



Agenda-Revised
Crystal River City Council
Regular Council Meeting
Monday, October 8th, 2018 @ 7:00 p.m.
Council Chamber, City Hall

Jim Farley, Mayor
Ken Brown, Council Seat #1/ Vice Mayor
Mike Gudis, Council Seat #2
Pat Fitzpatrick, Council Seat #3
Robert Holmes, Council Seat #5

Dave Burnell, City Manager
Jennifer Rey, City Attorney
Mia Fink, City Clerk

NOTICE TO PUBLIC

Any person who decides to appeal any decision of the Governing Body with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to provide that a verbatim record of the proceeding is made, which record includes testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

Any person requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the City of Crystal River, City Manager's Office, 123 N.W. Highway 19, Crystal River, Florida, 34428 (352) 795-4216, at least two (2) days before the meeting.

GENERAL MEETING PROCEDURES

1. In consideration of others, we ask that you follow a few basic rules:
 - A. Please turn cell phones off, or place on vibrate. If you must make a call, please step out into the hallway, in order not to interrupt the meeting.
 - B. If you must speak to someone in the audience, please speak softly or go out into the hallway, in order not to interrupt the meeting.
 - C. Personal comments/remarks, directed to Council or the public, are not allowed and are considered out of order.
2. Public comment is allowed two (2) times during the Council meeting:
 - A. **Public Input:**
The general public will be allowed three (3) minutes to speak during the *Public Input* section at the beginning of the meeting. The topic is open.
 - B. **Public Input:**
The general public will be allowed five (5) minutes to speak during the *Public Input* section at the end of the meeting. The topic is open.

1. CALL TO ORDER

- A. Roll Call.....City Clerk Fink
- B. Invocation.....Council member Holmes
- C. Pledge of Allegiance.....Mayor Farley
- D. Recognition of Elected Officials in Attendance.....Mayor Farley

2. ADOPTION OF AGENDA

3. PRESENTATIONS

- A. Guardianship Month Proclamation.....Al Rothstein, Florida State Guardianship Association
- B. Breast Cancer Awareness Month Proclamation.....Mayor Farley
- C. City Hall Feasibility Preliminary Results.....Long and Associates

4. UNFINISHED BUSINESS

5. APPROVAL OF CONSENT AGENDA

- A. Motion to approve minutes from the Special Council meeting held September 25, 2018
- B. Motion to approve a special event permit application and road closure request submitted by the Citrus County Chamber of Commerce for the 2018 Christmas Parade
- C. Motion to approve waiver of open container restriction and road closure request for the 2018 Christmas Tree Lighting Festival

6. PUBLIC INPUT

(Time Limit of Three Minutes)

7. PUBLIC HEARING

- A. Consideration of approval of the proposed City of Crystal River Water Facilities Plan
- B. Motion to table consideration of draft Ordinance No. 18-O-04
- C. Motion to adopt Resolution No. 19-R-02 setting forth the public use and purpose for eminent domain proceedings to acquire property to be used for public parking and improved public access to local businesses

8. CITY ATTORNEY

9. CITY MANAGER

- A. Motion to approve FY2018-2019 Collective Bargaining Memorandum of Agreement between the City of Crystal River and the Carpenters Industrial Council, UBC Local Union Number 2038 to amend the current collective bargaining agreement effective October 2016 – September 30, 2019

- B. Motion to approve an amendment to the existing employee vacation accrual as outlined within the City of Crystal River Human Resource Policy Manual, Article 11E, Annual Leave to bring consistency and fairness to all City Staff
- C. Discussion on Draft Noise Ordinance
- D. Discussion on draft ordinance related to lawn maintenance, including amendments to Chapter 10, "Health, Sanitation, and Public Welfare", "Article I, In General" and Chapter 14 "Streets and Sidewalks", Article III, "Private Yards and Lots"
- E. Motion to approve a professional services agreement with Greenman-Pederson, Inc. in a not-to-exceed amount of \$25,000.00 for engineering services during construction of the US-19 widening utility relocation project
- F. Discussion on Two Septic to Sewer Projects in the approval process with DEP and SWFWMD
- G. Motion to ratify proclamation pertaining to a declared emergency due to Tropical Storm Michael
- H. Motion to adopt Resolution No. 19-ER-01 authorizing emergency appropriations in the amount of \$200,000.00
- I. Motion to adopt Resolution No. 19-ER-02 authorizing additional emergency funding in the amount of \$300,000.00 for a total of \$500,000.00 to hire contractors and professional services related to clean-up and recovery, including debris removal for commercial businesses in the event that damages are sustained from Tropical Storm Michael

10. CITY COUNCIL

11. COMMITTEE REPORTS

- A. Mayor Farley
 - *Waterfronts Advisory Board*
- B. Vice Mayor Brown
 - *Withlacoochee Regional Water Supply Authority*
 - *Crystal River Main Street*
- C. Council member Fitzpatrick
 - *Metropolitan Planning Organization*
 - *Three Sisters Springs Coordination Committee*
- D. Council member Gudis
 - *Tourist Development Council*
 - *Library Governing Advisory Board*
 - *Florida League of Cities*
 - *Citrus County Community Charitable Foundation Board*

- E. Council member Holmes
 - *Keep Citrus County Beautiful*
 - *Springs Coast Steering Committee*

12. COMMUNICATIONS

13. COUNCIL MEMBER REPORTS

- A. Mayor Farley
- B. Vice Mayor Brown
- C. Council member Fitzpatrick
- D. Council member Gudis
- E. Council member Holmes

14. PUBLIC INPUT

(Five Minute Time Limit)

15. ADJOURNMENT

City of Crystal River



Minutes from the
Special Council Meeting held
Tuesday, September 25th, 2018
@ 6:00 p.m.



**Minutes of the
Crystal River City Council
Special Meeting
Tuesday, September 25th, 2018 @ 6:00 p.m.
Council Chamber, City Hall**

1. CALL TO ORDER

Mayor Farley called the meeting to order at 6:00 p.m.

Council Members Present: Mayor Farley, Council member Gudis, Council member Holmes.

Council Members Absent: Vice Mayor Brown, Council member Fitzpatrick.

Staff Present: City Manager Burnell, City Attorney Felice, Finance Director Michelle Russell, City Clerk Fink, Assistant City manager Jack Dumas, Special Events Coordinator Leslie Bollin

Mayor Farley led in the Pledge of Allegiance.

2. ADOPTION OF AGENDA

Motion to adopt the agenda was made by Council member Gudis; seconded by Council member Holmes. Motion carried 3-0.

3. PUBLIC INPUT

(Time Limit of Three Minutes)

Jim Baumstark-619 SW Kings Bay Drive- Discussed his educational and employment background related to nuclear engineering, and impacts to local economy caused by nuclear plant decommissioning by Duke Energy. He discussed potential impact funding from Duke Energy, noting a large settlement won by the state of California for a similar shutdown, potential political barriers and need for action to obtain such funding.

Council discussion was held with staff confirming the option would be explored and suggesting that Mr. Baumstark approach the county.

Mayor Farley requested staff contact Senator Simpson regarding potential funding.

Keith Raym-1290 NW 19th Court- yesterday discussion regarding enhanced police protection- you said something about hiring additional officers for certain events- you said you paid for police cars to be on private properties for business- no- we specifically pay for so many officers, clerks, and SO, CRO, Captain, Detective- I thought it was in addition- comment- last night discussion on 354,000 to pay for outstanding program for Hidden Lakes by mall- love CCSO- do an outstanding job- 2,600 per day to have CCSO enhanced law enforcement services- not sure if it's worth it- if we need to find 354,000- let's postpone CCSO contract for 5 months- would cover hidden lake cost- astonished we are paying that since CCSO said they don't do code enforcement-

Dave- I did follow up with Scotty- he has ensured they have all reviewed and understand the contract- each city has various issues due to CCSO rural support role- cities are urban –

Gudis- It's an issue we have talked about for years. If you want more information – we can supply all the history and background on it-

4. PUBLIC HEARING

Background: [Agenda Sheet Requested Motion(s):

A. Adoption of Resolution No. 18-R-20 Setting a Final Millage Rate of 4.5 Mills for FY 2018/2019.

B. Adoption of Resolution No. 18-R-22, Adopting the Final Budget for FY 2018/2019.

C. Adoption of Resolution No. 18-R-21, Adopting the Final Budget for the Community Redevelopment Agency for FY 2018/2019.

Summary: State statutes establish certain procedural steps that must be followed in adopting the City budget. Two public hearings are required, and the calculation/discussion of a rolled-back rate must be the first substantive issue discussed at the public hearings. At the second public hearing, adoption of the final millage rate and the final budget must be by separate votes, with the final millage rate being adopted prior to the adoption of the final budget.

The roll-back rate for FY 2018/2019 has been determined to 4.2618 mills. The millage rate being proposed for FY 2018/2019 is 4.5 mills, reflecting no increase from the adopted rate for FY 2017/2018. The final General Fund budget for FY 2018/2019 totals \$4,776,466.

A copy of the final FY 2018/2019 budget documents were provided previously at the First Public Hearing, as was a budget transmittal memorandum; please let staff know if another copy is needed. Budget detail material has previously been presented to Council during budget workshops.

Staff Recommendation: Staff recommends approval of the three proposed resolutions.
End of Agenda Sheet]

A. Adoption of Resolution No. 18-R-20 Setting a Final Millage Rate of 4.5 Mills for FY 2018/2019
Motion to adopt Resolution No. 18-R-20 Setting a Final Millage Rate of 4.5 Mills for FY 2018/2019 was made by Council member Holmes; seconded by Council member Gudis.

Public Hearing:

Bob Froehling- 1360 NW 19th Court- Inquired about increased revenue amount, and staff confirmed the increase was not based on a millage increase, but as a result of increased property values and new construction.

Motion carried 3-0.

B. Adoption of Resolution No. 18-R-22, Adopting the Final Budget for FY 2018/2019

Motion to adopt Resolution No. 18-R-22, Adopting the Final Budget for FY 2018/2019 was made by Council member Gudis; seconded by Council member Holmes.

Public Hearing: No one spoke for or against the ordinance.

Council member Gudis noted that in spite of increased costs the millage remains unchanged due to proper allocation of costs.

Motion carried 3-0.

C. Adoption of Resolution No. 18-R-21, Adopting the Final Budget for the Community Redevelopment Agency for FY 2018/2019 on

Motion to adopt Resolution No. 18-R-21, Adopting the Final Budget for the Community Redevelopment Agency for FY 2018/2019 was made by Council member Holmes; seconded by Council member Gudis.

Public Hearing:

Bob Froehling- 1360 NW 19th Court-Inquired about total dollar amount of the CRA budget, with staff confirming the amount of \$3,301,207.00

Motion carried 3-0.

5. ADJOURNMENT

Mayor Farley adjourned the meeting at 6:21 p.m.

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 5B

Requested Motion: Motion to approve a special event permit application and road closure request submitted by the Citrus County Chamber of Commerce for the 2018 Christmas Parade.

Summary: The Chamber of Commerce has submitted a special event permit for the 2018 Christmas Parade, which will be on Saturday, December 1st at 6:00pm. The parade will follow the same route as previous years with floats entering Highway 19 from Citrus Avenue South. This event will involve road closures for Citrus Avenue South, Highway 19, NE 5th Street, NE 4th Street, and NE 2nd Avenue from 12:00-10:00pm.

Staff Recommendation: Staff recommends approval.

Funding Information:

Project Cost:

Funding Source:

Amount Available:

Finance Department Approval: _____

Approvals:



Originating Department



City Manager

City Attorney (if applicable)

Attachments: Special Event Permit and Road Closure Request

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

APPLICANT INFORMATION	
ORGANIZATION NAME	Citrus County Chamber of Commerce
CONTACT PERSON #1	Lisa Calderone
TITLE	Special Events Manager
ADDRESS	915 North Suncoast Boulevard Crystal River, FL 34429
PHONE NUMBERS	352-795-3149
E-MAIL ADDRESS	lisa@citruscountychamber.com
CONTACT PERSON #2	Josh Wooten
TITLE	President/CEO
ADDRESS	915 North Suncoast Boulevard Crystal River, FL 34429
PHONE NUMBER	352-795-3149
E-MAIL ADDRESS	josh@citruscountychamber.com
ORGANIZATION WEBSITE	www.citruscountychamber.com
IS ORG 501-C	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, must provide documentation
GROUP LIABILITY INS.	<input type="checkbox"/> YES <input type="checkbox"/> NO
INSURED COMPANY	
POLICY NUMBER	
<p>General liability insurance is required naming the City of Crystal River as additional insured. Limits of liability should be no less than \$1,000,000.00 each occurrence combined single limit for bodily injury and property damage. If food is being served, product liability must be included. If the event is approved for alcohol sales, insurance must include an alcohol endorsement.</p>	

EVENT INFORMATION	
NAME OF EVENT	Crystal River Christmas Parade
TYPE OF EVENT	Parade
EVENT DATE(S)	December 1, 2018
EVENT TIMES	1:00 p.m. 10:00 p.m.
EVENT DATE(S)	
EVENT TIMES	
EVENT LOCATION	Citrus Avenue to Fort Island Trail, Three Sisters Springs to Highway 19
ADDRESS	
DESCRIPTION OF EVENT	Staging begins at 2:00 p.m., the parade begins at 6:00 p.m. Approximate end time is 9:30 p.m.

# OF PEOPLE EXPECTED				
FEES INVOLVED	ENTRANCE	\$ 0 - \$50	DONATION	\$
	VENDOR	\$	BOOTH	\$
	OTHERS	\$		
PROCEEDS BENEFIT	Citrus County Chamber of Commerce			
OPEN TO THE PUBLIC	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO		
FOOD SALES	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO		
ALCOHOL SALES	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO		
REQUESTING OPEN CONTAINER WAIVER	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO		
MERCHANDISE VENDORS	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO		
MUSICIANS	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO		

EVENT SERVICES			
REQUESTING CITY PROPERTY FOR EVENT	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, list property name and address below
	PROPERTY ADDRESS	Address unknown - The Scow lot	
REQUESTING ELECTRIC FROM CITY SITES	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
LOCATION(S)			
WASTE PLAN	Event trash boxes throughout staging areas		
WASTE HAULER	Per City contract with waste hauler		
RESTROOM FACILITIES	<input type="checkbox"/> ON PROPERTY	<input type="checkbox"/> PORTABLE FACILITIES	
	If portable, Company name		
# OF RESTROOMS	12	# OF HANDICAPPED	2
SECURITY	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	If alcohol is served, CCSO must be hired
SECURITY COMPANY	Citrus County Sheriffs Office		
# OF PERSONS	Per CCSO recommendation		
PARKING LOCATION(S)	1. Residential/Commercial Area on N.E. 4th St. and N.E. 5th St.		
	2. Open in areas authorized for public use.		
	3.		
TOTAL SPACES	100		
HANDICAPPED SPACES	Unknown		
If parking location is insufficient on site, parking arrangement letter(s) may be obtained from owner(s), renter(s) of additional parking sites. Letter must state permission from owner(s)/renter(s), date(s) of event, and number of handicapped and regular parking spaces provided.			
OTHER SERVICES			

APPLICATION CHECKLIST	
SITE PLAN (including)	A layout of the event site showing all structures with respect to existing buildings, property lines, roads, and walkways. A Google earth aerial map or other source will work as a base map.
	Proposed ingress and egress
	Tents, vendor booths; including food and beverage, restrooms, portable toilets, drinking fountains, tables, and rides.
	Parking areas: including number and location of handicapped spaces (must be 1 for every 25 regular spaces)
	Electrical hook ups
	Support vehicle locations and number of vehicles
	Signage
	Parade routes
Certificate of liability insurance, as stated above.	
501 (c) 3 Determination letter- <i>if applicable</i>	
Liquor license	
Signed documentation of contact with businesses and/or residents directly impacted by event. Private property letter of consent	
Road closure request form	
Signage request (outside of code ordinance)	
Meeting with City staff if required	
Additional parking location letter(s)	
Tent permit, if applicable	
Special event fee, <i>due after approval of event by council</i>	

SPECIAL EVENT FEE SCHEDULE			
Non-Profit		For-Profit	
Special Event	\$50.00	Special Event	\$150.00
Festival, with road closures and/or alcohol sales	\$250.00	Festival, with road closures and/or alcohol sales	\$500.00
<p><i>Special event fees are due immediately following approval of the event from the City of Crystal River council. Failure to submit payment within 15 days after receipt of invoice may result in cancellation of event.</i></p>			

**CITY OF CRYSTAL RIVER
SPECIAL EVENT PERMIT
AGREEMENT**

The City of Crystal River issues a Special Event Permit to
Citrus County Chamber of Commerce

(a ___ person, X corporation, ___ partnership), hereinafter called "the Permittee," for a special event, described as

the Crystal River Christmas Parade,

to be held on the 1st day of December, 2018 until the
1st day of December, 2018, during the hours of
1:00 p.m. - 9:30 p.m.

