025-17.

FISCAL IMPACT

N/A

FUNDING SOURCE

N/A

DRAFT ORDINANCE 2025-17

TOWN OF LADY LAKE, FLORIDA

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA, AMENDING CHAPTER 10.5, PENSIONS AND RETIREMENT, ARTICLE III, POLICE OFFICERS' RETIREMENT TRUST FUND, OF THE CODE OF ORDINANCES OF THE TOWN OF LADY LAKE, TO CORRECT SCRIVENERS' ERRORS BY RESTORING SECTION 10-5.36, BENEFIT AMOUNTS AND ELIGIBILITY; RESTORING SECTION 10-5-38, DISABILITY; RESTORING SECTION 10-5-59, EXCESS PREMIUM TAX REVENUES; SUPPLEMENTAL SHARE ACCOUNT BENEFIT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lady Lake ("Town") has a pension system for the Police Officers employed by the Town known as the Town of Lady Lake Police Officers' Retirement Trust Fund ("System");

WHEREAS, the Town finds cause to correct scriveners' codification errors when Ordinance No. 2021-20 was adopted on October 4, 2021 and submitted to the Town's codification provider, and wishes to correct subsequent numbering issues when Ordinance No. 2025-06 was subsequently adopted on May 5, 2025; and

WHEREAS, the Town desires to restate the Sections to correct the scriveners' errors created when Ordinances 2021-20 and 2025-06 were codified, including restoration of the original wording for Section 10-6.36(4); and

NOW THEREFORE, be it ordained by the Town Commission of the Town of Lady Lake, Florida**;**

SECTION 1: That Chapter 10.5, Pensions and Retirement, Article III, Police Officers' Retirement Trust Fund, of the Code of Ordinances of the Town of Lady Lake, is hereby amended by amending section 10.5-36, Benefit Amounts and Eligibility, to read as follows, with deleted language ~~stricken~~ and added language underlined:

Sec. 10-5.36 - Benefit Amounts and Eligibility.

(1) *Normal retirement date*. A member's normal retirement date shall be the first day of the month coincident with, or next following the earlier of the attainment of age fifty-five (55) and the completion of eight (8) years of credited service or the completion of twenty (20) years of credited service

regardless of age. A member may retire on his normal retirement date or on the first day of any month thereafter, and each member shall become one hundred (100) percent vested in his accrued benefit on the member's normal retirement date. Normal retirement under the system is retirement from employment with the town on or after the normal retirement date.

(2) *Normal retirement benefit*. A member retiring hereunder on or after his normal retirement date shall receive a monthly benefit which shall commence on the first day of the month coincident with or next following his retirement and be continued thereafter during member's lifetime, ceasing upon death, but with one hundred twenty (120) monthly payments guaranteed in any event. The monthly retirement benefit shall equal 3.3 percent of average final compensation, for each year of credited service earned prior to October 1, 2021, and shall equal 3.5 percent of average final compensation for each year of credited service on and after October 1, 2021. A member, excluding vested terminated persons, retiring hereunder on or after his normal retirement date shall also receive a supplemental benefit equal to two hundred dollars ($200.00) per month.

(3) *Early retirement date*. A member may retire on his early retirement date which shall be the first day of any month coincident with or next following the attainment of age fifty (50) and the completion of eight (8) years of credited service years. Early retirement under the system is retirement from employment with the town on or after the early retirement date and prior to the normal retirement date.

~~(4) *Early Retirement Benefits*. The amount of the early retirement benefit is calculated in the same manner as for normal retirement and is available as follows:~~

~~(a) Beginning on the date on which you would have qualified for normal retirement; or~~

~~(b) Beginning immediately upon attaining the early retirement age, but the amount of the monthly benefit is reduced by 3% for each year by which the commencement of benefits precedes the date which would have been your normal retirement date had you continued employment as a Police Officer.~~

(4) *Early retirement benefit*. A member retiring hereunder on his early retirement date may receive either a deferred or an immediate monthly retirement benefit payable in the same form as for normal retirement as follows:

(a) A deferred monthly retirement benefit which shall commence on what would have been his normal retirement date had he continued employment as a police officer and shall be continued on the first day of each month thereafter. The amount of each such deferred monthly retirement benefit shall be determined in the same manner as for retirement on his normal retirement date except that credited service and average final compensation shall be determined as of his early retirement date; or

(b) An immediate monthly retirement benefit which shall commence on his early retirement date and shall be continued on the first day of each month thereafter. The benefit payable shall be as determined in paragraph (a) above, reduced by three (3) percent for each year by which the commencement of benefits precedes the date which would have been the member's normal retirement date had he continued employment as a police officer.

(5) *Cost-of-Living Adjustment*. Any member who retires on normal retirement on or after October 1, 2024 is entitled to a 1% cost-of-living adjustment on their normal retirement benefit each October 1 following the one-year anniversary of their retirement date. Members who retire on Early Retirement, Disability Retirement, Pre-Retirement Death benefits, or Vested Terminated retirement are not entitled to the COLA. It is the intent that this benefit is paid for the lifetime of the member and their joint annuitant/beneficiary.

(6) *Required Distribution date*. The member's benefit under this section must begin to be distributed to the member no later than April 1 of the calendar year following the later of the calendar year in which the member attains age seventy and one-half (70½) or the calendar year in which the member terminates employment with the town.

SECTION 2: That Chapter 10.5, Pensions and Retirement, Article III, Police Officers' Retirement Trust Fund, of the Code of Ordinances of the Town of Lady Lake, is hereby amended by amending section 10.5-38, Disability, to read as follows, with deleted language ~~stricken~~ and added language underlined:

Sec. 10.5-38. Disability.

(1) *Disability benefits in-line of duty*. Any member who shall become totally and permanently disabled to the extent that he is unable, by reason of a medically determinable physical or mental impairment, to render useful and efficient service as a police officer, which disability was directly caused by the performance of his duty as a police officer, shall, upon establishing the same to the satisfaction of the board, be entitled to a monthly pension equal to 3.3 percent of his average final compensation multiplied by the total years

of credited service for performance prior to October 1, 2021, and 3.5 percent of his average final compensation multiplied by the total years of credited service for performance on and after October 1, 2021, but in any event the minimum amount paid to the member shall be forty-two (42) percent of the average final compensation of the member. Terminated persons, either vested or nonvested, are not eligible for disability benefits, except that those terminated by the town for medical reasons may apply for a disability within thirty (30) days after termination.

(2) *In-line of duty presumptions*.

(a) *Presumption*. Any condition or impairment of health of a member caused by hypertension or heart disease shall be presumed to have been suffered in line of duty unless the contrary is shown by competent evidence, provided that such member shall have successfully passed a physical examination upon entering into such service, including cardiogram, which examination failed to reveal any evidence of such condition; and provided further, that such presumption shall not apply to benefits payable or granted in a policy of life insurance or disability insurance.

(b) *Additional presumption*. The presumption provided for in this paragraph (b) shall apply only to those conditions described in this paragraph (b) that are diagnosed on or after January 1, 1996.