The permittee has received the statement of the estimated cost of providing city personnel and equipment. The permittee will prepay these estimated costs for city services and equipment ten (10) days prior to the permitted special event.

The permittee shall be responsible for the property used for the event and will insure that the event area will be properly cleaned and restored and acknowledges that the permittee will be billed for the actual cost by the city for clean up and restoration

The clean-up deposit shall be returned after the event in a timely manner if the area was properly cleaned and restored.

The permittee shall be responsible and answerable to damages for any and all loss, damage or injury, together with the costs and expenses incidental thereto, arising out of or due to the negligence of the permittee, or any of the permittee's agents, employees, or volunteers in providing or failing to provide adequate care during the use of the City's water supply service, or other city property and facilities.

As a permittee, I do understand that a revocation of permit may be required according to section 3.94 of The City of Crystal River Code of Ordinances.

The permittee shall call for an inspection to assure compliance with all permitting conditions prior to opening the special event.

If litigation is necessary to enforce this agreement or to collect money due according to the terms of this agreement, The City of Crystal River shall be entitled to an award of all costs incurred incident to such litigation, including reasonable attorney's fees, both in trail and on appeal.

This agreement shall bind and insure to the benefit of the parties hereto, their respective heirs, personal representatives, successors and assignees.

Witness their hands and seals this day and year.

Date: 9-12-18

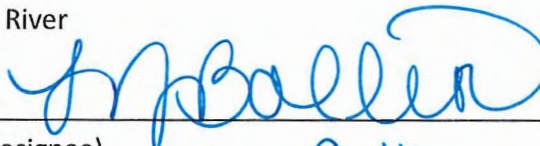
Permittee: Citrus County Chamber of Commerce
(Name of Organization)

Signed By: 
(Contact person)

Print Name: Lisa Calderone

Print Title: Special Events Manager

City of Crystal River

Signed By: 
(City Designee)

Print Name: Leslie Bollin

Print Title: S.E.C.

IF PERMITTEE IS A CORPORATION OR PARTNERSHIP:

PAYMENT OF ALL SUMS DUE HEREUNDER IS HEREBY PERSONALLY GUARANTEED BY THE UNDERSIGNED.

Signature _____

Date _____

Lisa Calderone
Printed Name

Address:
915 North Suncoast Boulevard

Telephone:
352-795-3149

Crystal River, FL 34429

E-mail:
lisa@citruscountychamber.com

RECEIVED
SEP 14 2018

Office Use Only

Date Received: _____ By: M. Baltus

Via: E-mail Fax In Person Mail

Office Use Only

City Staff Approval

[Signature]

9/14/18

Sheriff's Department

Date

typo here - Sheriff's Department

[Signature]

Fire Department

Date

[Signature]

9-25-18

Community Planning

Date

Code Enforcement

Date

Public Works

Date

[Signature]

9.25.18

Special Events

Date

City Manager/City Clerk

Date

Council Date: October 8, 2018

Approved _____ Denied _____

ROAD CLOSURE INFORMATION			
EVENT NAME	Crystal River Christmas Parade		
DATES OF CLOSURES	December 1, 2018		
	From	From	From
TIMES OF CLOSURES	2:00 p.m.	10:00 p.m.	
<i>Include set up and breakdown in dates and times</i>			
REQUESTED ROAD #1	Three Sisters Springs Boulevard (near Post Office)		
START	2:00 p.m.		
END	6:00 p.m.		
REQUESTED ROAD #2	Citrus Avenue (Bayside)		
START	5:00 p.m.		
END	9:00 p.m.		
REQUESTED ROAD #3	N.E. 3rd St., N.E. 4th St., N.E. 5th St.		
START	3:00 p.m.		
END	9:00 p.m.		
REQUESTED ROAD #4	Suncoast Boulevard (Citrus - Ft. Island Trail)		
START	5:45 p.m.		
END	9:00 p.m.		
REQUESTED ROAD #5	S.E. Three Sisters Springs Blvd. & S.E. Paradise Point		
START	6:00 p.m.		
END	10:00 p.m.		

Water Barricades	
<p>Any events with road closures require the use of water barricades for public safety. The organization planning the event is responsible for rental, placement, filling and emptying of barricades and clearing them from the roadway after the event. Each event will be evaluated by CCSO and The City of Crystal River to determine proper placement of the barricades. City of Crystal River Fire Department can be hired to fill barricades at the following cost:</p> <p style="text-align: center;">\$125 for Fire Truck \$4.76/1000 gallons of water</p>	
BARRICADE COMPANY	
DELIVERY DATE	
DELIVERY LOCATION	
FINAL ROAD CLOSURE TIME	

Road Closure map required with this permit

Road closure requests must be submitted with special events permits and are approved when special event permits are approved by The City of Crystal River Council.

OUTSIDE CODE ORDINANCE SIGNAGE REQUESTS

Sign #1	Banners
# Requested	2
Location(s)	U.S. 19 & Citrus Avenue, in front of Welcome Ctr.
Size	
Sign #2	Lawn Signs
# Requested	12
Location(s)	44 & 19, 486 & 44, in front of Welcome Ctr., Venable & 19, CR Mall, tbd
Size	
Sign #3	
# Requested	
Location(s)	
Size	
Sign #4	
# Requested	
Location(s)	
Size	
<p>Signage requests must be submitted with special events permits and applies to signs your event is requesting to put up outside the parameters of your event or prior to your event date. Signage used inside your event space during the dates of the event does not need to be included. Event signage may be placed 1 day prior to the event start date within a 1 mile radius of the event location. Yard signs will be limited to 18"x24" and cannot obstruct the view of traffic in any way. Signage must be removed 1 day following your event.</p>	

DEBARKATION AREA



PORTALET & TRASH RECEPTACLE MAP (Citrus Ave. Side)

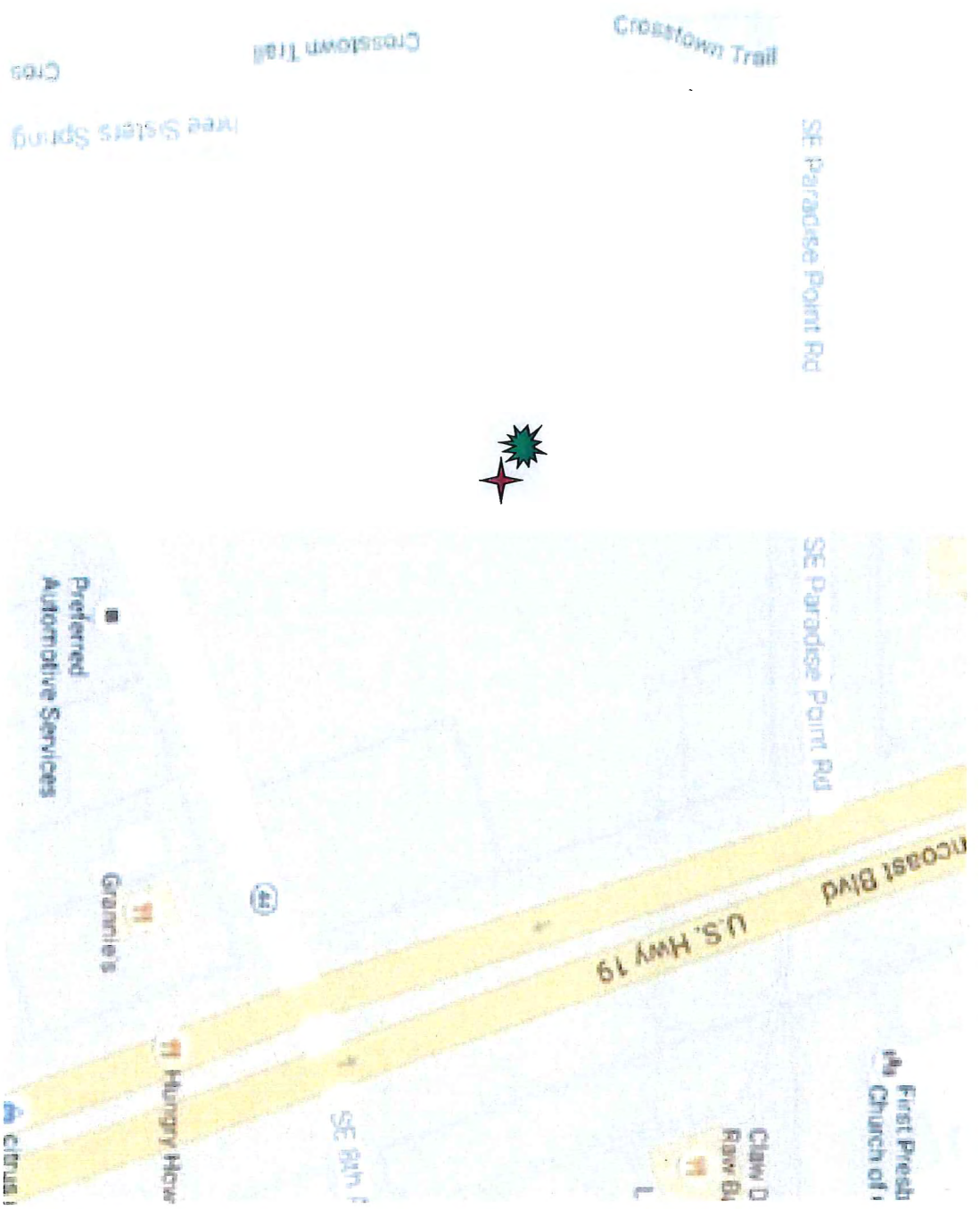



★ = Trash Receptacles

★ = Portallets

Note: Trash receptacles will be moved to Citrus Ave by the end of the evening

PORTALET & TRASH RECEPTACLE MAP (Fort Island Trail Side)



 = Trash Receptacles

 = Toilets

MARK YOUR CALENDARS!

THE ANNUAL CHRISTMAS PARADE WILL
TAKE PLACE ON DECEMBER 1ST.



**PARADE FLOATS WILL LINE UP ALONG
YOUR STREET. THEY HAVE BEEN
CAUTIONED NOT TO TRESPASS OR BLOCK
ANY DRIVEWAYS OR THEY WILL BE
EXCLUDED FROM FUTURE EVENTS.
IF THERE IS A PROBLEM, PLEASE LET US
KNOW!**

**HAPPY HOLIDAYS FROM THE
CITRUS COUNTY CHAMBER OF COMMERCE
915 N. SUNCOAST BLVD., CRYSTAL RIVER
(352) 795-3149
LISA@CITRUSCOUNTYCHAMBER.COM**

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 5C

Requested Motion: Motion to approve waiver of open container restriction and road closure request for the 2018 Christmas Tree Lighting Festival.

Summary: The Special Events Department is requesting approval of a waiver of open container for the Christmas Tree Lighting Festival on Friday, November 30, 2018 from 3:00pm-9:00pm. The event will be the same layout as last year with the same expansion around Little Springs Park to include NW 7th Street and NW 2nd Avenue into the Duck Pond Area. They are also requesting road closures for Citrus Avenue from Highway 19 to Crystal Street, NW 1st Avenue from Highway 19- Crystal Street all of NW 7th Street and NW 3rd Avenue from the Sheriff's Department to NW 7th Street.

Staff Recommendation: Staff recommends approval.

Funding Information:

Project Cost:

Funding Source:

Amount Available:

Finance Department Approval: _____

Approvals:



Originating Department



City Manager

City Attorney (if applicable)

Attachments: Road Closure Request and Map

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____



CITY OF CRYSTAL RIVER

Special Event Permit

Road Closure &
Signage Request Form

OUTSIDE CODE ORDINANCE SIGNAGE REQUESTS

Sign #1	Banner
# Requested	2
Location(s)	Spirit Lot and City Hall
Size	8' x 4'
Sign #2	
# Requested	
Location(s)	
Size	
Sign #3	
# Requested	
Location(s)	
Size	
Sign #4	
# Requested	
Location(s)	
Size	

Signage requests must be submitted with special events permits and applies to signs your event is requesting to put up outside the parameters of your event or prior to your event date. Signage used inside your event space during the dates of the event does not need to be included. Event signage may be placed 1 day prior to the event start date within a 1 mile radius of the event location. Yard signs will be limited to 18"x24" and cannot obstruct the view of traffic in any way. Signage must be removed 1 day following your event.

CRYSTAL RIVER CITY COUNCIL

Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 7A

Requested Motion: Motion to adopt Resolution No. 19-R-01 relating to the State Revolving Fund loan program approving the "City of Crystal River Water Meter Upgrade Facilities Plan" dated October, 2018; authorizing the submittal of the loan application to the Florida Department of Environmental Protection; authorizing the loan agreement; establishing pledged revenues; designating authorized representatives; providing assurances; and providing for conflicts, severability, and an effective date.

Summary: On May 29, 2018 Council authorized Florida Rural Water Association (FRWA) to proceed with providing technical assistance related to the development of an application package to the Drinking Water State Revolving Fund (DWSRF) for a low-interest loan for a water meter replacement project including lead gooseneck mitigation, backflow assemblies, a leak detection study, and additional water main isolation valves; FRWA is making excellent progress.

The request before Council this date serves to meet FDEP's requirement to hold an advertised public hearing and also seeks adoption of a Resolution tailored after an FDEP/DWSRF template. Proposed Resolution No. 19-R-01 sets forth certain SRF loan criteria such as: approves the attached Facilities Plan; authorizes the submittal of the loan application; authorizes the loan agreement (which, upon completion, will be submitted to legal for review); establishes pledged funds from water and sewer utility revenues; designates the authorized representative, etc.