1. *Definitions*. As used in this subsection (2)(b), the following definitions apply:

a. "*Body fluids*" means blood and body fluids containing visible blood and other body fluids to which universal precautions for prevention of occupational transmission of blood-borne pathogens, as established by the Centers for Disease Control, apply. For purposes of potential transmission of meningococcal meningitis or tuberculosis, the term "body fluids" includes respiratory, salivary, and sinus fluids, including droplets, sputum, and saliva, mucous, and other fluids through which infectious airborne organisms can be transmitted between persons.

b. "*Emergency rescue or public safety member*" means any member employed full time by the town as a firefighter, paramedic, emergency medical technician, law enforcement officer, or correctional officer who, in the course of employment, runs a high risk of occupational exposure to hepatitis, meningococcal meningitis, or tuberculosis and who is not employed elsewhere in a similar capacity. However, the term "emergency rescue or public safety member does not include any person employed by a public hospital licensed under Chapter 395, Florida Statutes, or any person employed by a subsidiary thereof.

c. "*Hepatitis*" means hepatitis A, hepatitis B, hepatitis non-A, hepatitis non-B, hepatitis C, or any other strain of hepatitis generally recognized by the medical community.

d. "*High risk of occupational exposure*" means that risk that is incurred because a person subject to the provisions of this subsection, in performing the basic duties associated with his employment:

(i) Provides emergency medical treatment in a nonhealthcare setting where there is a potential for transfer of body fluids between persons;

(ii) At the site of an accident, fire, or other rescue or public safety operation, or in an emergency rescue or public safety vehicle, handles body fluids in or out of containers or works with or otherwise handles needles or other sharp instruments exposed to body fluids;

(iii) Engages in the pursuit, apprehension, and arrest of law violators or suspected law violators and, in performing such duties, may be exposed to body fluids; or

(iv) Is responsible for the custody, and physical restraint when necessary, of prisoners or inmates within a prison, jail, or other criminal detention facility, while on work detail outside the facility, or while being transported and, in performing such duties, may be exposed to body fluids.

e. "*Occupational exposure*," in the case of hepatitis, meningococcal meningitis, or tuberculosis, means an exposure that occurs during the performance of job duties that may place a worker at risk of infection.

2. *Presumption*. Any emergency rescue or public safety member who suffers a condition or impairment of health that is caused by hepatitis, meningococcal meningitis, or tuberculosis, that requires medical treatment, and that results in total or partial disability or death shall be presumed to have a disability suffered in the line of duty, unless the contrary is shown by competent evidence; however, in order to be entitled to the presumption, the member must, by written affidavit as provided in Section 92.50, Florida Statutes, verify by written declaration that, to the best of his knowledge and belief:

   a. In the case of a medical condition caused by or derived from hepatitis, he has not:

      (i) Been exposed, through transfer of bodily fluids, to any person known to have sickness or medical conditions derived from hepatitis, outside the scope or his employment;

      (ii) Had a transfusion of blood or blood components, other than a transfusion arising out of an accident or injury happening in connection with his present employment, or received any blood products for the treatment of a coagulation disorder since last undergoing medical tests for hepatitis, which tests failed to indicate the presence of hepatitis;

      (iii) Engaged in unsafe sexual practices or other high-risk behavior, as identified by the Centers for Disease Control or the Surgeon General of the United States or had sexual relations with a person known to him to have engaged in such unsafe sexual practices or other high-risk behavior; or

      (iv) Used intravenous drugs not prescribed by a physician.

   b. In the case of meningococcal meningitis, in the ten (10) days immediately preceding diagnosis he was not exposed, outside the scope of his employment, to any person known to have meningococcal meningitis or known to be an a symptomatic carrier of the disease.

c. In the case of tuberculosis, in the period of time since the member's last negative tuberculosis skin test, he has not been exposed, outside the scope of his employment, to any person known by him to have tuberculosis.

3. *Immunization*. Whenever any standard, medically recognized vaccine or other form of immunization or prophylaxis exists for the prevention of a communicable disease for which a presumption is granted under this Section, if medically indicated in the given circumstances pursuant to immunization policies established by the Advisory Committee on Immunization Practices of the U.S. Public Health Service, an emergency rescue or public safety member may be required by the town to undergo the immunization or prophylaxis unless the member's physician determines in writing that the immunization or other prophylaxis would pose a significant risk to the member's health. Absent such written declaration, failure or refusal by an emergency rescue or public safety member to undergo such immunization or prophylaxis disqualifies the member from the benefits of the presumption.

4. *Record of exposures*. The town shall maintain a record of any known or reasonably suspected exposure of an emergency rescue or public safety member in its employ to the disease described in this section and shall immediately notify the member of such exposure. An emergency rescue or public safety member shall file an incident or accident report with the town of each instance of known or suspected occupational exposure to hepatitis infection, meningococcal meningitis, or tuberculosis.

5. *Required medical tests; preemployment physical*. In order to be entitled to the presumption provided by this section:

a. An emergency rescue or public safety member must, prior to diagnosis, have undergone standard, medically acceptable tests for evidence of the communicable disease for which the presumption is sought, or evidence of medical conditions derived therefrom, which tests fail to indicate the presence of infection. this paragraph does not apply in the case of meningococcal meningitis.

b. On or after June 15, 1995, an emergency rescue or public safety member may be required to undergo a preemployment physical examination that tests for and fails to reveal any evidence of hepatitis or tuberculosis.

~~(2)~~(3) *Disability benefits not-in-line of duty*. Any member with eight (8) years or more credited service who shall become totally and permanently disabled to the extent that he is unable, by reason of a medically determinable physical or mental impairment, to render useful and efficient service as a police officer, which disability is not directly caused by the performance of his duties as a police officer shall, upon establishing the same to the satisfaction of the board, be entitled to a monthly pension equal to 3.3 percent of his average final compensation multiplied by the total years of credited service for performance prior to October 1, 2021, and 3.5 percent of his average final compensation multiplied by the total years of credited service for performance on and after October 1, 2021. Terminated persons, either vested or nonvested, are not eligible for disability benefits, except that those terminated by the town for medical reasons may apply for a disability within thirty (30) days after termination.

(4) *Conditions disqualifying disability benefits*. Each member who is claiming disability benefits shall establish, to the satisfaction of the board, that such disability was not occasioned primarily by:

(a) Excessive or habitual use of any drugs, intoxicants or narcotics.

(b) Injury or disease sustained while willfully and illegally participating in fights, riots or civil insurrections or while committing a crime.

(c) Injury or disease sustained while serving in any branch of the armed forces.

(d) Injury or disease sustained by the member after his employment as a police officer with the Town of Lady Lake shall have terminated.

(e) Injury or disease sustained by the Member while working for anyone other than the Town and arising out of such employment.

(5) *Physical examination requirement*. A member shall not become eligible for disability benefits until and unless he undergoes a physical examination by a qualified physician or physicians and/or surgeon or surgeons, who shall be selected by the board for that purpose. The board shall not select the member's treating physician or surgeon for this purpose except in an unusual case where the board determines that it would be reasonable and prudent to do so.

Any retiree receiving disability benefits under provisions of this article may be required by the board to submit sworn statements of his condition accompanied by a physician's statement (provided at the retiree's expense) to the board annually and may be required by the board to undergo additional periodic re-examinations by a qualified physician or physicians and/or surgeon or surgeons who shall be selected by the board, to determine if such disability has ceased to exist. If the board finds that the retiree is no longer permanently and totally disabled to the extent that he is unable to render useful and efficient service as a police officer, the board shall recommend to the town that the retiree be returned to performance of duty as a police officer, and the retiree so returned shall enjoy the same rights that he had at the time he was placed upon pension. In the event the retiree so ordered to return shall refuse to comply with the order within thirty (30) days from the issuance thereof, he shall forfeit the right to his pension.

The cost of the physical examination and/or reexamination of the member claiming or the retiree receiving disability benefits shall be borne by the fund. All other reasonable costs as determined by the board incident to the physical examination, such as, but not limited to, transportation, meals and hotel accommodations, shall be borne by the fund.

If the retiree recovers from disability and reenters the service of the town as a police officer, his service will be deemed to have been continuous, but the period beginning with the first month for which he received a disability retirement income payment and ending with the date he reentered the service of the town will not be considered as credited service for the purposes of the system.

The board shall have the power and authority to make the final decisions regarding all disability claims.

(6) *Disability payments.* The monthly benefit to which a member is entitled in the event of the member's disability retirement shall be payable on the first day of the first month after the board determines such entitlement. However, the monthly retirement income shall be payable as of the date the board determined such entitlement, and any portion due for a partial month shall be paid together with the first payment. The last payment will be:

(a) If the retiree recovers from the disability, the payment due next preceding the date of such recovery; or

(b) If the retiree dies without recovering from disability, the payment due next preceding his death or the one hundred twentieth monthly payment, whichever is later.

Provided, however, the disability retiree may select, at any time prior to the date on which benefit payments begin, an optional form of benefit payment as described in section 10.5-40(1)(a) or (1)(b), which shall be the actuarial equivalent of the normal form of benefit.