In August, 2018 this project (Project Number DW09024) was included in the SRF loan priority list and funding for pre-construction activities in the amount of \$70,000.00 was approved at that time. FDEP also awarded a generous 50% principal forgiveness reducing the City's pay back obligation to \$35,000.00

Upon completion of the bid documents (which is expected to occur within the next 30 – 45 days), the loan application to fund the construction phase of the project will be submitted for consideration during FDEP's February 2019 project prioritization hearing. Once that application is submitted, the evaluation process will dictate the amount of principal forgiveness (if any) to be applied to this project.

Facilities Plan: For the purpose of being able to demonstrate the enterprise fund's solvency and being able to repay the loan, which is estimated to be roughly \$4.1M, conventional methodologies were applied to our 3,200 equivalent residential units (ERUs). As best shown on Page 19 of the Facilities Plan, this calculation results in an apparent necessary monthly rate increase of \$1.94 (based on 70% principal forgiveness) to \$6.46 (assuming no forgiveness) per ERU to cover the increased debt service resulting from this project. This assumption is if no improve water loss occurs from this project.

However, since the City experiences a chronic 37% water loss (water that leaves the water treatment plant but is not reflected in the meter tally), it is reasonable to assume based on meter testing that a portion of that loss is being missed due to inaccuracies in the City's current meters; it is also reasonable to assume that a fraction is lost through undetected underground leaks.

More accurate reads resulting from new state-of-the-art meters is expected to result in increased revenues from both the water and wastewater components of the monthly bill. Also, since this project includes a professional \$75,000 leak detection study, future leak repairs will decrease the cost to produce water --- also improving the bottom line. The net effect of these two actions will result in a shortened rate of return and will most likely significantly reduce the rate increase projections predicted in the current planning documents.

Attach: Resolution No. 19-R-01; "City of Crystal River Water Meter Upgrade Facilities Plan" dated October, 2018


Staff Recommendation: Approve the Resolution as presented.

Funding Information: Pre-design Project Cost: \$35,000.00 (loan amount, 50% principal forgiveness has been applied)
Funding Source: 403-43642-63000-18-09 (W&S CIP Meter Replacement)
Amount Available: \$4,054,813.00

Finance Department Approval: _____

Approvals:

Originating Department



City Manager

City Attorney (if applicable)

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

RESOLUTION NO. 19-R-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; APPROVING THE “CITY OF CRYSTAL RIVER WATER METER UPGRADE FACILITIES PLAN” DATED OCTOBER, 2018; AUTHORIZING THE SUBMITTAL OF THE LOAN APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, The City of Crystal River has determined that the drinking water distribution system improvements recommended in the “City of Crystal River Water Meter Upgrade Facilities Plan” dated October, 2018 are in the best interest of the citizens; and

WHEREAS, The City of Crystal River has examined the “City of Crystal River Water Meter Upgrade Facilities Plan” dated October, 2018 prepared by Florida Rural Water Association in conjunction with the City of Crystal River and U.S. Water Services Corporation and has discussed the results and recommendations at an advertised Public Hearing; and

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of improvements to drinking water distribution facilities; and

WHEREAS, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative, to provide assurances of compliance with loan program requirements, and to enter into a loan agreement; and

WHEREAS, the State Revolving Fund loan priority list designates Project No. DW09024 as eligible for available funding; and

WHEREAS, the City of Crystal River, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund (SRF) for project financing; and

WHEREAS; the “City of Crystal River Water Meter Upgrade Facilities Plan” dated October, 2018 has been deemed to be consistent with the adopted local Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER FLORIDA, AS FOLLOWS:

SECTION I. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION II. The City of Crystal River, Florida does hereby adopt the “City of Crystal River Water Meter

Upgrade Facilities Plan" dated October, 2018 attached hereto and incorporated herein by reference.

SECTION III. The City Manager is hereby authorized to submit the SRF loan application request on behalf of the City of Crystal River to the Florida Department of Environmental Protection to finance the Project.

SECTION IV. The revenues pledged for the repayment of the loan are net water and sewer system revenues after payment of debt service on the City's Series 2012 Water and Sewer System Refunding Revenue Bonds.

SECTION V. The City Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

SECTION VI. The City Manager is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The City Manager is hereby authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The City Manager is hereby authorized to delegate responsibility to appropriate City staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION VII. The legal authority to borrow moneys to construct this Project is 403.1835, Florida Statutes.

SECTION VIII. All resolutions or part of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION IX. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION X. This Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED THIS 8th DAY OF OCTOBER, 2018.
CITY OF CRYSTAL RIVER**

Jim Farley, Mayor

ATTEST:

Mia Fink, City Clerk

Approved as to form for the reliance
of the City of Crystal River only:

Jennifer Rey, City Attorney

Farley _____
Gudis _____
Fitzpatrick _____
Brown _____
Holmes _____



City of Crystal River | FDEP

Water Meter Upgrade Facilities Plan

Florida Drinking Water State Revolving Fund (Chapter 62-552, F.A.C.) Rev. 7-17-17
Florida Statute 403.8532 "Drinking water state revolving loan fund; use; rules".



Florida Rural Water Association
October, 2018

FOREWORD

This document is intended to satisfy the requirements of the Florida Department of Environmental Protection (FDEP), Drinking Water State Revolving Fund (DWSRF) program water facilities plan for a small rural community with relatively simple water needs. The needs addressed for the City of Crystal River, within this plan include upgrading their drinking water metering infrastructure and associated appurtenances; this activity does not appear to have environmental constraints.

It is the intent of this plan to demonstrate a project which meet the requirements for FDEP DWSRF funding program. This plan is intended to provide the City with technical options and associated cost to implement corrective action to upgrade their meters and to identify potential environmental effects from implementing the program. The Facilities Plan follows the requirements of 62-552.700(4) F.A.C. The plan consists of evaluations relate to metering upgrades. The plan includes a review on the need for the proposed facilities, a systematic evaluation of feasible alternatives, an evaluation of the selected alternative to ensure it is cost-effective, i.e., is the most economical means of meeting established goals while recognizing environmental and social considerations.

Thomas A. Bryant

Thomas A. Bryant, PE

Florida Rural Water Association



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Drinking Water State Revolving Fund Planning Document Minimum Requirements for Water Meter Projects

1. Sufficient illustrative and descriptive detail of the project to identify project location and existing and proposed service areas. ([Section 1](#))
2. Description of the major components of the proposed project. ([Section 2](#))
3. The need or justification for the project and its environmental and economic impacts and benefits. ([Section 1](#))
4. Description of the existing water system and its performance. ([Section 2](#))
5. Discussion of any problems with the existing water system associated with water quality, public health hazards, low system pressure, inadequate capacity, or any other problems. Verify with most current FDEP Sanitary Survey Report. ([Section 3](#))
6. A projection of population and water demand (minimum 20-years) and present and historic water usage.
7. A description of the O&M program and the capacity (both managerial and technical) of the existing water system. ([Business Plan](#))
8. A cost comparison of at least two or three alternatives. ([Section 3](#))
9. Discussion of the various factors that affect the decision-making process that led to the “selected project alternative” and the rationale for selecting that alternative. ([Section 4](#))

10. A description of the recommended project estimated capital costs, estimated operation and maintenance costs, and repair and replacement costs. ([Section 4](#))
11. A project cost breakdown of selected alternative; the total cost should reflect the data used in the cost comparison of this project involves multiple phases, include the capital costs for each phase and the total project costs. ([Appendix A](#))
12. Documentation (i.e., copies of the Public Notice and meeting minutes) of the public meeting held to explain the project and the financial impacts to affected parties, including discussion on the opportunity for the public to participate in evaluating project alternatives. ([Appendix B](#))
13. A completed and signed business plan (see online to download the form), including the proposed system of charges, rates, fees, and other collections that will generate the revenues to be dedicated to loan repayment (e.g. user charge rates). ([Appendix C](#)) and ([Business Plan](#))
14. A schedule for implementing the proposed project. ([Section 4](#))
15. Adopting resolution or other action establishing a commitment to implement the planning recommendations. Public meeting must be held before the resolution. ([Appendix D](#))
16. Verification that construction permits are not required by the regulatory agency for the installation of water meters only. ([Section 4](#))

EXECUTIVE SUMMARY (FINDINGS AND RECOMMENDATIONS)

Study Area: This Facilities plan was prepared to meet the requirements of the State Revolving Fund (SRF) loan funding for drinking water metering system upgrade. The area considered in preparing this plan includes the City of Crystal River’s water utility service area. The planning period extends through the year 2022. This facilities plan addresses the need of the planning area in the year 2022. The City of Crystal River provides water service through 2,898 water meters, ranging in size from 5/8” to 2” and vary in service life age, many greater than 10 years.

Meter, Meter Box, Valve & Fittings	
5/8"	2,715
1"	69
1.5"	32
2"	70

The meters are located inside and outside the City limits, however all within the City’s utility service area.



The recommendations resulting from this study are consistent with both the City’s and the County’s Local Comprehensive Plans.

Facts and History: Water meters have an expected service life of 10 years (1.3 million gallons). The City's average daily flow is approximately 900,000 gallons, with a maximum daily flow of 2 million gallons. The City's non-revenue water (water lost between produced to delivered) is approximately 37%. The most recent drinking water system audit was conducted in September 27, 2016 by City Public Works for the South West Florida Water Management District's review and use, Water Use Permit Number 207.007. The City has an aging water infrastructure which includes meters, service laterals, valves and distribution mains. Portions of this infrastructure have exceeded its design life. Any activity related to meter replacement is considered maintenance of existing infrastructure and is not considered new construction.

Issues: Conservation of water use is critical to ensuring water resources are not depleted, and to maintain sustainable utility rates. Metering, leak detection and system reliability are critical elements of the infrastructure that directly affect water system conservation and utility rates.

The volume of water pumped, and water sold provides a measurement of system integrity. A water loss between pumped and sold of 10% or less is acceptable. The City system has a water loss of 37%. Many of the customer meters are beyond their service life and now register a less than acceptable volume delivered. City Staff determined that a complete system meter upgrade and leak detection survey is necessary to provide accurate water volume measurements and ensure water conservation. The results of installing new meters is expected to support improved non-revenue water and help identify additional system leaks and their severity. New meters will also capture lost revenue by accurately measuring water volumes delivered. Ancillary activities should be conducted during a water meter renewal and replacement (R&R) program and include service lateral and valve renewal and replacement as needed.

Options: Options include 1. Do nothing and 2. Renew and Replace the existing water meters as needed. With the high nonrevenue water recorded to date, regulatory agencies are encouraging the City to act now to correct the matter. The goal is to reduce the nonrevenue water from 37% to below 10%, thereby supporting source water protection, water conservation and energy conservation. To do nothing is not sustainable and is not in the rate payers' best interest. Upgrading water meters every 10 to 15 years is an industry standard practice among water utility purveyors. Accurate metering of water sold has numerous long-term advantages to the rate payer and the overall utility system (water and wastewater).

Recommended Option: the following elements of a meter renewal and replacement program are recommended for funding approval and implementation over the next three years.

Leak Detection: With over 50-miles of aging water mains and service leads, leaks can be expected in our system. Since minor leaks can go unnoticed for years and, due to our porous geography, even significant leaks may not reveal themselves at the surface, a difficulty exists in locating leaks.

Once existing leaks are discovered (or future main breaks occur), the installation of additional valves will allow crews to better isolate sections thereby minimizing the number of customers affected by the repair shut offs.

Meter Replacements: As meters age, they tend to run more slowly which results in inaccurate measurement. U.S. Water has flow tested random meters throughout the city and has concluded that under-reporting inaccuracies do in fact exist --- especially in the large commercial meters.

There are currently four methods available for water meter reading: manual read, touch read, Automatic Meter Reading (AMR), and Advanced Metering Infrastructure (AMI). Currently, roughly half of the City's meters are read by touch (a rod tip is placed in contact with a sending unit located on top of the meter box) but the other half must be read manually. A meter reader drives to the 3,000+ meter locations each month to perform a read --- an inefficient approach that leaves a significant carbon footprint (fuel costs alone are approximately \$200 per month). Also, safety is a consideration be it dogs or biting critters laid up in the meter box. The fact that meter readers also must traverse private property to read the meters located in rear yards, with fear of being mistaken for a trespasser is also a safety concern.

AMR uses 1990's drive-by radio technology that is unsupported and slowly being phased out. AMI, on the other hand, is a state-of-art wireless system that offers an investment in the future, provides more tools for improved customer service, offers better registering of flow, can provide live leak detection, remote disconnect and helps identify irregularities. Data is automatically sent to a customer information system that provides a platform through which residents can accurately track their hourly water usage, pay their utility bill, etc.

As water conservation continues to be a critical issue, giving customers a way to track usage helps them to recognize the value of this limited resource and better appreciate the effect careless consumption has on their pocketbook. Typical projected payback periods for AMI are a short 5 to 7 years. However, since a possibility exists for principal forgiveness, our return period could be as short as one year. With AMI systems having a lifecycle of 15 to 20 years, significant yields can be realized over this span.

Lead Goosenecks: Although the recent random sampling of household tap water did not reveal an indication of lead contamination, there is a strong possibility for the existence of lead goosenecks on our aging distribution system. U.S. Water has identified approximately 50 connections that should be investigated for lead pipe. As a stand-alone task, uncovering each service tap is onerous but the burden can be abated if performed in conjunction with a meter change out.

System Isolating Valves: Several system isolation valves have been identified as inoperative (unable to shut down). It is imperative to renew and replace such valves to isolate segments of the water system to perform maintenance and repairs. Valve replacement will support the water meter program.

Backflow Prevention Devices: Progressive communities elect to install or upgrade backflow prevention devices at the same time they upgrade the meter assembly. This device adds another level of protection to the overall drinking water system that is recognized as industry standard and prudent.

Cost of the Recommended Option: Technical services are expected to cost \$74,500.00 and construction is expected to cost \$3,980,563.24 for an overall program cost of \$4,054,813.24. The City plans to engage FDEP-SRF low interest funding for all allowable cost associated with the water meter replacement program. Assuming a 20-year term, 2% interest and a principal of \$4,054,813.24 the annual debt service is calculated to be \$247,979.07.

Water Utility rates will be proposed as the pledge revenue to meet this debt service. Using an equivalent residential connection (ERC – 5/8" meter equivalent) of 3,200 each ERC service could see an average monthly rate increase of approximately \$1.94 to \$6.46 to fund the annual debt service associated with the proposed meter change out program. The range in cost per meter is directly related to the amount of principal forgiveness offered which may range from 0% to 70%. As plans are developed, bids are received, and financing terms are established, this estimate will likely change.

1 INTRODUCTION

1.1 BACKGROUND

The City of Crystal River is responsible for the planning and implementation of the service area infrastructure needs. Water meters determine the drinking water volume, this volume is also applied at a ratio to determine the sewer volume for each service. Meters have an expected life of 10 years for accuracy. Water meters are also used to determine non-revenue water (water lost in the distribution system); this number is used by the Florida Water Management District to evaluate the Utility's management of source water.

1.2 NEED

The City's existing distribution system metering devices have exceeded their design life and should be replaced to improve accuracy in water consumption measurements. Water backflow devices are not common to all meters and are used to avoid water distribution system contamination by allowing water to move from the purveyor to the customer, however block/check the reverse direction.

The primary purpose of the FDEP DWSRF program is to assist sponsors in meeting the enforceable requirements of the Safe Drinking Water Act. Emphasis is placed on abatement of existing public health and compliance problems (water resources and water quality). There is a need to improve and replace the existing metering facilities to meet industry standards and address potential public health concerns associated with backflow.

1.3 SCOPE OF STUDY

The scope of the facilities plan is described below:

1. Inventory existing water metering devices within the service area.
2. Establish needs for the planning period.
3. Identify and evaluate various water meter device alternatives to satisfy the planning year needs.
4. Recommend the most cost-effective, environmentally sound options to meet the planning needs.
5. Describe, in detail, the recommended option and the cost.

6. Present a schedule of implementation of the recommended option.
7. Identify any associated adverse environmental impacts and propose mitigating measures.
8. Identify a source of financing and estimate the cost per equivalent residential connection (ERC).

2 DEVELOPMENT OF ALTERNATIVES

2.1 GENERAL

The prime objective of facilities planning is to develop and evaluate alternatives and then select the most cost-effective alternative. Note, however, that cost effectiveness is not strictly a monetary term, and the most cost-effective alternative need not necessarily be the lowest cost alternative (considering life cycle cost analysis). Rather, cost effectiveness includes consideration of a variety of quantitative and qualitative factors (economic, environmental, social, institutional), and selection of the action that meets water quality objectives, without overriding adverse impacts, at the lowest present-worth cost. The alternatives describe the relevant direct and indirect environmental impacts of the proposed action.

The alternatives for solving Crystal River's water metering issue includes an evaluation of 1) no action and 2) remove and replace (upgrade) existing meters. The planning year is also 2022. The capital and O&M costs along with the present worth of all alternatives are given in Appendix C.

The Options for the meter analysis include:

1. No Action.
2. Installing new meters

The Options for the backflow analysis includes:

1. No Action.
2. Install new backflow preventers

2.2 COST-EFFECTIVENESS

Present worth has been used to compare the various alternatives developed in this facilities plan. Present worth combinations for the viable alternatives incorporated the following considerations:

1. Planning period of 5 years.
2. A discount rate of 2% was used in this analysis (the current discount rate is published on the SRF's drinking water web-page).

3. Capital costs (construction, contingency, engineering, legal, fiscal, and administrative costs).
4. Operation and maintenance costs.
5. Salvage values based on appropriate useful lives of various project components is not applicable as meters have exceeded their design life and most backflow devices do not exist.
6. Costs are obtained from recent bids and sales representatives/consultants in the area.

2.3 WATER METER UPGRADE.

2.3.1 No Action

Under this alternative, the existing practice will continue, and the inadequate measurement of water metering devices will remain. The current water loss is measured at greater than 37%, resulting in concerns by the Water Management District as to misuse of water resources. Also, of concern is rate sufficiency with regards to drinking water and wastewater systems. This alternative (no action) is not viable and hence was rejected.

2.3.2 Install New Meters and Associated Appurtenances.

This alternative involves removing the existing water meters and upgrading the devices with new meters. The removal of existing meters and replacement of new meters will not cause any adverse impacts on the environment nor will it require additional land acquisition or easements.

2.4 INSTALL BACKFLOW DEVICES

2.4.1 No Action

Most of the backflow devices may not necessarily be required for most residential connections, however the backflow devices ensure drinking water system health and safety. It is believed the customer base desires to ensure water quality by installing these devices, therefore this alternative (no action) was rejected.

2.4.2 Install Backflow Device.

This alternative involves attaching a backflow device to the meter assembly. There are no adverse environmental impacts expected because of the implementation of this

alternative. This alternative is determined to be prudent with regards to ensuring water quality and safety will be enhanced by the installation of these devices.

2.4.3 Population

The City provides drinking water service within and outside of the city limits. The county population growth since 2010 has been and is projected to be:

- 2010 Census Count: 141,236
- 2017 Estimate: 143,801
- 2020 Projection: 147,600
- 2030 Projection: 157,700
- 2040 Projection: 164,900

The city’s population has been and is projected to be:

- 2010 Census Count: 3,108
- 2017 Estimate: 3,134

<i>Census</i>	<i>Pop.</i>	<i>%±</i>
<u>1890</u>	208	—
<u>1910</u>	663	—
<u>1920</u>	944	42.4%
<u>1930</u>	869	-7.9%
<u>1940</u>	927	6.7%
<u>1950</u>	1,026	10.7%
<u>1960</u>	1,423	38.7%
<u>1970</u>	1,696	19.2%
<u>1980</u>	2,778	63.8%
<u>1990</u>	4,044	45.6%
<u>2000</u>	3,485	-13.8%
<u>2010</u>	3,108	-10.8%
<i>Est. 2016</i>	3,138 ⁽²⁾	1.0%

Geography	April 1, 2010		Population Estimate (as of July 1)							
	Census	Estimates Base	2010	2011	2012	2013	2014	2015	2016	2017
Crystal River city, Florida	3,108	3,098	3,093	3,057	3,039	3,024	3,014	3,039	3,080	3,118

2.4.4 Drinking Water Demand.

It is assumed the drinking water demand will not increase through the study period and therefore remain at 788,725. Water loss is high and may be somewhat rectified with the installation of new meters, resulting in a potential lower future recorded/measured water demand.

Residential Water Service Category	Number of Dwelling Units	Number of Metered Connections	Annual Average (gpd)	% of Total	Documentation on an Attached Sheet
1. Single Family Dwelling Units	2,030	2,030	192,795	24.12%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Multiple Family Dwelling Units	23	23	9,288	1.16%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Mobile Home Dwelling Units	260	260	33,973	4.25%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Residential Irrigation Accounts	N/A	111	35,000	4.38%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Subtotal of Residential Service	2,313	2,424	271,056	33.91%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Non-Residential Water Service Category		Number of Metered Connections	Annual Average Gallons Per Day	% of Total	
6. Industrial/Commercial Uses		474	205,573	25.72%	
7. Agricultural Uses				0.00%	
8. Recreational/Aesthetic Uses				0.00%	
9. Golf Course Irrigation				0.00%	
10. Fire and Other Accounted Uses				0.00%	
11. SUBTOTAL (Add items 5 through 10)		2,898	476,629	59.62%	
12. Water Loss			322,773	40.38%	
TOTAL (Add items 11 and 12) (= line 5 on Part A)			799,725	100.00%	

3 THE SELECTED PLAN.

3.1 DESCRIPTION OF PROPOSED FACILITIES

The proposed water meter upgrade and backflow device installation includes installing approximately 2,900 devices at residential and commercial facilities. The primary drivers for this project include public health and safety, source water protection and rate stability.

3.1.1 Water Meters.

The selected meter uses Advanced Metering Infrastructure (AMI) technology which is an integrated system of smart meters, communications networks, and a data management system that enables two-way communication between utilities and customers.

AMI provides improved customer service, offers better registering of flow, provides real time leak detection, remote disconnect and helps identify system irregularities. Data is automatically sent to a customer information system that provides a platform through which residents can accurately track their hourly water usage and pay their utility bill. Typical projected payback periods for AMI is usually 5 - 7 years for the replacement of a direct read metering unit. The AMI systems is expected to have a lifecycle of 15 - 20 years, most direct read rotating plate systems have a lifecycle of 10 years.

City Staff is considering numerous metering devices that ultimately meet the need for: solid-state technology, totally encapsulated, weatherproof, UV-resistant housing, suitable for residential and light commercial use, easy-to-read, 9-digit display and no moving parts. A smart water meter that is capable of reporting water consumption, rate of flow, reverse-flow indication, and alarms that is AMR/AMI system capable.

3.1.2 Backflow Devices.

Progressive communities elect to install or upgrade backflow prevention devices at the same time they upgrade the meter assembly. This device adds another level of protection to the overall drinking water system that is recognized as industry standard and prudent. The Safe Drinking Water Act (SDWA) does not require public water systems to establish and maintain a backflow prevention or a cross-connection control program. Backflow contamination can be responsible for a water systems failure to maintain EPA's SDWA standards and a risk that the City would like to mitigate by the installation of backflow devices.

City Staff is considering numerous backflow devices that ultimately meet the need for: Double Check Valve Backflow Prevention that provides low hazard protection for all applications with plastic insert body, multiple shut-off valves and will integrate with the associated metering assembly and meter box.

3.2 ENVIRONMENTAL IMPACTS OF PROPOSED FACILITIES.

The short-term impacts during construction include increased noise levels, increased airborne particulates and surface run-off during rainfall on the site. Control measures will be implemented to minimize these temporary effects. The long-term impacts of the project are beneficial. The City will have adequate uninterrupted water supply.

The proposed project is within disturbed rights-of-way; it is likely that no significant adverse effects on wild and scenic rivers or on flora, fauna, threatened or endangered plant or animal species, prime agricultural lands, wetlands, undisturbed natural areas, or the socio-economic character of the area. The State Historic Preservation Officer has indicated that no archeological, historical or cultural sites are recorded in the area of construction.

3.3 COST TO CONSTRUCT FACILITIES.

The details of construction and the O&M costs for the project are presented in [Appendix A](#). The following presents the total project cost valuation, inclusive of the non-construction items.

Preconstruction Activity = \$74,250.00

Construction Activity = \$3,980,563.24

Total Estimated Cost = \$4,054,813.24

3.4 CONSISTENCY WITH THE COMPREHENSIVE PLAN.

The recommendation resulting from this study are consistent with both the City's and the County's local comprehensive plans.

4 IMPLEMENTATION AND COMPLIANCE

4.1 PUBLIC HEARING/DEDICATED REVENUE HEARING

A Public hearing will comply with the provisions of 40 CFR 25.5. The project sponsor shall hold a public hearing before formal adoption of its water facilities plan. The purpose of the hearing shall be to assure that the public can participate in the final evaluation of project alternatives and costs and that the sponsor fully considers the public's concerns, if any.

The project sponsor shall publish a notice of the hearing. The notice requirement may be met by publication in a local newspaper of general circulation, 45 days prior to the date of the hearing, or in other documented communications to the public such as mass mailing of the hearing notice throughout the planning area. City Policy on Public Notification may supersede the above language. The project sponsor shall mail copies of the notice, prior to the intended date of publication, to persons having made a previous written request for information about the project.

The water facilities plan shall be made available to the public before the hearing. The project sponsor shall have a complete record of the hearing and shall make the record available to interested parties on request.

Documents provided to FDEP-DWSRF Staff must include a copy of the notice, minutes of the meeting (to include a discussion of the alternatives, selected plan, the financial cost of the system and impact on the users, comments from attendees, and adoption of the plan by the City Council) and a list of attendees.

4.2 REGULATORY AGENCY REVIEW

To qualify for a subsidized loan from the SRF, various governmental agencies must be satisfied that Crystal River's water system issue is solved via the proposed activities in this Plan. Copies of the facilities plan adopted by the City Council are to be sent to the following government agencies for review and comments. Note, FDEP DWSRF Staff assume the responsibility of forwarding the Facilities Plan to various agencies, including;

1. Florida Department of Environmental Protection
2. Florida Department of Health
3. Florida Water Management District
4. U. S. Environmental Protection Agency

5. Florida Regional Planning Council
6. Department of Community Affairs, State Clearinghouse

FDEP-DWSRF Staff will provide any comments or approvals from the relevant State, local, and Federal agencies, by way of State and area wide clearinghouses.

4.3 FINANCIAL PLANNING

The Department of Environmental Protection's State Revolving Fund is expected to be the financing source for the project. A capital financing plan (CFP) has been prepared to explain the financial impact on the users of the proposed improvement to the public and to the State Agency. The CFP is shown in [Appendix C](#). The CFP indicates that the Water Utility serve approximately 2,424 residential customers who pay much of the annual cost, and 474 Commercial customers, to total approximately 2,898 water meters. Industrial, commercial, municipal and institutional customers pay the balance. A user system is currently in place and shown in [Appendix D](#).

Using an overall equivalent residential connection (ERC – 5/8" meter equivalent) of 3,200 each ERC service will see an average monthly rate increase of approximately \$1.94 (assuming 70% grant), to \$6.46 (assuming 0% grant), to fund the annual debt service associated with the proposed meter change out program. The range in cost per meter is directly related to the amount of principal forgiveness offered which may range from 0% to 70%. As plans are developed, bids are received, and financing terms are established, this estimate will likely change.

4.4 IMPLEMENTATION

The City of Crystal River has the sole responsibility and authority to implement the recommended facilities. There are no inter-local agreements necessary for the City to provide drinking water services throughout the planning area.

4.4.1 Implementation Schedule

- ✓ November 2018 – Hold public Meeting to adopt the facilities plan and capital financing plan.
- ✓ November 2018 – Submit facilities plan to FDEP and other governmental agencies.
- ✓ November 2018 – Publication of the Department's environmental information document in the Florida Administrative Weekly.
- ✓ December 2018 – End of 30-day comment period for the environmental information document and approval of planning documents.

- ✓ December 2018 – Submit plans and specifications to the FDEP (Tallahassee) and submit construction permit application to the FDEP (District Office).
- ✓ December 2018 – Notice of intent to permit construction of project issued and project added to the priority list.
- ✓ December 2018 – Submit request for addition of the project to the FDEP’s project priority list (45 days prior to the DWSRF Public Hearing).
- ✓ February 2019 – Hearing to add the project to the Fundable portion of the priority list (construction activity).
- ✓ March 2019 – Sign SRF loan agreement.
- ✓ April 2019 – Advertise for bids.
- ✓ June 2019 – Open construction bids.
- ✓ July 2019 – Award contracts.
- ✓ July 2019 – Start project construction (NTP).
- ✓ July 2020 – Complete construction of the project.
- ✓ September 2020 – Certify operational performance of the project and close out project.
- ✓ March 2021 – Begin SRF loan repayments to the FDEP.

4.4.2 Compliance

1. The treated water will remain in compliance with the FDEP drinking water standards.
2. The selected alternatives will meet the reliability requirements as per chapter 62-555, F.A.C.
3. The residual disposal will continue to meet the requirements of Chapter 62-701, F.A.C. and 40 CFR Part 503.
4. The purchase of any property, easement or R/W for construction will be in accordance with the Uniform Relocation and Real Property Acquisition Policies Act of 1970.
5. The environmental aspects of the proposed facilities are satisfactory.
6. The recommended facilities are consistent with Crystal River’s and Citrus County’s comprehensive plans.