(7) *Workers' compensation*. When a retiree is receiving a disability pension and workers' compensation benefits pursuant to Chapter 440, Florida Statutes, for the same disability, and the total monthly benefits received from both exceed one hundred (100) percent of the member's average monthly wage, as defined in Chapter 440, Florida Statutes, the disability pension benefit shall be reduced so that the total monthly amount received by the retiree does not exceed one hundred (100) percent of such average monthly wage. The amount of any lump sum workers' compensation payment shall be converted to an equivalent monthly benefit payable for ten (10) years certain by dividing the lump sum amount by 83.9692. Notwithstanding the foregoing, in no event shall the disability pension benefit be reduced below the greater of forty-two (42) percent of Average final compensation or two (2.0) percent of average final compensation times years of credited service.

SECTION 3: That Chapter 10.5, Pensions and Retirement, Article III, Police Officers' Retirement Trust Fund, of the Code of Ordinances of the Town of Lady Lake, is hereby amended by amending section 10.5-59, Excess Premium Tax Revenues; Supplemental Share Account Benefit, to read as follows, with deleted language ~~stricken~~ and added language underlined:

Sec. 10.5-59. - Excess premium tax revenues; supplemental share account benefit.

There is hereby established an additional plan component to provide special benefits in the form of a supplemental retirement, termination, death and disability benefits to be in addition to the benefits provided for in the previous sections of this plan, such benefit to be funded solely and entirely by Chapter 185, Florida Statutes, premium tax monies for each plan year which are allocated to this supplemental defined contribution component for special benefits as provided for in Section 185.35, Florida Statutes. As of October 1, 2017, there is mutual consent of the members' collective bargaining representative and the municipality to use premium tax revenues in the manner described herein. Of the additional premium tax revenues received for the 2021 calendar year and each subsequent year that are in excess of one hundred ten thousand dollars ($110,000.00), the amount received for the 2021 calendar year, fifty (50) percent must be used to reduce any unfunded liabilities of the plan and fifty (50) percent must be placed in a defined contribution plan component. If there is no unfunded actuarial accrued liability as of the most recent actuarial valuation report, then the fifty (50) percent that was to be used to reduce any unfunded liabilities of the plan will be used to reduce the town's funding requirement for that year. Amounts allocated to this supplemental component ("share plan"), if any, shall be further allocated to the members as set forth herein.

(a) *Individual Member Share Accounts*. The board shall create individual "member share accounts" for all persons who were actively employed plan members as of October 1, 2017 and maintain appropriate books and records showing the respective interest of each member hereunder. Each member shall have a member share account for his share of the F.S. Chapter 185 tax revenues described above, forfeitures and income and expense adjustments relating thereto. The board shall maintain separate member share accounts; however, the maintenance of separate accounts is for accounting purposes only and a segregation of the assets of the trust fund to each account shall not be required or permitted.

(b) *Share Account Funding*.

(1) Individual member share accounts shall be established as of September 30, 2017 for all members who were actively employed as of October 1, 2017 and for each member who becomes employed thereafter. Individual member share accounts shall be credited with an allocation as provided for in the following subsection (c) of any premium tax monies, which have been allocated to the share plan for that plan year, beginning with the plan year ending September 30, 2018.

(2) Any forfeitures as provided in subsection (d), shall be used as part of future allocations to the individual member share accounts in accordance with the formula set forth in subsection (c)(1).

(c) *Allocation of Monies to Share Accounts*.

(1) Allocation of Chapter 185 Contributions.

a. Effective as of October 1, 2017, the amount of any premium tax monies allocated to the share plan shall be allocated to individual member share accounts as provided for in this subsection. Members retiring on or after October 1, 2017 and prior to September 30, 2018 shall receive an allocation. In addition, all premium tax monies allocated to the share plan in any subsequent plan year shall also be allocated as provided for in this subsection. Available premium tax monies shall be allocated to individual member share accounts at the end of each plan year on September 30 (a "valuation date").

b. On each valuation date, each current actively employed member of the plan with a minimum of one year of credited service and each retiree with at least one year of credited service who retires in the plan year ending on the valuation date (including each disability retiree), or beneficiary of a vested member who died during the plan year ending on the valuation date (not including terminated persons) and is otherwise eligible shall receive a share allocation as follows:

(i) The total funds subject to allocation on each valuation date shall be allocated to each member share account of those eligible for an allocation in an amount equal to the total funds divided by the number of all individuals to whom allocations are being made.

(ii) For the purposes of establishing and maintaining share accounts, re-employed retirees shall be deemed new employees and shall receive an allocation based solely on the credited service in the reemployment period.

(2) *Allocation of Investment Gains and Losses*. On each valuation date, each individual member share account shall be adjusted to reflect the net earnings or losses resulting from investments during the year. The net earnings or losses allocated to the individual member share accounts shall be the same percentage, which is earned or lost by the total plan investments, including realized and unrealized gains or losses, net of brokerage commissions, transaction costs and management fees. Net earnings or losses are determined as of the last business day of the fiscal year, which is the valuation date, and are debited or credited as of such date. For purposes of calculating net earnings or losses on a member's share account pursuant to this subsection, brokerage commissions, transaction costs, and management fees for the immediately preceding fiscal year shall be determined for each year by the investment consultant pursuant to contracts with fund managers as reported in the custodial statement. The investment consultant shall report these annual contractual fees to the board. The investment consultant shall also report the net investment return for each manager and the net investment return for the total plan assets.

(3) *Allocation of Costs, Fees and Expenses*. On each valuation date, each individual member share account shall be adjusted to allocate its pro rata share of the costs, fees and expenses of administration of the share plan. These fees shall be allocated to each individual

member share account on a proportionate basis taking the costs, fees and expenses of administration of the share plan as a whole multiplied by a fraction, the numerator of which is the total assets in each individual member share account (after adding the annual investment gain or loss) and the denominator of which is the total assets of the fund as a whole as of the same date.

(4) *No Right to Allocation*. The fact of allocation or credit of an allocation to a member's share account by the board shall not vest in any member, any right, title, or interest in the assets of the trust or in the Chapter 185 tax revenues except at the time or times, to the extent, and subject to the terms and conditions provided in this Section.

(5) Members shall be provided annual statements setting forth their share account balance as of the end of the plan year.

(d) *Eligibility for Benefits*. Any member (or his beneficiary) who terminates employment as a police officer with the Town or who dies, upon application filed with the board, shall be entitled to be paid the value of his individual member share account, subject to the following criteria:

(1) *Retirement Benefit*.

a. A member shall be entitled to 100% of the value of his share account upon normal or early retirement pursuant to Section 10.5-36.

b. Such payment shall be made as provided in subsection (e).

(2) *Termination Benefit*.

a. In the event that a Share Member's employment as a police officer is terminated before attaining 10 years of credited service or separates from the Town employment after attaining 10 years of credited service but elects to receive a refund of member contributions in lieu of any benefit from the Share Program, the member shall forfeit his or her share account balance, and the account balance shall be added to the available funds for the next following, and reallocated to other Share Program member accounts.

b. Such payment shall be made as provided in subsection (e).

(3) *Disability Benefit*.

a. In the event that a member is determined to be eligible for a disability benefit pursuant to Section 10.5-38, he shall be entitled to 100% of the value of his share account.

b. Such payment shall be made as provided in subsection (e).

(4) *Death Benefit*.

a. In the event that a member dies while actively employed as a police officer, 100% of the value of his member share account shall be paid to his designated Beneficiary as provided in Section 10.5-37.

b. Such payment shall be made as provided in subsection (e).

(e) *Payment of Benefits*. If a member terminates employment and is eligible under Termination Benefit (2) (a) or dies and he or his beneficiary is otherwise entitled to receive the balance in the member's share account, the member's share account if eligible shall be valued by the plan's actuary on the next valuation date as provided for in subsection (c) above, following termination of employment. Payment of the calculated share account balance shall be payable as soon as administratively practicable following the valuation date, but not later than 150 days following the valuation date and shall be paid in one lump sum payment. No optional forms of payments shall be permitted.