Reference Material FTP for the City of Crystal River (Ctl+Click to follow link)

[Zoning Map](#)

[Future Land Use Map 2016-2025](#)

[Code of Ordinances | Chapter 16 WATER AND SEWER SERVICE](#)

[Water and Sewer Rates, Effective October 1, 2017](#)

[FY 2016 Budget](#)

[FY 2016 Budget Hearing](#)

[2017 Annual Drinking Water Quality Report PWS ID # 6090317](#)

[Map of The City of Crystal River](#)

[Financial Report for FY Ended September 30, 2017](#)

[Financial Report for FY Ended September 20, 2016](#)

[Financial Report for FY Ended September 20, 2015](#)

APPENDIX A

Cost Information of the Selected Alternative

Crystal River Water Meter Replacement

FY 2018

Preliminary Construction Cost Estimate for Financial Planning Purposes Only REVISION:28JUN2018

Items	Quantity	Units	Unit Cost	Total Cost	Category Total
-------	----------	-------	-----------	------------	----------------

CONSTRUCTION COST

Project Startup & Close Out					\$118,399
Mobilization (percent of total construction)	2%	% of Cont.	\$3,513,295	\$70,266	
Insurance, Bond, Indemnification (percent of total construction)	1%	% of Cont.	\$3,513,295	\$35,133	
As-builts Record Drawings by PLS	1	LS	\$5,000	\$5,000	
Shop Drawings, FDOT Documentation/Coordination	1	LS	\$8,000	\$8,000	
Environmental					\$81,000
Silt Fence and Turbidity Barrier	2,000	LF	\$3	\$5,000	
Tree Protection	20	EA	\$200	\$4,000	
Seed and Mulch, Soil Stabilization,	4,000	LF	\$3	\$12,000	
Sod	6,000	SY	\$10	\$60,000	
Meter, Meter Box, Valve & Fittings					\$1,580,535
5/8"	2,715	EA	\$525	\$1,425,375	
1"	69	EA	\$600	\$41,400	
1.5"	32	EA	\$930	\$29,760	
2"	70	EA	\$1,200	\$84,000	
Double Check Backflow Device, Box, & fittings					\$977,850
5/8"	2,715	EA	\$350	\$950,250	
1"		EA	\$400	\$27,600	

	69				
Service Lateral & Appurtenances(5/8" - 2")					\$532,510
Meter Box	2,886	EA	\$35	\$101,010	
Curb Stop	600	EA	\$140	\$84,000	
Water Service Short Side	600	EA	\$250	\$150,000	
Water Service Long Side	300	EA	\$525	\$157,500	
Gooseneck Replacement	50	EA	\$800	\$40,000	
Valve Replacement					\$107,400
2"	12	EA	\$1,200	\$14,400	
4"	8	EA	\$1,750	\$14,000	
6" (Insertion Valve)	8	EA	\$4,500	\$36,000	
8" (Insertion Valve)	4	EA	\$6,500	\$26,000	
12" (Insertion Valve)	2	EA	\$8,500	\$17,000	
Site Work					\$221,000
Roadway Paving	2,000	SY	\$30	\$60,000	
Striping	2,000	LF	\$3	\$6,000	
Driveway Restoration	150	EA	\$700	\$105,000	
Sidewalk Restoration	500	SY	\$50	\$25,000	
Landscaping Restoration (shrubs, tree, plants, etc.)	100	EA	\$150	\$15,000	
Signage and Maintenance of Traffic	1	LS	\$10,000	\$10,000	
Subtotal				\$3,618,694	
Contingency					\$361,869
Add 10%	10%	%	\$3,618,694	\$361,869	
Total Construction Cost				\$3,980,563	

TECHNICAL, LEGAL & FINANCIAL SERVICES COST

Special Studies					\$42,500
Leak Detection	1	LS	\$35,000	\$35,000	
Environmental Reports	1	LS	\$5,000	\$5,000	
Surveys	1	LS	\$2,500	\$2,500	
Preconstruction & Construction Technical Activities					\$25,000
Funding Administration	1	LS	\$10,000	\$10,000	
Planning & RFI Support	1	LS	\$7,000	\$7,000	
Engineering, Permitting & Procurement	1	LS	\$500	\$500	
Technical Services During Construction (12 months)	1	LS	\$500	\$500	
Legal	1	LS	\$5,000	\$5,000	
Financial	1	LS	\$2,000	\$2,000	
Contingency					
Add 10%	10%	%	\$67,500	\$6,750	
Total Technical Services Cost				\$74,250	
Total Project Cost				\$4,054,813	

Annual Debt Service	(\$247,979.07)
Years	20
Interest Rate	2.00%
Capital Cost	\$4,054,813
Number of ERC's	3,200
Rate per ERC/month	(\$6.46)
Rate per ERC/month, using 70% grant	(\$1.94)

APPENDIX B

Summary of Public/Dedicated Revenue Hearing and Notice

(EXAMPLE) MINUTES

REGULAR MEETING OF THE CITY COUNCIL

September 15, 2018

Mayor Thomas C called to order at 7:30 P.M. May 15, 2018, a public/dedicated revenue meeting for the purpose of discussing and adopting the water facilities plan (inclusive of the capital financing plan) addressing the improvements to the drinking water system for the City of Crystal River.

Those also in attendance were Commissioners Margaret M, Bill R, Joe B, Mary W, and City attorney Jim S. A total of 18 persons attended the hearing. The list of attendees is attached.

PUBLIC MEETING:

Approve Resolution to Adopt the Water System Facility Plan and the Capital Financing Plan required by Florida Department of Environmental Protection for the Drinking Water State Revolving Fund program.

Mayor Thomas C requested Mr. Tom F of XYZ Engineering Consultants, Inc. to address the water facilities plan that he developed for the City. Tom explained the salient features of the water facilities plan. He dealt with the present and future population to be served by the plan. He discussed the present state of the water system and the necessity to improve and expand the system to meet the regulatory requirements. He considered several alternatives to accomplish the objective and recommended the cost-effective alternative for implementation. He mentioned briefly about all the alternatives but dealt with in detail about the selected alternative. He also detailed the capital and operation and maintenance costs of the selected alternative. Total cost of the proposed project is \$4,829,000. He also discussed about the environmental conditions (both present and future) in the planning area and mentioned about improvements to the environment by implementing the project. Then he requested Ms. Dianne K to discuss about the financial implications of the project vis-à-vis the user charges. Ms. K started by detailing the capital financing plan, which is attached in the water facilities plan (Appendix E). She mentioned the project was to be financed by the State Revolving Fund (SRF) loan at 3 percent interest rate. The loan is to be repaid in 20 years with half yearly payments and the dedicated revenue for loan payment is water user charges. She discussed the advantage of going for SRF loan instead of a conventional loan. She discussed the average user charge and the additional charge that a user has to pay due to the project. She stated that the average cost per customer using 12,000 gallons of water per month would be approximately \$24.00. This is computed at a \$13.63 base rate and usage charge of \$0.88 per 1,000 gallons. Both Tom and Dianne made their presentations with appropriate slides and brought to the attention of the attendees that the recommendations of the water facilities plan are in conformance with the comprehensive plans of the City and the County.

At the conclusion of the presentations, Mayor C opened the forum for the public to comment. There were no comments or questions from the public. There being no further questions from those in the assembly, Mayor C closed the hearing to the public.

MOTION By Councilman Joe B; Seconded by Councilwoman Margaret M, to approve the resolution. AYES: Thomas C, Margaret M, Bill R, Joe B, Mary W. THE MOTION CARRIED UNANIMOUSLY. (5 TO 0)

The mayor declared the hearing over and adjourned the meeting at 8:30 P.M.

Sandra H, City Clerk

Thomas C, Mayor

Proof of Publication
from the
CITRUS COUNTY CHRONICLE
Crystal River, Citrus County, Florida
PUBLISHED DAILY

STATE OF FLORIDA
COUNTY OF CITRUS
Before the undersigned authority personally appeared

John Murphy and/or Mary Ann Naczi and/or Laura Downing

Of the Citrus County Chronicle, a newspaper published daily at Crystal River, in Citrus County, Florida, that the attached copy of advertisement being a public notice in the matter of the

6002-0927 THCRN. PUBIC NOTICE NOTICE IS HEREBY GIVEN NOTICE IS HEREBY GIVEN by the City Council of the City of Crystal River, Florida that a PUBLIC HEARING for the purpose of considering the approval of the proposed City of Crystal River Water Facili

Court, was published in said newspaper in the issues of September 27th, 2018.

Affiant further says that the Citrus County Chronicle is a Newspaper published at Crystal River in said Citrus County, Florida, and that the said newspaper has heretofore been continuously published in Citrus County, Marion County and Levy County, Florida, each week and has been entered as second class mail matter at the post office in Inverness in said Citrus County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Mary Ann Naczi

The forgoing instrument was acknowledged before me

This 27 day of September 2018
By: John Murphy and/or Mary Ann Naczi and/or Laura Downing

who is personally known to me and who did take an oath.

Notary Public

6002-0927 THCRN
PUBLIC NOTICE

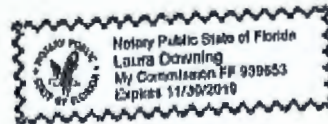
NOTICE IS HEREBY GIVEN NOTICE IS HEREBY GIVEN by the City Council of the City of Crystal River, Florida that a PUBLIC HEARING for the purpose of considering the approval of the proposed City of Crystal River Water Facilities Plan has been scheduled for Monday, October 8, 2018 @ 7:00 p.m. in the Council Chamber of City Hall, 123 N.W. Highway 19, Crystal River, Florida.

This hearing will include a discussion of the Water Facilities Plan and the financial impact on system users. The hearing is intended to afford an opportunity to individuals to be heard on the economic and social effects of the location, design, and environmental impact of certain contemplated water system improvements. A portion of the funding for this project is anticipated to come from the State Revolving Fund (SRF) loan program. Financial impacts on utility users will be presented at the hearing. Reports, documents and data relevant to the discussion are available for public review at Crystal River City Hall. Other business which may properly come for City Council will also be addressed. All interested persons are invited to attend and be heard.

Any person requiring reasonable accommodation of this meeting because of a disability or physical impairment should contact the City of Crystal River, City Manager's Office, 123 NW Highway 19, Crystal River, FL 34428, (352) 795-4216, at least two (2) days before the meeting.

City of Crystal River, Florida
Department of Public Works
Jim Foley, Mayor
123 NW Hwy 19
Crystal River, FL 34428

PUBLISHED ON SEPTEMBER 27, 2018



APPENDIX C

User Rate System "October 1, 2016 (current)

User Rate System

I. INTRODUCTION

The City of Crystal River user rate is applied to all users and includes operation, maintenance, replacement and debt service costs of the water system operated by the City of Crystal River. The rate information presented in below was adopted October 1, 2016 and is current at time of writing this document.

II. THE SYSTEM RATE

The charges assessed to each user addresses the actual cost incurred to serve each user. Costs are classified under two categories: (1) readiness to serve costs (fixed cost) and (2) operating and maintaining the system (variable cost). Variable cost associated with the proposed water system improvements are not expected to increase over current cost. Fixed cost may vary and will be reviewed after bids have been received with a possible adjustment.

**CITY OF CRYSTAL RIVER
WATER AND SEWER RATES
EFFECTIVE WITH BILLS PROCESSED AFTER OCTOBER 1, 2016**

RESIDENTIAL RATES

IN CITY

WATER	BASE RATE	\$9.84/ERU
	CONSUMPTION UP TO 5,000	\$3.30/1,000 gallons
	6,000 – 10,000	\$4.39/1,000 gallons
	11,000 – 15,000	\$6.59/1,000 gallons
	16,000 AND OVER	\$11.55/1,000 gallons
IRRIGATION	BASE RATE	\$9.84/ERU
	CONSUMPTION UP TO 15,000	\$6.59/1,000 gallons
	16,000 AND OVER	\$11.55/1,000 gallons
SEWER	BASE RATE	\$16.20/ERU
	CONSUMPTION	\$ 5.39/1,000 gallons

OUTSIDE CITY

WATER	BASE RATE	\$12.30/ERU
	CONSUMPTION UP TO 5,000	\$4.12/1,000 gallons
	6,000 – 10,000	\$5.50/1,000 gallons
	11,000 – 15,000	\$8.24/1,000 gallons
	16,000 AND OVER	\$14.44/1,000 gallons
IRRIGATION	BASE RATE	\$12.30/ERU
	CONSUMPTION UP TO 15,000	\$8.24/1,000 gallons
	16,000 AND OVER	\$14.44/1,000 gallons
SEWER	BASE RATE	\$20.26/ERU
	CONSUMPTION	\$6.75/1,000 gallons

COMMERCIAL & MASTER METER MULTI-FAMILY RATES

IN CITY

WATER	BASE RATE	\$9.84/ERU
	CONSUMPTION UP TO 5,000	\$4.76/1,000 gallons
	6,000 – 10,000	\$4.76/1,000 gallons
	11,000 – 15,000	\$4.76/1,000 gallons
	16,000 AND OVER	\$4.76/1,000 gallons

OUTSIDE CITY

WATER	BASE RATE	\$12.30/ERU
	CONSUMPTION UP TO 5,000	\$5.95/1,000 gallons
	6,000 – 10,000	\$5.95/1,000 gallons
	11,000 – 15,000	\$5.95/1,000 gallons
	16,000 AND OVER	\$5.95/1,000 gallons

DEPOSITS

RESIDENTIAL

WATER AND SEWER (IN CITY)	\$150.00
WATER ONLY (OUT OF CITY)	\$ 65.00
IRRIGATION	\$ 65.00
SERVICE CHARGE	\$ 25.00

COMMERCIAL (BASED ON METER SIZE)

5/8"	\$200.00
1"	\$300.00
1 1/2"	\$400.00
2"	\$500.00
3"	\$700.00
4"	\$900.00
6"	\$1800.00
8"	\$2700.00

OTHER CHARGES (NEW CONSTRUCTION)

SEWER CONNECTION	\$ 100.00
SEWER EXPANSION	\$2,740.00
WATER EXPANSION	\$2,170.00
WATER CONNECTION	\$ 25.00
METER 5/8"	\$ 275.00
1"	\$ 405.00
1 1/2"	\$ 625.00
2"	\$ 900.00

OTHER SIZE METER PRICES FURNISHED UPON REQUEST

APPENDIX D

RESOLUTION NO. 19-R-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; APPROVING THE "CITY OF CRYSTAL RIVER WATER METER UPGRADE FACILITIES PLAN" DATED OCTOBER, 2018; AUTHORIZING THE SUBMITTAL OF THE LOAN APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, The City of Crystal River has determined that the drinking water distribution system improvements recommended in the "City of Crystal River Water Meter Upgrade Facilities Plan" dated October, 2018 are in the best interest of the citizens; and

WHEREAS, The City of Crystal River has examined the "City of Crystal River Water Meter Upgrade Facilities Plan" dated October, 2018 prepared by Florida Rural Water Association in conjunction with the City of Crystal River and U.S. Water Services Corporation and has discussed the results and recommendations at an advertised Public Hearing; and

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of improvements to drinking water distribution facilities; and

WHEREAS, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative, to provide assurances of compliance with loan program requirements, and to enter into a loan agreement; and

WHEREAS, the State Revolving Fund loan priority list designates Project No. DW09024 as eligible for available funding; and

WHEREAS, the City of Crystal River, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund (SRF) for project financing; and

WHEREAS; the "City of Crystal River Water Meter Upgrade Facilities Plan" dated October, 2018 has been deemed to be consistent with the adopted local Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER FLORIDA, AS FOLLOWS:

SECTION I. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION II. The City of Crystal River, Florida does hereby adopt the "City of Crystal River Water Meter

Upgrade Facilities Plan" dated October, 2018 attached hereto and incorporated herein by reference.

SECTION III. The City Manager is hereby authorized to submit the SRF loan application request on behalf of the City of Crystal River to the Florida Department of Environmental Protection to finance the Project.

SECTION IV. The revenues pledged for the repayment of the loan are net water and sewer system revenues after payment of debt service on the City's Series 2012 Water and Sewer System Refunding Revenue Bonds.