(f) *Benefits Not Guaranteed*. All benefits payable under this Section 10.5-59 shall be paid only from the assets accounted for in individual member share accounts. Neither the Town nor the board shall have any duty or liability to furnish any additional funds, securities or other assets to fund share account benefits. Neither the board nor any trustee shall be liable for the making, retention, or sale of any investment or reinvestment made as herein provided, nor for any loss or diminishment of the member share account balances, except due to his or its own negligence, willful misconduct or lack of good faith. All investments shall be made by the board subject to the restrictions otherwise applicable to fund investments.

(g) *Notional account*. The member share account is a notional account, used only for the purpose of calculation of the share distribution amount. It is not a separate account in the system. There is no change in the system's assets, and there is no distribution available to the member until the member's termination from employment. The member has no control over the investment of the share account.

(h) *No employer discretion*. The share account benefit is determined pursuant to a specific formula, which does not involve employer discretion.

(i) *Maximum Additions*. Notwithstanding any other provision of this Section, annual additions under this Section shall not exceed the limitations of Section 415(c) of the Code.

(j) *IRC limit*. The share account distribution, along with other benefits payable from the system, is subject to limitation under Internal Revenue Code Section 415(b).

Section 4: Severability.

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance; and it shall be construed to have been the Town Commission's intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 5. Conflicts.

All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 6. Codification.

The provisions of this Ordinance shall be codified and become part of the Code of Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section", "Article", or other appropriate word.

Section 7. Effective Date.

This ordinance shall become effective immediately upon adoption by the Town Commission of the Town of Lady Lake, except as provided otherwise in the Ordinance.

PASSED AND ORDAINED by the Town Commission of the Town of Lady lake, Florida, this ___________day of __________________, 2025.

Town of Lady Lake, Florida

____

Ed Freeman, Mayor

Attest:

____

Kathleen Rosado, Town Clerk

Approved as to form:

____

Derek Schroth, Town Attorney

09-30-25.ORD

INSTRUMENT #2021142875
OR BK 5816 PG 142 - 148 (7 PGS)
DATE: 10/15/2021 1:54:34 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT
AND COMPTROLLER, LAKE COUNTY, FLORIDA
RECORDING FEES $61.00

RETURN

TOWN OF LADY LAKE
409 FENNELL BOULEVARD
LADY LAKE FL 32159

ORDINANCE 2021-20
TOWN OF LADY LAKE, FLORIDA

AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 10.5, PENSIONS AND RETIREMENT, ARTICLE III, POLICE OFFICER'S RETIREMENT TRUST FUND, OF THE CODE OF ORDINANCES OF THE TOWN OF LADY LAKE; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lady Lake police officers are presently provided pension benefits pursuant to Chapter 185, Florida Statutes, and Ordinances of the Town of Lady Lake; and

WHEREAS the following proposed changes have been approved and recommended by the Board of Trustees of the plan.

NOW, THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Lady Lake, Florida, as follows:

SECTION 1. Chapter 10.5, Pensions and Retirement, Article III, Police Officer's Retirement Trust Fund, of the Code of Ordinances of the Town of Lady Lake, is hereby amended by amending Section 10.5-35- Benefit amounts and eligibility, Section 10.5-38- Disability, Section 10.5-39- Vesting, Section 10.5-45- Maximum pension, Section 10.5-46- Minimum distribution of benefits, and the first paragraph of Sec. 10.5-59- Excess premium tax revenues; supplemental share account benefit, to read as follows:

Sec. 10.5-36 – Benefit amounts and eligibility

(1) Normal retirement date. A member's normal retirement date shall be the first day of the month coincident with, or next following the earlier of the attainment of age 55 and the completion of eight years of credited service or the completion of 20 years of credited service regardless of age. A member may retire on his normal retirement date or on the first day of any month thereafter, and each member shall become 100 percent vested in his accrued benefit on the member's normal retirement date. Normal retirement under the system is retirement from employment with the town on or after the normal retirement date.

(2) Normal retirement benefit. A member retiring hereunder on or after his normal retirement date shall receive a monthly benefit which shall commence on the first day of the month coincident with or next following his retirement and be continued thereafter during member's lifetime, ceasing upon death, but with 120 monthly payments guaranteed in any event. The monthly retirement benefit shall equal 3.3 percent of average final compensation, for each year of credited service earned prior to October 1, 2021, and shall equal 3.5 percent

of average final compensation for each year of credited service on and after October 1, 2021. A member, excluding vested terminated persons, retiring hereunder on or after his normal retirement date shall also receive a supplemental benefit equal to $200.00 per month.

(3) Early retirement date. A member may retire on his early retirement date which shall be the first day of any month coincident with or next following the attainment of age 50 and the completion of eight years of credited service years. Early retirement under the system is retirement from employment with the town on or after the early retirement date and prior to the normal retirement date.

Sec. 10.5-38. – Disability

(1) Disability benefits in-line of duty. Any member who shall become totally and permanently disabled to the extent that he is unable, by reason of a medically determinable physical or mental impairment, to render useful and efficient service as a police officer, which disability was directly caused by the performance of his duty as a police officer, shall, upon establishing the same to the satisfaction of the board, be entitled to a monthly pension equal to 3.3 percent of his average final compensation multiplied by the total years of credited service for performance prior to October 1, 2021, and 3.5 percent of his average final compensation multiplied by the total years of credited service for performance on and after October 1, 2021, but in any event the minimum amount paid to the member shall be 42% of the average final compensation of the member. Terminated persons, either vested or nonvested, are not eligible for disability benefits, except that those terminated by the town for medical reasons may apply for a disability within 30 days after termination.

(3) Disability benefits not-in-line of duty. Any member with eight years or more credited service who shall become totally and permanently disabled to the extent that he is unable, by reason of a medically determinable physical or mental impairment, to render useful and efficient service as a police officer, which disability is not directly caused by the performance of his duties as a police officer shall, upon establishing the same to the satisfaction of the board, be entitled to a monthly pension equal to 3.3 percent of his average final compensation multiplied by the total years of credited service for performance prior to October 1, 2021, and 3.5 percent of his average final compensation multiplied by the total years of credited service for performance on and after October 1, 2021. Terminated persons, either vested or nonvested, are not eligible for disability benefits, except that those terminated by the town for medical reasons may apply for a disability within 30 days after termination.

Sec. 10.5-39 Vesting.

If a member terminates his employment as a police officer after the effective date of this ordinance, either voluntarily or by discharge, and is not eligible for any other benefits under this system, the member shall be entitled to the following:

(1) If the member has less than eight years credited service upon termination, the member shall be entitled to a refund of his accumulated contributions, or the member may leave it deposited with the fund.

(2) If the member has eight or more years of credited service upon termination, the member shall be entitled to a monthly retirement benefit, determined in the same manner as for normal or early retirement and based upon the member's credited service, average final compensation and the benefit accrual rate as of the date of termination, payable to him commencing at the member's otherwise normal or early retirement date, determined as if he had remained employed, provided he does not elect to withdraw his accumulated contributions and provided the member survives to his otherwise normal or early retirement date. If the member does not withdraw his accumulated contributions and does not survive to his otherwise normal or early retirement date, his designated beneficiary shall be entitled to a benefit as provided herein for a deceased member, vested or eligible for retirement under preretirement death.

Sec. 10.5-46.- Minimum distribution of benefits

(1) General rules.

(a) Effective date. Effective as of January 1, 1989, the plan will pay all benefits in accordance with a good faith interpretation of the requirements of Code Section 401(a)(9) and the regulations in effect under that section, as applicable to a governmental plan within the meaning of Code Section 414(d). Effective on and after January 1, 2003, the plan is also subject to the specific provisions contained in this section. The provisions of this section will apply for purposes of determining required minimum distributions for calendar years beginning with the 2003 calendar year.

(b) Precedence. The requirements of this section will take precedence over any inconsistent provisions of the plan.

(c) TEFRA Section 242(b)(2), Elections. Notwithstanding the other provisions of this section other than this subsection (1)(c), distributions may be made under a designation made before January 1, 1984, in accordance with Section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the plan that related to Section 242(b)(2) of TEFRA.

(2) Time and manner of distribution.

(a) Required beginning date. The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date which shall not be later than April 1 of the calendar year following the calendar year in which the member attains age 70½, 72, or the calendar year in which the member terminates employment with the town.

(b) Death of member before distributions begin. If the member dies before distributions begin, the member's entire interest will be distributed, or begin to be distributed no later than as follows:

1. If the member's surviving spouse is the member's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the member died, or by a date on or before December 31 of the calendar year in which the member would have attained age 70½, 72, if later, as the surviving spouse elects.

2. If the member's surviving spouse is not the member's sole designated beneficiary, then, distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the member died.

3. If there is no designated beneficiary as of September 30 of the year following the year of the member's death, the member's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

4. If the member's surviving spouse is the member's sole designated beneficiary and the surviving spouse dies after the member but before distributions to the surviving spouse begin, this subsection (2)(b), other than subsection (2)(b)1., will apply as if the surviving spouse were the member.

For purposes of this subsections (2)(b) and (5), distributions are considered to begin on the member's required beginning date or, if subsection (2)(b)4., applies, the date of distributions are required to begin to the surviving spouse under subsection (2)(b)1. If annuity payments irrevocably commence to the member before the member's required beginning date (or to the member's surviving spouse before the date distributions are required to begin to the surviving spouse under subsection (2)(b)1.), the date distributions are considered to begin is the date distributions commence.

(c) Death after distributions begin. If the member dies after the required distribution of benefits has begun, the remaining portion of the member's interest must be distributed at least as rapidly as under the method of distribution before the member's death.

(d) Form of distribution. Unless the member's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with this section. If the member's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the code and Treasury regulations. Any part of the member's interest which is in the form of an individual account described in Section 414(k) of the code will be distributed in a manner satisfying the requirements of Section 401(a)(9) of the code and Treasury regulations that apply to individual accounts.

(3) Determination of amount to be distributed each year.

(a) General requirements. If the member's interest is paid in the form of annuity distributions under the plan, payments under the annuity will satisfy the following requirements:

1. The annuity distributions will be paid in periodic payments made at intervals not longer than one year.

2. The member's entire interest must be distributed pursuant to Section 10.5-36, Section 10.5-37, Section 10.5-39, or Section 10.5-40 (as applicable) and in any event over a period equal to or less than the member's life or the lives of the member and a designated beneficiary, or over a period not extending beyond the life expectancy of the member or of the member and a designated beneficiary. The life expectancy of the member, the member's spouse, or the member's beneficiary may not be recalculated after the initial determination for purposes of determining benefits.

(b) Amount required to be distributed by required beginning date. The amount that must be distributed on or before the member's required beginning date (or, if the member dies before distributions begin, the date distributions are required to begin under section 10.5-37) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., monthly. All the member's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the member's required beginning date.

(c) Additional accruals after first distribution calendar year. Any additional benefits accruing to the member in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

(4) General distribution rules.

(a) The amount of an annuity paid to a member's beneficiary may not exceed the maximum determined under the incidental death benefit requirement of Code Section 401(a)(9)(G), and effective for any annuity commencing on or after January 1, 2008, the minimum distribution incidental benefit rule under Treasury Regulation Section 1.401(a)(9)-6, Q&A-2.

(b) The death and disability benefits provided by the plan are limited by the incidental benefit rule set forth in Code Section 401(a)(9)(G) and Treasury Regulation Section 1.401-1(b)(1)(I) or any successor regulation thereto. As a result, the total death or disability benefits payable may not exceed 25 percent of the cost for all the members' benefits received from the retirement system.

(5) Definitions.

(a) Designated beneficiary. The individual who is designated as the beneficiary under the plan and is the designated beneficiary under Section 40l(a)(9) of the code and Section 1.401(a)(9)-1, Q&A-4, of the Treasury regulations.

(b) Distribution calendar year. A calendar year for which a minimum distribution is required. For distributions beginning before the member's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the member's required beginning date. For distributions beginning after the member's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to section 10.5-37.

Sec. 10.5-59. - Excess premium tax revenues; supplemental share account benefit.

There is hereby established an additional plan component to provide special benefits in the form of a supplemental retirement, termination, death and disability benefits to be in addition to the benefits provided for in the previous sections of this plan, such benefit to be funded solely and entirely by Chapter 185, Florida Statutes, premium tax monies for each plan year which are allocated to this supplemental defined contribution component for special benefits as provided for in Section 185.35, Florida Statutes. As of October 1, 2017, there is mutual consent of the members' collective bargaining representative and the municipality to use premium tax revenues in the manner described herein. Of the additional premium tax revenues received for the 2021 calendar year and each subsequent year that are in excess of $110,000.00, the amount received for the 2021 calendar year, 50 percent must be used to reduce any unfunded liabilities of the plan and 50 percent must be placed in a defined contribution plan component. If there is no unfunded actuarial accrued liability as of the most recent actuarial valuation report, then the 50 percent that was to be used to reduce any unfunded liabilities of the plan will be used to reduce the town's funding requirement for that year. Amounts allocated to this supplemental component ("share plan"), if any, shall be further allocated to the members as set forth herein.

SECTION 2. Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the Town of Lady Lake, Florida.

SECTION 3. All ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. That this Ordinance shall become effective upon its adoption.

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

PASSED AND ORDAINED this **4th** day of **October, 2021**, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the second and final reading.

Town of Lady Lake, Florida

Ruth Kussard

Ruth Kussard, Mayor

Attest:

Nancy Slaton

Nancy Slaton, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney

TOWN OF LADY LAKE
1925
FLORIDA

ORDINANCE 2025-06
TOWN OF LADY LAKE, FLORIDA

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA; AMENDING SECTION 10.5-36 BENEFIT AMOUNTS AND ELIGIBILITY TO ADD THE DETAILS OF THE EARLY RETIREMENT BENEFIT CALCULATION AND TO ADD A COST-OF-LIVING ADJUSTMENT IN COMPLIANCE WITH THE COLLECTIVE BARGAINING AGREEMENT; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lady Lake ("Town") has a pension system for the Police Officers employed by the Town known as the Town of Lady Lake Police Officers' Retirement Trust Fund ("System");

WHEREAS, the Town and the North Center Florida Police Benevolent Association have entered into a collective bargaining agreement which provides for a cost-of-living adjustment ("COLA") for Police Officers who retire on or after October 1, 2024;

WHEREAS, pursuant to Florida Statutes §447.309, it is necessary to amend the System plan document to incorporate the provisions of the COLA into the benefits;

WHEREAS, the method for calculation for the Early Retirement needs to be added to the Plan;

NOW THEREFORE, be it ordained by the Town Commission of the Town of Lady Lake, Florida:

Section 1. Amendment of Section 10.5-36.

Chapter 10.5, Article III, Sec. 10.5-36 of the Code of Ordinances of the Town of Lady Lake, Florida is hereby amended to read as follows with deleted language ~~struck out~~ and <u>underlined</u> language added:

Sec. 10.5-36. Benefit amounts and eligibility.

(1) *Normal retirement date.* A member's normal retirement date shall be the first day of the month coincident with or next following the earlier of the attainment of age fifty-five (55) and the completion of eight (8) years of credited service or the completion of twenty (20) years of credited service regardless of age. A member may retire on his normal retirement date or on the first day of any month thereafter, and each member shall become one hundred (100) percent vested in his accrued benefit on the member's normal retirement date. Normal

retirement under the system is retirement from employment with the town on or after the normal retirement date.

(2) *Normal retirement benefit.* A member retiring hereunder on or after his normal retirement date shall receive a monthly benefit which shall commence on the first day of the month coincident with or next following his retirement and be continued thereafter during member's lifetime, ceasing upon death, but with one hundred twenty (120) monthly payments guaranteed in any event. The monthly retirement benefit shall equal 3.3 percent of average final compensation, for each year of credited service earned prior to October 1, 2021, and shall equal 3.5 percent of average final compensation for each year of credited service on and after October 1, 2021. A member, excluding vested terminated persons, retiring hereunder on or after his normal retirement date shall also receive a supplemental benefit equal to two hundred dollars ($200.00) per month.