SECTION V. The City Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

SECTION VI. The City Manager is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The City Manager is hereby authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The City Manager is hereby authorized to delegate responsibility to appropriate City staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION VII. The legal authority to borrow moneys to construct this Project is 403.1835, Florida Statutes.

SECTION VIII. All resolutions or part of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION IX. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION X. This Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED THIS 8th DAY OF OCTOBER, 2018.
CITY OF CRYSTAL RIVER**

ATTEST:

Mia Fink, City Clerk

Approved as to form for the reliance
of the City of Crystal River only:

Jennifer Rey, City Attorney

Jim Farley, Mayor

Farley _____
Gudis _____
Fitzpatrick _____
Brown _____
Holmes _____

APPENDIX F

2017 Public Water Supply Annual Report
[\(Ctl.+Click Here\)](#)

2016 Water Use Permit
[\(Ctl.+Click Here\)](#)

2018 Sanitary Survey
[\(Ctl.+Click Here\)](#)

DWSRF RFI
[\(Ctl.+Click Here\)](#)

City of Crystal River Water Meter Improvement Plan Facilities Plan Public Hearing Review



October 8, 2018



Agenda

- Overview
- Purpose
- Plan
- Performance
- Summarize
- Next steps

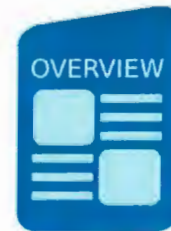


Agenda
1.
2.
3.

Overview

Opportunity for the City of Crystal River & the Public to Discuss:

- Need for meter replacement.
- Project Funding
- Environmental effects
- Rate sufficiency for the selected CIP



Purpose

- Replace meters that have exceeded their design life (10 yr.)
- Updated meters with new technology (2,898 AMI)
- Address Water Management Non Revenue (lost) water concerns at 38% (target < 10%)
- Alternative Project Funding (FDEP-SRF)
- Environmental effects (source water protection)
- Customer service (backflow & meter use analysis)
- Affordability by ratepayer (Rate sufficiency for the CIP)

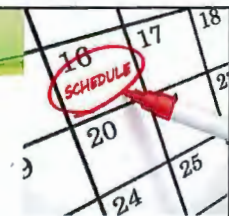


Plan



- Alternative Funding request (FDEP-SRF)
- Develop a Facilities Plan with alternative options
- Provide for a Public meeting to discuss the Plan
- Adopt the Facilities Plan
- Approve the SRF Preconstruction Loan Request
- Design and acquire Permits
- Construct select facilities
- Apply for SRF construction loan amendment
- Project closeout

Schedule (pre-const & const)



- | | |
|--|--|
| <ul style="list-style-type: none"> ✓ October 8, 2018 – Hold public Meeting to adopt the facilities plan and capital financing plan. ✓ October 2018 – Submit facilities plan to FDEP and other governmental agencies. ✓ October 2018 – Publication of the Department’s environmental information document in the Florida Administrative Weekly. ✓ November 2018 – End of 30-day comment period for the environmental information document and approval of planning documents. ✓ November 2018 – Submit plans and specifications to the FDEP (Tallahassee) and submit construction permit application to the FDEP (District Office). ✓ December 2018 – Notice of intent to permit construction of project issued and project added to the priority list. | <ul style="list-style-type: none"> ✓ December 2018 – Submit request for addition of the project to the FDEP’s project priority list (45 days prior to the DWSRF Public Hearing). ✓ February 2019 – Hearing to add the project to the Fundable portion of the priority list (construction activity). ✓ March 2019 – Sign SRF loan agreement. ✓ April 2019 – Advertise for bids. ✓ June 2019 – Open construction bids. ✓ July 2019 – Award contracts. ✓ July 2019 – Start project construction (NTP). ✓ July 2020 – Complete construction of the project. ✓ September 2020 – Certify operational performance of the project and close out project. ✓ March 2021 – Begin SRF loan repayments to the FDEP. |
|--|--|

Performance



- Reduction in non revenue water from 37% to 10%
- Elimination of failed meters, improved accuracy
- Capture SRF Grant Funding and Low Interest Rate
- Source Water Protection
- Address Water Management District recommendations
- Improved customer service
- Rate stability

Summarize

- Improved environmental effects
- Reduction in non-revenue water
- Rate stability



Next Steps

- Approve SRF Preconstruction Loan
- Design facilities
- Procure Contractor
- Approve amended SRF Construction Loan
- Construct facilities
- Closeout project



FINAL QUESTIONS/COMMENTS

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 7B

Requested Motion: Motion to table consideration of draft Ordinance No. 18-O-04.

Summary: Adoption of draft Ordinance No. 18-O-04 would serve to amend the City of Crystal River Land Development Code, Chapter 4, that regulates the building heights and setbacks for commercial zoning districts, specifically by eliminating language for the height allowance on appurtenances (currently no height limit) and establishing an overall height allowance from 50' TO 58', to include appurtenances.

The ordinance is scheduled to be brought before the Planning Commission for their consideration on October 4, 2018. After this Planning agenda was prepared the City has received updated FEMA maps that propose a substantial change in current Base Flood Elevation requirements. Staff needs to follow the approval process of FEMA's new proposed flood plain before moving the item forward.

Staff will re-advertise the meeting at a later date.

Staff Recommendation: Staff recommends that Council table Ordinance 18-O-04 until further notice.

Funding Information:

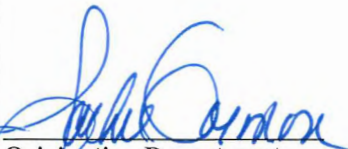
Project Cost: NONE

Funding Source:

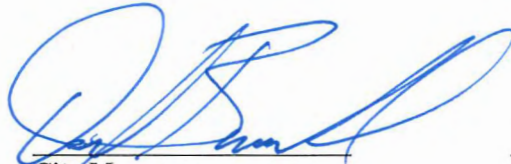
Amount Available:

Finance Department Approval: _____

Approvals:



Originating Department



City Manager

City Attorney (if applicable)

Attachments: Ordinance No. 18-O-04

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING CHAPTER 10 HEALTH, SANITATION, AND PUBLIC WELFARE, ARTICLE I, IN GENERAL AND, CHAPTER 14 STREETS AND SIDEWALKS, ARTICLE III PRIVATE YARDS AND LOTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Crystal River, Florida is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to enact ordinances;

WHEREAS, this Ordinance is enacted pursuant to the home rule powers of the City of Crystal River, Florida as set forth at Article VIII, Section 2, of the Constitution of the State of Florida; Chapter 100, Florida Statutes; Chapter 101, Florida Statutes, Chapter 166, Florida Statutes, and other applicable controlling law;

WHEREAS, the City Council of the City of Crystal River, Florida desires to amend its Code of Ordinances, relating to private yards and lots in order to address certain private yard maintenance and growing vegetation problems occurring in residential areas, and to provide for more effective enforcement;

WHEREAS, the City Council finds that the accumulation of debris, trash, garbage and other similar items, and overgrowth of weeds and vegetation which exceed a height of twenty-four (24) inches both constitute a public health hazard in that such accumulation and overgrowth leads to the harboring of rodents, propagation of mosquitos, and other public nuisances; and

WHEREAS, the City of Crystal River, Florida has provided all notices required under Florida law for the consideration and adoption of this Ordinance.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the City of Crystal River Code of Ordinances, Chapter 12, "Streets and Sidewalks", specifically amending Article III "Private Yards and Lots", to regulate notice of prohibited conditions which violates maintenance standards for private yards and lots, and enforcement of code standards.

SECTION 2. AUTHORITY.

A. The City Council is authorized to amend the Crystal River Code of Ordinances pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions, of the Code of Ordinances of the City of Crystal

River, and as otherwise authorized by applicable Florida Statutes.

B. The City Council of the City of Crystal River, Florida, hereby adopts and incorporates into this Ordinance the recitals (Whereas clauses) set forth herein as the legislative and administrative findings and intent of the City Council, *in haec verba*.

D. The City of Crystal River, Florida, has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

SECTION 3. AMENDMENT OF CHAPTER 14 ARTICLE I.

The Code of Ordinances of the City of Crystal River, Florida, Chapter 10 "Health, Sanitation, and Public Welfare", Article I, "In General", is hereby amended and restated to read as follows. (*Changes are noted in strikethrough and underline.*)

Sec. 10-5. - Unimproved Real property maintenance standards.

~~No person shall keep or allow to remain upon his/her premises within the city or upon premises in the city under his/her charge or control in such a manner as not to become a public or private nuisance.~~ All unimproved parcels within the city shall remain free and clear of debris, trash, garbage and other similar items such that the parcels do not become a public or private nuisance. All prior landscaped or mowed lots or unimproved parcels in the city shall be kept free from the overgrowth of weeds and vegetation which exceed a height of twenty-four (24) inches. Upon written notice, in accordance with Section 14-51, to the property owner requesting compliance with this section and the owner's ~~timely failure to respond within~~ remedy the non-compliance within ten (10) seven (7) days of receipt of the notice, the city may, after re-inspection in accordance with Section 14-51(d), mow weeds and vegetation ~~in violation of this height requirement to bring the parcel into compliance with this section.~~ A fee will be charged to the owner by the city for any mowing/maintaining of a parcel, such will be the actual cost for performing this service.

(Ord. No. 96-0-20, § 1, 12-2-96)

SECTION 4. AMENDMENT OF CHAPTER 14, ARTICLE III.

The Code of Ordinances of the City of Crystal River, Florida, Chapter 14 "Streets and Sidewalks", Article III, "Private Yards and Lots", is hereby amended and restated to read as follows. (*Changes are noted in strikethrough and underline.*)

Sec. 14-51. -Notice of Prohibited conditions.

(a) No person shall be in violation of the real property maintenance standards set forth in Section 6-63 or Section 10-5.

~~(a)~~(b) If a code enforcement officer determines that vegetation, which violates the maintenance standards in this article exists, and determines that the city should correct the

violation, a code enforcement officer shall notify the owner(s) of record of the property in writing and demand that such owner cause the violation to be remedied within seven (7) days. The notice shall be given by first class mail, addressed to the owner(s) of record [of] the property described, as their names and addresses are shown upon the records of the county property appraiser, and shall be deemed complete and sufficient when so addressed and deposited in the United States mail with proper postage prepaid. Notice shall also be posted upon the property declared a "public nuisance". Notice may be served by hand delivery to the owner(s) of record of the property in lieu of mailing.

(b)(c) The notice shall be substantially in the following form:

NOTICE OF PROHIBITED CONDITIONS

I inspected your property (describe property) on or about (date) and found the following conditions (describe conditions) that are a violation of City Code Chapter _____, Article _____. You are hereby notified that you must correct these violations within ~~ten (10)~~ seven (7) days of the date of this Notice or by (date), whichever is later. If not all conditions are corrected by this date, the City will cut, trim, edge and clear the property to correct the violations of the City Code. To perform this maintenance, the City will also remove any junk, rubbish or other material from the property. The cost of this work, including administrative expenses, will be charged to you in the form of a lien against the property. You can appeal the finding that there is a violation by filing a written appeal to the City Clerk within ~~ten (10)~~ seven (7) days of the date of this letter.

(Official Title)

(Ord. No. 07-0-45, § 1, 9-24-2007)

(d) The code inspector shall perform a re-inspection after the allowed time to remedy the violation. If the violation has been corrected, the case will be considered closed or shown as being in compliance. If the re-inspection finds no change, then the City may proceed to cut, trim, edge and clear the property to correct the violations of the City Code, and charge the owner for the costs, including administrative expenses in the form of a lean against the property.

Sec. 14-52. - Appeals.

(a) Within thirty (30) after the mailing or service of notice, or after the first day of posting on the property, whichever occurs last, the owner or the designated agent of the owner may file an appeal to show that the violation alleged in the notice does not exist. The appeal shall be in writing and must be filed with the director of code enforcement.

(b) The code enforcement special master shall hold a hearing at such reasonable time and place as provided under chapter 2, article VI, of the Ordinance Code of the City of Crystal River.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence or paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 7. CODIFICATION

It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, of the City of Crystal River, Florida. The word "Ordinance," or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that Sections 1, 2, 5, 6, 7 and 8 shall not be codified. The Code codifier is granted liberal authority to rescind those sections of the Code declared null and void as set forth herein, within the City's Code of Ordinances.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective immediately upon passage.

This Ordinance was introduced and placed on first reading on the ___ day of _____, 2018, and upon motion duly made and seconded was passed on first reading.

This Ordinance was introduced and placed on second reading on the ___ day of _____, 2018, and upon motion duly made and seconded was passed and adopted on second reading.

Attest: _____
Mia Fink, City Clerk

By: _____
Jim Farley, Mayor

PASSED on First Reading _____

NOTICE Published on _____

PASSED on Second & Final Reading _____

Approved as to form for the
reliance of the City of Crystal River
only:

Jennifer C. Rey, City Attorney

VOTE OF COUNCIL:

Brown _____
Gudis _____
Holmes _____
Farley _____
Fitzgerald _____

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 7C

Requested Motion: Motion to adopt Resolution No. 19-R-02 setting forth the public use and purpose for eminent domain proceedings to acquire property to be used for public parking and improved public access to local businesses.

Summary: City Council has been attempting to move forward with the transference of a property referenced in the attached resolution for approximately three years. Due to a combination of lengthy court proceedings and recent passing of previous ownership the City has not been able to complete the transaction previously agreed to by the former owner.

Based on recent City Council discussion, staff was directed to research the Eminent Domain process, and most recently directed City legal staff to move forward with initial steps to acquire the parcel via such process, in lieu of continuing negotiations with the current ownership.

Staff Recommendation: Staff recommends moving forward Eminent Domain, while considering continued negotiations for purchase of the property to acquire the parcel at a lower overall cost.