(3) *Early retirement date.* A member may retire on his early retirement date, which shall be the first day of any month coincident with or next following the attainment of age fifty (50) and the completion of eight (8) years of credited service years. Early retirement under the system is retirement from employment with the town on or after the early retirement date and prior to the normal retirement date.

(4) *Early Retirement Benefits.* The amount of the early retirement benefit is calculated in the same manner as for normal retirement and is available as follows:

(a) Beginning on the date on which you would have qualified for normal retirement; or

(b) Beginning immediately upon attaining the early retirement age, but the amount of the monthly benefit is reduced by 3% for each year by which the commencement of benefits precedes the date which would have been your normal retirement date had you continued employment as a Police Officer.

(5) *Cost-of-Living Adjustment.* Any member who retires on normal retirement on or after October 1, 2024 is entitled to a 1% cost-of-living adjustment on their normal retirement benefit each October 1 following the one-year anniversary of their retirement date. Members who retire on Early Retirement, Disability Retirement, Pre-Retirement Death Benefits, or Vested Terminated retirement are not entitled to the COLA. It is the intent that this benefit is paid for the lifetime of the member and their joint annuitant/beneficiary.

Section 2. Severability.

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance; and it shall be construed to have been the Town

Commission's intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 3. Conflicts.

All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 4. Codification.

The provisions of this Ordinance shall be codified and become part of the Code of Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section", "Article", or other appropriate word.

Section 5. Effective Date.

This ordinance shall become effective immediately upon adoption by the Town Commission of the Town of Lady Lake, except as provided otherwise in the Ordinance.

PASSED AND ORDAINED by the Town Commission of the Town of Lady Lake, Florida, this __5th__ day of ____May____, 2025.

Town of Lady Lake, Florida

____
Ed Freeman, Mayor

Attest:

____
Nancy Wilson, Town Clerk

Approved as to form:

____
Derek Schroth, Town Attorney

TOWN COMMISSION MEETING AGENDA ITEM
TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Growth Management - Resolution 2025-110 – Public Hearing First and Final Reading — Variance — A Resolution Granting a Variance to Allow Additional Wall Signs on the North Facade of the Existing 119,703 Square Foot Retail Store in Accordance with the Provisions of Chapter 17, Section 17-4. b). 2)., of the Town of Lady Lake Land Development Regulations, on Property Owned by Target Corporation T-2058, on Property Being Approximately 10.1 Acres of Land, Located at the Southwest Corner of the Intersection of North Highway 27/441 And Rolling Acres Rd, Within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

AGENDA ITEM ID

2025-821

DEPARTMENT

Growth Management

SUMMARY

On Tuesday, August 26, 2025, a variance application was filed with the Town of Lady Lake, by Katie Fitzjarrald of Kimley-Horn and Associates, Inc on behalf of Target Corporation T-2058, for property located at the southwest corner of the intersection of North Highway 27/441 and Rolling Acres Rd.

The variance request is pursuant to Chapter 17, Section 17-4. b). 2)., of the Land Development Regulations (LDRs) which allows one walls sign per building frontage on a public street. The variance request is to allow additional wall signs to be installed on the north façade of the existing 119,703 square foot retail store.

JUSTIFICATION STATEMENT

The applicant's justification statement expresses that adding additional signage will provide articulation to the building façade, assist in identifying the business to both vehicular and pedestrian traffic, and increase the overall visibility of the site. It is further stated that there is a lack of exposure to the existing building signage due to the site's location and constraints. Traffic traveling along US 27/441 and Rolling Acres Road are unable to view the existing Target wall sign, thereby limiting Target's ability to effectively reach its intended customer base.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3,

Section 14 f) – Review criteria for variances in the Land Development Regulations:
No diminution in value of surrounding properties would be suffered; granting the permit would be of benefit to the public interest; denial of the permit would result in unnecessary hardship to the owner seeking it; the use must not be contrary to the spirit of this Code.

Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify the granting of a variance. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

Notices to inform the surrounding 29 property owners within 150' of the subject property of the proposed variance were mailed on Monday, September 29, 2025. The property was also posted on Monday, September 29, 2025.

PAST ACTIONS

The Technical Review Committee found that Resolution 2025-110 was ready for transmittal to the Planning and Zoning Board.
At the October 13, 2025, meeting, the Planning and Zoning Board voted 3-1 to forward Resolution 2025-110 to the Town Commission with the recommendation of denial.

STAFF RECOMMENDATION

Growth Management staff recommends approval of Resolution 2025-110.

FISCAL IMPACT

None.

FUNDING SOURCE

None.

DRAFT RESOLUTION 2025-110

TOWN OF LADY LAKE, FLORIDA

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA, GRANTING A VARIANCE TO ALLOW ADDITIONAL WALL SIGNS PER BUILDING FRONTAGE ON A PUBLIC STREET IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 17, SECTION 17-4. b). 2)., OF THE TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS, OWNED BY TARGET CORPORATION T-2058, BEING APPROXIMATELY 10.1 ACRES OF LAND, LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH HIGHWAY 27/441 AND ROLLING ACRES ROAD, WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE, FLORIDA.

WHEREAS, Target Corporation T-2058, the property owners of certain real property located in the Town of Lady Lake, Florida, more particularly described in Exhibit "A," have petitioned for a variance from the provisions of Chapter 17, Section 17-4, b).2).; and

WHEREAS, the applicants have petitioned for a variance from the provisions of Chapter 17, Section 17-4, b).2). of the Town of Lady Lake Land Development Regulations which allows a maximum of one wall sign per building frontage on a public street. The variance requested is to allow three wall signs on the north façade of the proposed 119,703 square foot retail store; and

WHEREAS, the Town Commission of the Town of Lady Lake held a public hearing to consider the variance request, and having heard evidence and testimony on said request, found it to be consistent with the Lady Lake Comprehensive Plan and requirements for variances set forth in the Land Development Regulations of the Town of Lady Lake.

NOW, THEREFORE, BE IT RESOLVED that the Town Commission of the Town of Lady Lake, Florida, hereby grants a variance from the provisions of Chapter 17, Section 17-4, b).2). of the Town of Lady Lake Land Development Regulations which allows a maximum of one wall sign per building frontage on a public street. The variance requested is to allow three wall signs on the north façade of the proposed 119,703 square foot retail store on approximately 10.1 acres of property located at the southwest corner of the intersection of North Highway 27/441 and Rolling Acres Road, within the Town limits of the Town of Lady Lake, Florida.

This Resolution shall take effect immediately upon its adoption by the Town Commission of the Town of Lady Lake.

RESOLVED this ___ day of ________**, 2025**, in Lady Lake, Florida, by the Lady Lake Town Commission.

Town of Lady Lake, Florida

____
Ed Freeman, Mayor

Attest:

____
Kathleen Rosado, Town Clerk

Approved as to form:

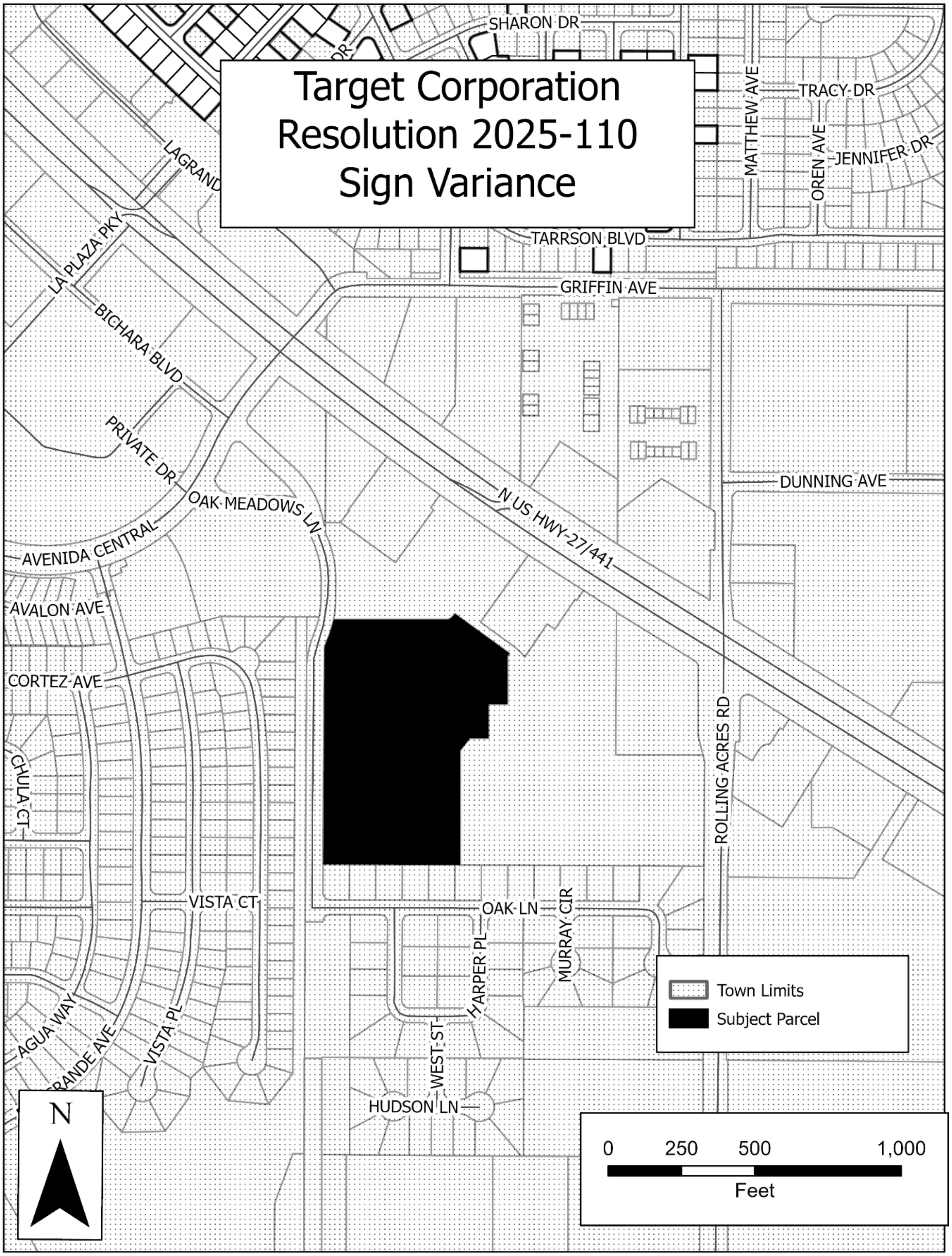
____
Derek Schroth, Town Attorney

EXHIBIT A — LEGAL DESCRIPTION AND MAP

Parcel ID 07-18-24-0004-000-02500; ALTERNATE KEY 3834245:

FROM NE COR OF LOT 14 OF OAK MEADOWS SUB RUN N 89-47-51 W 831.84 FT FOR POB, RUN N 0-0-0 E 390.59 FT, N 37-52-33 E 52.48 FT, N 90-0-0 E 64.49 FT, N 0-0-0 E 115.71 FT, N 90-0-0 E 64.69 FT, N 0-0-0 E 164.90 FT, N 37-44-22 E 11.25 FT, N 54-03-48 W 231.54 FT, S 35-54-13 W 9.21 FT TO THE POINT OF CURVATURE OF A TANGENT CURVE CONCAVE SE'LY, HAVING A RADIUS OF 33.87 FT, THENCE RUN ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 35-54-13 A DIST OF 21.22 FT, THENCE RUN N 90-0-0 W 404.60 FT TO A POINT ON A NON-TANGENT CURVE CONCAVE W'LY, HAVING A RADIUS OF 354.20 FT & A CHORD BEARING OF S 17-35-52 W, THENCE RUN ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 09-40-15 A DIST OF 59.78 FT TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SE'LY, HAVING A RADIUS OF 304.20 FT, THENCE RUN ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 06-50-34 A DIST OF 36.33 FT TO A POINT ON W LINE OF TRACT A OF OAK MEADOWS SUB, RUN S 0-14-29 W ALONG SAID W LINE OF SAID TRACT A 737.19 FT TO SW COR OF SAID TRACT A, S 89-47-51 E 468.60 FT TO POB--LESS TRACT A IN OAK MEADOWS SUB & LESS BEG AT SE'LY COR OF LOT S OF THE VILLAGE CENTER SUB, RUN N 0-14-34 E ALONG SAID E LINE OF SAID LOT S A DIST OF 22.26 FT, S 22-08-39 E 23.20 FT TO THE POINT OF CURVATURE OF A CURVE CONCAVE SW'LY, HAVING A RADIUS OF 373 FT & A CENTRAL ANGLE OF 22-24-43, THENCE SE'LY ALONG THE ARC OF SAID CURVE A DIST OF 145.90 FT, SAID ARC HAVING A CHORD BEARING & DIST OF S 10-56-18 E 144.98 FT TO THE POINT OF TANGENCY, THENCE S 0-16-04 W 63.50 FT TO POINT OF CURVATURE OF A CURVE CONCAVE W'LY, HAVING A RADIUS OF 354.20 FT & A CENTRAL ANGLE OF 22-10-0, THENCE SW'LY ALONG THE ARC OF SAID CURVE A DIST OF 137.03 FT, SAID ARC HAVING A CHORD BEARING OF S 11-21-04 W 136.18 FT TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SE'LY HAVING A RADIUS OF 304.20 FT & A CENTRAL ANGLE OF 06-50-34, THENCE SW'LY ALONG THE ARC OF SAID CURVE A DIST OF 36.33 FT, SAID ARC HAVING A CHORD BEARING OF S 19-0-47 W 36.31 FT TO W LINE OF TRACT A OAK MEADOWS SUB, N 0-14-34 E ALONG SAID W LINE OF TRACT A 372.92 FT TO NW COR OF TRACT 6 OF THE VILLAGE CENTER SUB, S 89-45-26 E 1 FT TO POB FOR RD R/W-- ORB 2732 PG 392

THE ABOVE-DESCRIBED PARCEL OF LAND CONTAINS 10.1 ACRES, MORE OR LESS.


Target Corporation
Resolution 2025-110
Sign Variance
SHARON DR
TRACY DR
MATTHEW AVE
OREN AVE
JENNIFER DR
TARRSON BLVD
GRIFFIN AVE
LA PLAZA PKY
BICHARA BLVD
PRIVATE DR
OAK MEADOWS LN
N US HWY 27/441
DUNNING AVE
AVENIDA CENTRAL
AVALON AVE
CORTEZ AVE
CHULA CT
ROLLING ACRES RD
VISTA CT
OAK LN
MURRAY CIR
HARPER PL
AGUA WAY
VISTA PL
WEST ST
HUDSON LN
Town Limits
Subject Parcel
N
0
250
500
1,000
Feet

1

TOWN COMMISSION MEETING AGENDA ITEM
TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Growth Management - Ordinance 2025-15 - First Reading - An Ordinance Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan (Thad Carroll)

Note: Public Hearing and final reading on November 17, 2025.

AGENDA ITEM ID

2025-822

DEPARTMENT

Growth Management

SUMMARY

Ordinance 2025-15 provides the annual update of the Capital Improvements Schedule, which is part of the Town's Comprehensive Plan. The Capital Improvement Plan update process and the corresponding requirements are no longer required to be processed by a Comprehensive Plan Amendment but may be adopted by local Ordinance. The Town must annually update the Five-Year Schedule of Capital Improvements pursuant to Florida Statutes. The purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service (LOS) standards are achieved and maintained for concurrency-related facilities. These facilities include water supply, sewer, solid waste, drainage, parks and recreation, public schools, transportation, and mass transit. While the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five-year capital improvement schedules from other entities. Corrections, updates, and modifications concerning costs, revenues, or the dates of construction of any facility or project identified in the Comprehensive Plan or Capital Improvement Program are not considered amendments and may be accomplished by local ordinance. This ordinance serves to update the Capital Improvements Schedule as required under F.S. 163.3177(3)(b). The attached "Exhibit A" reflects the proposed improvements for the Five-Year Planning Period 2026 to 2030. Also attached is Ordinance 2024-26 to document the prior 5-year Capital Improvement Schedule 2024 to 2028, which is being replaced by this ordinance.