Funding Information:

Project Cost: _____

Funding Source: _____

Amount Available: _____

Finance Department Approval: _____

Approvals:

Originating Department



City Manager

City Attorney (if applicable)

Attachments: Resolution No. _____

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

RESOLUTION NO. 19-R-02

**A RESOLUTION OF THE CITY OF CRYSTAL RIVER,
FLORIDA, SETTING FORTH THE PUBLIC USE AND
PURPOSE FOR EMINENT DOMAIN PROCEEDINGS TO
ACQUIRE PROPERTY TO BE USED FOR PUBLIC
PARKING AND IMPROVED PUBLIC ACCESS TO LOCAL
BUSINESSES.**

WHEREAS, the City of Crystal River is a political subdivision of the State of Florida and is vested by law pursuant to Chapters 71, 74 and 127 of the Florida Statutes, to acquire fee simple interest in privately owned lands which are necessary for public use;

WHEREAS, the City Council of the City of Crystal River has all the powers of local self-government to establish and implement by ordinance comprehensive planning programs to guide and control future development;

WHEREAS, the Crystal River City Redevelopment Agency created the Community Redevelopment Plan with power to acquire property, to revitalize and redevelop the area identified in the redevelopment plan, including parking facilities, passageways, and other improvements necessary for carrying out the community redevelopment objectives;

WHEREAS, parking is essential for most types of land uses as well as passageways and sufficient access to all modes of transportation between residential and commercial areas within the Community Redevelopment Area;

WHEREAS, it is necessary, beneficial and desirable for the City of Crystal River to provide its residents and visitors with a parking area to safely park their vehicles, have access to the waterfront and businesses, and to alleviate congestion of vehicles parked on the side of the street, decreasing the likelihood of accidents and increasing the safety of people and property;

WHEREAS, it is necessary, beneficial and desirable for the City of Crystal River to provide local business an adequate access to supply deliveries that will help sustain business developments in the Community Redevelopment Area, and that will not negatively impact the traffic circulation in the area;

WHEREAS, the City of Crystal River desires to utilize the provisions of Florida Law to the fullest extent possible in order to accomplish the public purpose of acquiring the necessary parcel(s) of real property at a price that are both fair to the property owner and prudent in terms

of spending funds authorized in the approved budget for the Community Redevelopment Agency;

WHEREAS, the City of Crystal River has determined that is necessary to acquire from the owners the property identified as: the east 50.00 feet of lot 82 of Sylvan Glen Addition to Crystal River, according to the plat thereof, as recorded in Plat Book 1, Page 26, Public Records of Citrus County, Florida, for the purpose of building a parking facility, to provide access of delivery trucks to local businesses, to provide residents and visitors with a safe area for parking, and to decrease the risk of accidents or other impediments to safe traffic operations;

WHEREAS, the owners of said parcel have been or may be unwilling or unable to sell the real property required by the City of Crystal River for the above-described project;

WHEREAS, the construction of the project will be impeded unless the property identified herein is acquired by the City of Crystal River;

WHEREAS, the City Council of the City of Crystal River has determined that the actions taken herein are consistent with the goals, policies and objectives of the City of Crystal River, and the Crystal River Community Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, AS FOLLOWS:

Section 1. That each of the above **WHEREAS** clauses are adopted as the findings of the City Council of the City of Crystal River, and are hereby incorporated into this Resolution, *in haec verba*.

Section 2. That the City Council of the City of Crystal River is hereby authorized to employ the services of the City Attorney to commence and to prosecute eminent domain proceedings to acquire the necessary interest in the subject property, which is more particularly described in Exhibit "A", attached and incorporated herein, *in haec verba*.

Section 3. That is necessary, and serves as a City and public purpose, and is in the best interest of the citizens of the City of Crystal River and the visiting public in general, to acquire the property in question for building a public parking area, and to provide access to delivery

trucks for the business located in N. Citrus Ave. adjacent to the parcel in question thereby reducing interference with safe traffic flows.

Section 4. That having considered the safety of the public, cost of acquiring the rights, environmental factors, and use of the property in question, the City Council of the City of Crystal River hereby finds and determines that the acquisition of the interest in the real property described in Exhibit "A" are necessary for the completion of the project.

Section 5. The City Manager and City Attorney are hereby authorized and directed to institute a suit in the name of the City of Crystal River and to fully exercise the City's power of eminent domain for the purpose of acquiring the parcel described in the attached Exhibit A to the extent of the estate or interest set forth as part of the parcel's description, and are further authorized and directed to do all things necessary to prosecute such suit to final judgement by settlement or adjudication.

Section 6. The City Manager and City Attorney are authorized and directed to utilize and assert any and all constitutional and statutory authority of the City of Crystal River and the City Council relative to the acquisition of the subject parcel including, but not necessarily limited to, the provisions of Chapter 73, 74 and 127 of the Florida Statutes.

Section 7. This Resolution shall become effective immediately upon adoption.

ADOPTED by the City Council of the City of Crystal River, Florida, during and duly noticed public meeting, in Crystal River, Florida, this ___ day of _____, 2018.

ATTEST:

CITY COUNCIL CITY OF
CRYSTAL RIVER

CITY CLERK

EXHIBIT A

PARCEL DESCRIBED AS:

THE EAST 50 FEET OF LOT 82 OF SYLVAN GLEN
ADDITION TO CRYSTAL RIVER, ACCORDING TO THE
PLAT THEREOF, AS RECORDED IN PLAT BOOK 1,
PAGE 26, PUBLIC RECORDS OF CITRUS COUNTY,
FLORIDA.

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 9A

Requested Motion: Motion to approve FY2018-2019 Collective Bargaining Memorandum of Agreement between the City of Crystal River and the Carpenters Industrial Council, UBC Local Union Number 2038 to amend the current collective bargaining agreement effective October 2016 – September 30, 2019.

Summary: Per Article 26, Duration, Modification and Termination of the Union contract, either the City or the Union have the opportunity to open Article 23 Wages and up to two (2) additional articles of the Union agreement per contract year by sending written notice to the other party no earlier than January 1st and no later than May 1st each contract year. Both parties have met three times since June 6, 2018 to discuss several items ranging from wages to the safety of the employees. While management is not always agreeable to all requests presented by the Union, we strive to come to a resolution that is reasonable, fair and within the City's budget constraints. The bargaining unit members voted for the requested amendments to the contract on Thursday, September 27, 2018.

Management emphasizes employee safety daily and the Union expressed concerns pertaining to the Public Works shop lighting and security as well as summer safety. Currently the lighting at the shop is minimal. Due to call-outs during the after-hours, staff frequently find themselves in the dark attempting to open the gate to retrieve a truck and tools to attend to calls. Management agreed to add additional lighting and security videos at the shop within this current year as well as add into the FY2019 budget to change the gate to an auto lock to avoid fumbling through keys. The Union expressed concerns of employees working by themselves in the summer heat and dehydrating; they proposed for employees to work in pairs as there was no current system for well-check. Management mentioned the radios staff chooses not to use and expressed that each employee has a responsibility to be sure he/she stays hydrated. Management will promote more safety through means of the supervisor and/or co-workers checking on one another throughout the day.

Amendment #1 – Article 22.6: Effective October 1, 2016 an on-call list and process was established as the Union expressed concerns the prior process was not fair. Since its inception, management continues to improve the process. A designated cellular phone has been utilized the last two years and is assigned to an employee on a weekly basis whom then receives a weekly stipend of now \$70 (initially \$65). This stipend was initiated because the employee on-call must be ready and willing to respond to a call at any time of the day. If an employee is not signed up for or assigned on-call status and not entitled to the On-Call Stipend, he/she will receive a minimum of two (2) hours compensation at time and one half for call out time. The Union requested to amend the contract to provide the On-Call employee use of a city provided vehicle with tools as well as compensation from the time the call was received until he/she returned home. Following much discussion, management agreed to provide an employee assigned to On-Call that responds to a call and reports to work to receive a minimum of one (1) hour compensation in addition to the On-Call stipend; this form of compensation is manageable. Management also added that if an employee is assigned to On-Call duty and he/she reports sick during regular hours that he/she must notify the City if he/she is able to complete the On-Call assignment for the day.

Amendment #2 – Article 23.5: During the term of the existing three-year contract the uniform policy continues to be improved per the request of the Union. This year they had requested replacements for damaged uniform pants occur within two weeks of the employee turning over the damaged pants as well as establish a policy of uniforms for new hires to occur within two weeks. Much discussion occurred as well between Management and the Union on this topic for reasonableness and fairness among both parties. Both parties agreed to amend the contract to reflect a clothing allowance of three hundred and eighty dollars (\$380) a year to replace Department approved work shoes, pants, shirts and other clothing approved by the Department. Also, each uniformed employee may be issued no more than six (6) shirts a year versus the current eleven (11) and all new employees shall receive eleven (11) City shirts within two weeks of hiring.

Amendment #3 - Article: 15.1 Effective October 1, 2016 any bargaining unit employee whose salary reaches the maximum pay range for the position receives the balance of any salary increase as a bonus not added to his or her maximum base salary. The Union initially requested these employees receive fifty percent (50%) of the projected raise as a pay increase versus a bonus equal to the proposed pay increase for all other bargaining unit members; management proposed a 65% of the projected raise as they felt this option was more adequate and fair. This change currently impacts two (2) employees. This amendment is effective 10/1/18 – 9/30/19; the termination date of the existing three-year contract.

Amendment #4 –Article 23.6: The Union requested to amend the current vacation leave accrual to make it more desirable for employees to want to work longer than a few years with the City. Management agreed to amend the first two levels of the vacation accrual only per the below recap.

<i>Years of Continuous Service</i>	<i>Length of Annual Vacations</i>	<i>Vacation Hours Per Work Hour</i>
0-5 years	80 hours	.0385
6-12 years	120 hours	.0577
13-19 years	160 hours	.0770
20+ years	200 hours	.0962

Article 23.1 – Wages: The union initially requested a general pay increase of six percent (6%) for all employees covered under the bargaining agreement for fiscal year 2018-2019. Management explained our health insurance costs have increased 14% which accounts for an approximate 5% increase per employee. With a 2.5% increase, plus the additional health insurance rate increase the City is absorbing accounts for approximately a 7.5% increase overall. Management agreed to a 2.5% increase in hourly rates for employees covered by the bargaining agreement.

All of the above amendments to the current Collective Bargaining Agreement covering the period of 10/1/16 – 9/30/18 will be effective 10/1/18 – 9/30/19.

Staff Recommendation: The changes are consistent with Council’s executive session. Staff recommends approval of the FY18-19 Collective Bargaining Memorandum of Agreement

Funding Information:

Project Cost: N/A


Funding Source:

Amount Available:

Finance Department Approval: _____

Approvals:

Originating Department



City Manager

City Attorney (if applicable)

Attachments: M.O.U.

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

2018/2019 Collective Bargaining Memorandum of Agreement

This Agreement is entered into between The City of Crystal River (herein the known as the "City" and the Carpenters Industrial Council, UBC Local Union Number 2038 (herein known as the "Union"). The City and the Union, hereby agree to amend the current collective bargaining agreement as noted below.

Article 15 Vacations & Personal Leave

15.1 is hereby modified for accrual based on years as service to:

<i>Years of Continuous Service</i>	<i>Length of Annual Vacations</i>	<i>Vacation Hours Per Work Hour</i>
0 – 5 years	80 hours	.0385
6 – 12 years	120 hours	.0577
13 – 19 years	160 hours	.0770
20 + years	200 hours	.0962

Article 22 Hours of Work and Overtime

22.6 is hereby amended to add the following:

"An employee assigned to On-Call that responds to a call and reports to work shall receive a minimum of one (1) hour compensation. An employee assigned to On-Call duty that reports sick during regular hours must notify the City if he/she is able to complete the On-Call assignment for the day."

Article 23 Wages and Benefits

23.1 is hereby amended to delete the current language and replace with the following:

"The City shall provide a two and one-half percent (2.5%) base salary increase in hourly rates for employees covered by this Agreement during FY 2018/2019."

23.5 is hereby amended to the following:

"The City agrees to supply uniforms and work shoes to all employees covered by this Agreement who are required to wear uniforms. Issuance of uniforms shall be between October 1 and December 31 of each year. Each uniformed employee may be issued no more than six (6) shirts a year. New employees shall receive eleven (11) City shirts within two weeks of hiring. Each employee covered by this Agreement required to wear a uniform shall be given a clothing allowance to three hundred and eighty dollars (\$380) a year to replace Department approved work shoes, pants, shirts, and other clothing

approved by the Department. Employee is responsible for cleaning and maintaining City purchased uniforms.”

23.6 Employees at or above maximum pay.

“For fiscal year 2018/2019 shall receive a salary increase of one and sixty-five hundredths percent (1.65%).”

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized Representatives on this _____ day of _____, 2018.

**FOR THE
CITY OF CRYSTAL RIVER:**

Jim Farley, Mayor
City of Crystal River

CARPENTERS INDUSTRIAL COUNCIL:

Jason H. Weitzel
Carpenters Industrial Council

Jennifer Doherty, Union Steward

Kasda Atkins, Union Committee

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 9B

Requested Motion: Motion to approve an amendment to the existing employee vacation accrual as outlined within the City of Crystal River Human Resource Policy Manual, Article 11E, Annual Leave to bring consistency and fairness to all City Staff.

Summary:

During Union negotiations for FY18-19, they requested to amend the current vacation leave accrual to make it more desirable for employees to want to work longer than a few years with the City. Management agreed to amend the first two levels of the vacation accrual only; management has also agreed to amend the non-union employees' vacation accrual for consistency and fairness across the City Staff.

All full-time employees who serve in positions that are categorized as either Administrative or Regular shall earn annual Leave according to the following table:

<u>Years of Continuous Service</u>	<u>Vacation Hours per Work Hour/Length of Annual Vacations</u>
0 - 5 years of service	.0385 hours per work hour (2 wks./yr.)
6 - 12 years of service	.0577 hours per work hours (3 wks./yr.)
13 - 17 years of service	.0770 hours per work hour (4 wks./yr.)
18 + years or service	.0962 hours per work hour (5 wks./yr.)

All employees categorized as Management shall earn annual leave according to the following table:

<u>Years of Continuous Service</u>	<u>Vacation Hours per Work Hour/Length of Annual Vacations</u>
0 - 5 years of service	.0577 hours per work hours (3 wks./yr.)
6 - 12 years of service	.0770 hours per work hour (4 wks./yr.)
13 + years of service	.0962 hours per work hour (5 wks./yr.)

Staff Recommendation: Staff recommends approval of the amended vacation accrual for all non-union employees to bring consistency and fairness to all City Staff.

Funding Information:

Project Cost:

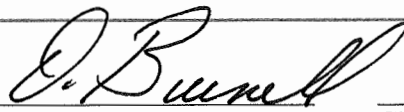
Funding Source:

Amount Available:

Finance Department Approval: _____

Approvals:

Originating Department



City Manager

City Attorney (if applicable)

Attachments:

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 9C

Requested Motion: N/A- Discussion on Draft Noise Ordinance

Summary: Request from City Council to review and update the sound ordinance. Attached is a modification to the existing ordinance per that request. In the proposal use of equipment that is accepted by the State. It requires purchase, training and regular calibration of the equipment.

The noise ranges and times do vary from community to community and some are derived from OSHA regulation to prevent loss of hearing at the work place.

Staff Recommendation: The agenda item is to promote good communication on this issue, so that it can be advertised in the near future for ordinance revision.

Funding Information:

Project Cost: NA


Funding Source:

Amount Available:

Finance Department Approval: _____

Approvals:

Originating Department



City Manager

City Attorney (if applicable)

Attachments: Draft Noise Ordinance

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA,
AMENDING CHAPTER 12 OFFENSES AND MISCELLANEOUS,
ARTICLE IV NOISE, NOISE AT NIGHT; PERMIT; CERTAIN ACTS
PROHIBITED; DEFINITIONS; PROVIDING FOR SEVERABILITY AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Crystal River, Florida is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to enact ordinances;

WHEREAS, this Ordinance is enacted pursuant to the home rule powers of the City of Crystal River, Florida as set forth at Article VIII, Section 2, of the Constitution of the State of Florida; Chapter 100, Florida Statutes; Chapter 101, Florida Statutes, Chapter 166, Florida Statutes, and other applicable controlling law;

WHEREAS, the City Council of the City of Crystal River, Florida desires to amend its Code of Ordinances, relating to noise in order to address certain noise problems occurring in residential and public areas, and to provide for more effective enforcement; and

WHEREAS, the City of Crystal River, Florida has provided all notices required under Florida law for the consideration and adoption of this Ordinance.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the City of Crystal River Code of Ordinances, Chapter 12, "Offenses and Miscellaneous Provisions", specifically amending Article IV "Noise", to regulate noise at night, providing for permits, prohibiting certain acts, and providing for definitions.