PAST ACTIONS

The Technical Review Committee found that Ordinance 2025-15 was ready for transmittal to the Planning and Zoning Board.

At the October 13, 2025, meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance 2025-15 to the Town Commission with the recommendation of approval.

PUBLIC HEARINGS

The second and final reading of Ordinance 2025-15 is scheduled to go before the Town Commission on Monday, November 17, 2025, at 6:00 p.m.

STAFF RECOMMENDATION

GM Staff recommends approval of Ord 2025-15.

FISCAL IMPACT

Reference ordinance exhibit tables.

FUNDING SOURCE

Reference ordinance exhibit tables.

DRAFT ORDINANCE 2025-15
TOWN OF LADY LAKE, FLORIDA

AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, ADOPTING CORRECTIONS, UPDATES AND MODIFICATIONS TO THE CAPITAL IMPROVEMENTS SCHEDULE OF THE TOWN OF LADY LAKE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3177(3)(b), Florida Statutes, requires the Town to update the Capital Improvements Schedule of the Capital Improvements Element on an annual basis; and

WHEREAS, the Town of Lady Lake has conducted an annual review of the Capital Improvements Schedule of the Capital Improvements Element and finds that the corrections, updates, and modifications to the improvements schedule concerning costs, revenue sources, and dates of construction of facilities are required to maintain consistency with the Town's Fiscal Year 2026—2030 Capital Improvements Budget; and

WHEREAS, the subject corrections, updates, and modifications related to the Capital Improvements Schedule annual update are accomplished by Ordinance and are not deemed to be amendments to the Town's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Lady Lake, Lake County, Florida:

SECTION 1. Modification

The Capital Improvements Schedule of the Town of Lady Lake's Comprehensive Plan is hereby corrected, updated, and modified to include the listed improvements and tables as set forth in Exhibit "A" as filed with the Town Clerk and attached and made a part hereof by this reference.

SECTION 2. Conflict

All ordinances made in conflict with the Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. Severability

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by a Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 4. Effective Date

This Ordinance shall become effective immediately upon adoption.

PASSED AND ORDAINED this **17th** day of **November 2025** in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the Second and Final Reading.

Town of Lady Lake, Florida

____
Ed Freeman, Mayor

Attest:

____
Kathleen Rosado, Town Clerk

Approved as to form:

____
Derek Schroth, Town Attorney

EXHIBIT "A" — Proposed Capital Improvements

PEDESTRIAN MOBILITY IMPROVEMENTS:

Sidewalk Installations

WASTEWATER AND STORMWATER SYSTEM:

Engineering for Utilities Improvement Projects

Wastewater Improvements

Water Improvements

Reuse Water Improvements

TOWN FACILITIES:

Construction for Library and Children's Library Renovations

INFORMATION TECHNOLOGY:

Town Fiberoptic Wide Area Network Project

TRANSPORTATION SYSTEM:

Rolling Acres Road from CR 466 to Griffin Ave.

SR 500/441 — Upgrade and expansion to six lanes from Lake Ella Road to Avenida Central

Lake Ella Road — New Alignment from April Hills Blvd. to US 27/441

PUBLIC SCHOOL FACILITIES:

Villages Elementary School Capital Renewal (Carryover)

PARKS AND RECREATION FACILITIES:

New Lady Lake Recreation Center

Installation of New Fence at Harry Sacks Field

TABLE 8-1: PEDESTRIAN MOBILITY IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	2025/26 Budget Year	2026/27 Budget Year	2027/28 Budget Year	2028/29 Budget Year	2029/30 Budget Year	Fund Source
Sidewalk Installations	C	$750,000	Design Construction	$750,000					CDBG Grant
Total		**$750,000**		**$750,000**					

TABLE 8-2: WATER, WASTEWATER, AND STORMWATER SYSTEM CAPITAL IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	2025/26 Budget Year	2026/27 Budget Year	2027/28 Budget Year	2028/29 Budget Year	2029/30 Budget Year	Fund Source
Engineering for Utilities Improvement Projects		$7 M	Design	$3 M	$2 M	$2M			Utilities Fund / State Revolving Fund Loan
Wastewater Improvements		$70 M	Construction		$30 M	$20 M	$20 M		UT Fund /SRF Loan
Water Improvements		$4 M	Construction				$4M		UT Fund /SRF Loan
Reuse Water Improvements		$4 M	Construction			$4 M			UT Fund / SRF Loan
Total		**$85 M**		**$3M**	**$32M**	**$26 M**	**$24 M**		

TABLE 8-3: TOWN FACILITIES CAPITAL IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	2025/26 Budget Year	2026/27 Budget Year	2027/28 Budget Year	2028/29 Budget Year	2029/30 Budget Year	Fund Source
Library Renovation Project for GM/IT/and Library Services	C	$550,000	Construction	$550,000					Sales Surtax
Total		**$550 ,000**		**$550,000**					

1 **TABLE 8-4: PARKS AND RECREATION CAPITAL IMPROVEMENTS**

Project	Imp. Category	Estimated Cost	Phase	2025/26 Budget Year	2026/27 Budget Year	2027/28 Budget Year	2028/29 Budget Year	2029/30 Budget Year	Fund Source
New Lady Lake Recreation Center	B	$50,000	Conceptual Design	$50,000					P&R Impact Fees
Installation of New Fence at Harry Sacks Field	C	$100,000	Construction	$100,000					General Fund
Total		**$150,000**		**$150,000**					

1 **TABLE 8-5: TRANSPORTATION IMPROVEMENT SCHEDULE**

Project	Imp. Category	Type of Work	Estimated Costs	2025/26 Budget Year	2026/27 Budget Year	2027/28 Budget Year	2028/29 Budget Year	2029/30 Budget Year	Fund Source
Rolling Acres Road from CR 466 to Griffin Ave.	A	Widen to four lanes, add curb and gutter	$900,000	$900,000 PD&E					FDOT
Rolling Acres Rd from CR-466 to Griffin Avenue	A	Widen to 4-lane, add curb & gutter 7,920 linear feet	$2,250,000	$450,000 PD&E		$800,000 ROW	$500,000 ROW	$500,000 ROW	LC-Road Impact Fees
SR 500 (US 441) from Lake Ella Road to Avenida Central	A	Add lanes, reconstruct 4.157 miles	$235,395	$9,809 Engineering $225,586 Construction					FDOT
Lake Ella Road C6604 from April Hills Blvd. to US 27/441	A	New Alignment 2,640 linear feet	$100,000			$100,000 ROW			Road Impact Fees
Total			**$3,485,395**	**$1,585,395**	**$0**	**$900,000**	**$500,000**	**$500,000**	

TABLE 8-6: PUBLIC SCHOOLS IMPROVEMENT SCHEDULE

FIVE YEAR CAPITAL WORK PLAN (FY 2026-2030)
September 8, 2025

Proposed New School Construction Projects	Imp. Category	Carryover	FY2025-26	FY2026-27	FY2027-28	FY2028-29	FY2029-30	5 Year Total
Villages Elementary School Capital Renewal	D	$3,391,644						LCSB $3,391,644
Subtotal		**$3,391,644**						**$3,391,644**

TABLE 8-7: INFORMATION TECHNOLOGY CAPITAL IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	2025/26 Budget Year	2026/27 Budget Year	2027/28 Budget Year	2028/29 Budget Year	2029/30 Budget Year	Fund Source
Town Fiberoptic Wide Area Network Project	C	$1,685,000	Installation of Conduit	$330,000	$340,000	$320,000	$375,000	$320,000	General Fund
Total		**$1,685,000**		**$330,000**	**$340,000**	**$320,000**	**$375,000**	**$320,000**	**$1,685,000**