SECTION 2. AUTHORITY.

A. The City Council is authorized to amend the Crystal River Code of Ordinances pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions, of the Code of Ordinances of the City of Crystal River, and as otherwise authorized by applicable Florida Statutes.

B. The City Council of the City of Crystal River, Florida, hereby adopts and incorporates into this Ordinance the recitals (Whereas clauses) set forth herein as the legislative and administrative findings and intent of the City Council, *in haec verba*.

D. The City of Crystal River, Florida, has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

SECTION 3. AMENDMENT OF CHAPTER 12 ARTICLE I.

The Code of Ordinances of the City of Crystal River, Florida, Chapter 12, "Offenses and Miscellaneous Provisions", Article I, "In General", is hereby amended and restated to read as follows. *(Changes are noted in strikethrough and underline.)*

Sec. 12-1. - State misdemeanors prohibited.

No person shall commit, within the limits of the city, any act which is or shall be recognized by the laws of the State of Florida as a misdemeanor.

(Code 1964, § 15-20; Ord. No. 07-O-05, 2-26-2007)

Secs. 12-2—12-35. - Reserved.

Sec. 12-6. - Missiles, throwing. No person shall throw stones or other missiles endangering persons or property.

Sec. 12-7. — 12.30. Reserved.

~~Sec. 12-8. — Noise At night.~~

~~No person shall, between the hours of 10:00 p.m. and 7:00 a.m., ring bells, yell, shout or make any other noise that shall disturb the peace and tranquility of the neighborhood or break the rest or annoy residents of the community.~~

~~(Code 1964, § 15-23; Ord. No. 88-0-20, § 1, 11-28-88)~~

~~Cross reference~~ — Specific noise prohibitions § 12-70.

~~Sec. 12-9. — Same — Permit.~~

~~The creation of any unreasonably loud, disturbing and unnecessary noise, and noise of such character, intensity and duration as to be detrimental to the life and health of any individual is prohibited, except when created or made after obtaining a written permit from the city clerk when authorized by the council.~~

~~(Code 1964, § 15-24)~~

Cross reference— Specific noise prohibitions [§ 12-70](#).

~~Sec. 12-10. Same~~

~~Certain acts prohibited. The following acts are hereby declared to be loud, disturbing and unnecessary noises in violation of [section 12-9](#), but this enumeration shall not be deemed to be exclusive:~~

~~(1) Horns and signal devices. The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal; or if in motion, only as danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.~~

~~(2) Certain animals and birds. The keeping of any animal or bird which, by causing frequent or loud continued noise, shall disturb the comfort and repose of any person in the vicinity.~~

Cross reference— Animals and fowl, Ch. 4.

~~(3) Radios, phonographs and musical instruments. The playing of any radio, phonograph or musical instrument in such a manner or with such volume, particularly between the hours of 10:00 p.m. and 7:00 a.m., also between the hours of 11:00 p.m. on Saturday and 7:00 a.m. on the following Monday, so as to annoy or disturb the quiet, comfort or repose of any person.~~

~~(4) Exhaust of engines. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motor boat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.~~

~~(5) Adjacent to church, school, court or hospital. The creation of any excessive noise on any street, adjacent to any church, school, institution of learning or court while the same are in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions; provided conspicuous signs are displayed on such streets indicating that the same is a church, school, hospital or court street.~~

~~(6) Drums, horns, etc. The use of any drum, pan, pail, bell, horn, trumpet or other instrument or device for the purpose of attracting attention to any performance, show, sale or display of merchandise.~~

~~(7) Loudspeakers. The use of megaphones, loudspeakers or amplifiers whether on trucks, airplanes or other vehicles or otherwise for advertising or other purposes.~~

(Code 1964, § 15-25)

~~Cross reference~~— Specific noise prohibitions, § 12-70.

~~Cross reference~~— Boats to observe city health and sanitation rules, § 5-7.

Secs. 12-11—12-13. - Reserved.

Sec. 12-14. - Reserved.

Secs. 12-15—12-30. - Reserved.

SECTION 4. AMENDMENT OF CHAPTER 12 ARTICLE IV.

The Code of Ordinances of the City of Crystal River, Florida, Chapter 12, “Offenses and Miscellaneous Provisions”, Article IV “Noise”, is hereby amended and restated to read as follows. *(Changes are noted in strikethrough and underline.)*

Sec. 12-61. - Definitions.

For the purposes of this section the following words, terms and phrases shall have the meanings ascribed to them as follows, except where otherwise expressed herein or the context clearly indicates a different meaning:

A weighted sound level shall mean the sound pressure level in decibels as measured on a sound level meter using the A-weighted network.

Ambient noise shall mean the all-encompassing noise associated with a given environment, being usually composed of sound from many sources near and far.

ANSI shall mean American National Standards Institute or its successor.

Daytime shall mean the hours between 7:00 a.m. and 9:00 p.m. of the same day Monday Sunday through Thursday, or the hours between 7:00 a.m. and 11:00 p.m. of the same day Friday through Sunday Saturday.

Decibel (dBA) shall mean a unit of measuring the intensity of a sound, the mathematical formula for which is expressed as the volume of a sound which is equal to ten times the logarithm of the ratio of the intensity of the sound to the intensity of a specified standard sound.

Emergency shall mean any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

Emergency work shall mean any work performed for the purpose of preventing or alleviating physical trauma or property damage threatened or caused by an existing or imminent peril.

Enforcement officer shall mean any employee of City of Crystal River appropriately designated as a code enforcement officer or an officer of the City of Crystal River Police Department.

L10 shall mean a measurement which represents the noise level exceeded ten (10) percent of the time.

Motor vehicle shall mean any vehicle defined as a "motor vehicle" by F.S. § 320.01(1).

Multiple-family dwelling unit shall mean any apartment, condominium, townhouse, duplex or other multiple-dwelling unit containing two or more living units within a single building.

Nighttime shall mean the hours between 9:00 p.m. and 7:00 a.m. of the next day Sunday Monday through Thursday, and the hours between 11:00 p.m. through 8:00 a.m. of the next day Friday through Sunday Saturday.

Noise shall mean any sound that which causes or tends to cause an adverse effect on humans.

Noise level shall mean the sound pressure level as measured in dB(A) by a sound level meter.

Noise sensitive zone shall mean a quiet zone where serenity and quiet are of extraordinary significance, which is open or in session, and which is demarcated by conspicuous signage identifying it as a noise-sensitive or quiet zone. Noise-sensitive zones may include hospitals, nursing homes, schools, courts, public libraries, houses of worship, and any other areas which may be defined by a resolution adopted by the city council.

Operator shall mean any employee of City of Crystal River appropriately designated as a code enforcement officer or any officer of the City of Crystal River Police Department charged with the responsibility of taking noise measurements provided herein.

Person shall mean any individual, association, firm, sole proprietorship, partnership, corporation, unincorporated association or any other entity.

Plainly audible shall mean clearly or understandably loud enough to be heard through perception of the human ear. In such cases the location of the source of the noise and the type of the noise being generated can be easily described.

Real property line shall mean an imaginary line along the surface, and its vertical plane extension, which separates the real property owned, rented or leased by one person from that owned, rented or leased by another person, excluding intra-building real property divisions.

Reasonable time shall mean such length of time as may fairly, properly and reasonably be allowed or required to eliminate or abate a noise found to be in violation of this chapter, after

warning has been issued. The duration of time shall be dependent upon the source of the noise and what action can be taken to eliminate the noise causing said violation.

Residential areas shall mean recorded and unrecorded subdivisions and those areas in which there is a concentration of residential dwelling units.

Sound shall mean an oscillation in pressure, stress, particle displacement, particle velocity or other physical parameter, in a medium with internal forces. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Sound level shall mean the sound pressure level obtained by the use of a sound level meter using weighting A, B or C as specified in ANSI S1.4-1971, or successor publications. If the weighting employed is not indicated, the A-weighting shall apply.

Sound level meter shall mean an instrument including a microphone, an amplifier, and output meter, and frequency weighting networks for the measurement of noise and sound levels in a specified manner.

Sound pressure shall mean the instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by the presence of sound energy.

Sound pressure level shall mean in decibels of sound, twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound to the reference pressure. The reference is 0.0002 microbar.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-62. - Enforcement; remedies.

Unless otherwise provided, violations of this chapter shall be enforced by the City of Crystal River Code Enforcement and Crystal River Police Departments. In addition to any remedy provided for in this chapter, the city may enforce the provisions herein by any other lawful means.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-63. - Prohibition.

It shall be a violation of this article for any person to make, cause, or allow the making of any noise or sound within the city that exceeds the noise levels as set forth in this article.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-63A64. – Noise at Night.

No person shall, between the hours of 9:00 p.m. and 7:00 a.m. of the next day, Monday through Thursday, and between 11:00 p.m. and 8:00 a.m. Friday through Sunday during Nighttime ring bells, yell, shout or make any other noise that shall disturb the peace and tranquility of the neighborhood or break the rest or annoy residents of the community.

(Code 1964, § 15-23; Ord. No. 88-0-20, § 1, 11-28-88)

Cross reference— Specific noise prohibitions [§ 12-70](#).

Sec. 12-6465. - Terminology.

All technical acoustical terminology and standards used in this article shall be read or construed in conformance with the American National Standards Institute, Inc. (ANSI) publication entitled "Acoustical Terminology," designated as ANSI S1.1-1960, or its successor publications.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-6566. - General standards.

(a) Noise generated across real property lines or interior noise within multiple-family dwelling units shall conform to the sound level limits as set forth in Tables I and II, respectively, of [section 12-66 section 12-67](#). The minimum measurement period shall be ten minutes. Sound shall be measured pursuant to [section 12-69 section 12-70](#). Exceeding the standard for more than ten percent of the measuring period (more than one minute) shall constitute a violation.

(b) Maximum instantaneous sound levels shall conform to the sound level limits as set forth in Table III of [section 12-66 section 12-67](#). The minimum measurement period shall be ten (10) minutes. Sound shall be measured pursuant to [section 12-69 section 12-70](#). A single "instantaneous" occurrence above the maximum sound level shall constitute a violation.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-6667. - Sound level limits.

(a) Noise generated across real property lines. The noise from any activity shall be deemed a violation if the total noise level as measured on the A-scale, due to both ambient noise, and the alleged source of the offensive noise exceeds the noise levels which are prescribed in Table I, the measurement of which is based upon decibels. All such measurements as well as the method employed shall be consistent with [section 12-69 section 12-70](#), and shall represent the A-weighted sound pressure level which is exceeded ten percent of the time (L10) during the observation period.

Table I

Receiving Land Use District	Time	Sound Level
-----------------------------	------	-------------

		Limit dB(A)
Residential	Daytime/Nighttime	60/55
Government-owned buildings or property, institutional or recreational	Daytime/Nighttime	55/50
Commercial or business	Daytime/Nighttime	65/60
Industrial or manufacturing	Daytime/Nighttime	75/75
Marine	Daytime/Nighttime	75/75

(b) Interior noise within multiple-family dwelling units. Notwithstanding any other provisions of this chapter, it shall be unlawful for any person to create, maintain or cause to be maintained any sound for any period of time within the interior of any multiple-family dwelling unit which causes the noise level to exceed those limits prescribed in Table II. All such measurements as well as the method employed shall be consistent with [section 12-69 section 12-70](#).

Table II

Multiple-Family Dwelling Units	Allowable Interior Sound Level Limit dB(A)
Daytime	55
Nighttime	45

(c) Maximum instantaneous sound level. The noise from any activity shall be deemed a violation if the noise level exceeds the limits set forth in Table III at any time during the measurement period. The minimum measurement period shall be ten minutes. Sound shall be measured pursuant to [section 12-69 section 12-70](#).

Table III

Receiving Land Use District	Time	Sound Level Limit dB(A)
Residential	Daytime/Nighttime	70/60
Government-owned buildings or property,	Daytime/Ni	65/55

institutional or recreational	ghttime	
Commercial or business	Daytime/Ni ghttime	75/65
Industrial or manufacturing	Daytime/Ni ghttime	85/85
Marine	Daytime/Ni ghttime	85/85
Multiple-family dwelling units	Daytime/Ni ghttime	60/50

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-6768. - Noise sensitive zones.

It shall be a violation of this article to create, maintain or cause to be maintained any sound within or adjacent to any noise sensitive zone so as to exceed fifty-five (55) dB(A) at any time when measured at a distance of at least twenty-five (25) feet from the sound source, provided that conspicuous signs are displayed indicating the presence of the zone to read "quiet zone" and if applicable the location is open or in session.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-6869. - Noise exposure.

The lawful operation of any loudspeaker or other source of sound in any place of public entertainment that exceeds levels shown in Table IV at any point when normally occupied by a customer shall require the placement of a conspicuous and legible sign as follows: "WARNING. SOUND LEVELS WITHIN MAY CAUSE PERMANENT HEARING IMPAIRMENT."

Table IV

Duration Per Day Continuous Hours	Noise Level dB(A)
8 hours	90
6 hours	92
4 hours	95
3 hours	97
2 hours	100
1 ½ hours	102

1 hour	105
½ hour	110
¼ hour or less	115

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-6970. - Measurement of sound.

(a) The measurement of sound or noise shall be made with a sound level meter meeting the standards prescribed by the American National Standards Institute (ANSI), S1.4 American National Standard Specifications for Sound Level Meters, or successor publications. The instruments shall be maintained in calibration and good working order. A calibration check shall be made of the system at the time of any noise measurement, both before and after the measurement is taken.

(b) Measurements shall be taken so as to provide a proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. No individual other than the operator shall be within ten (10) feet of the sound level meter during the sample period. A windscreen for the microphone shall be used at all times.

(c) The sound level meter shall be of at least two (2) ANSI requirements. The sound level meter shall utilize the A-weighted network when measurements are taken. The microphone shall be oriented in accordance with instrument manufacturer's instructions.

(d) The measurement shall be made at the nearest adjacent real property line from the property on which the noise source is located for outside measurements. Such noise measurements shall be made at least four (4) feet above the ground and at a point at least ten (10) feet away from any walls, barriers, or other obstructions. For inside measurements concerning multifamily dwelling units, measurements shall be at least three (3) feet from any wall, ceiling or partition.

(e) All noise measurements provided for in this chapter will be made by designated enforcement officers and officers of the city who are qualified to operate the apparatus used to take the measurements as provided for in this article.

(f) The operator conducting noise-measurement tests shall document all noise-measurement results in a written record. Said record shall include the following:

- (1) The instrumentation used, including name, make, type, and serial number.
- (2) Date of last laboratory calibration.

(3) On-site calibration verification before and after each series of measurements.

(4) Name and location of the measuring area.

(5) A detailed sketch of the measuring area.

(6) Time and date of measurements.

(7) Names of observers.

(8) General weather conditions.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-7071. - Specific noise prohibitions.

In addition to those general standards set forth in [section 12-66](#) [section 12-67](#), and unless otherwise exempted in this article, the following acts, and the causing thereof, are declared to be a violation of this section:

(1) Horns and signal devices. The sounding of any horn or audible signaling device of a motor vehicle, boat, engine, machine, or stationary boiler continuously or intermittently for a period in excess of sixty (60) seconds, except as a danger or emergency warning.

(2) Radios, televisions, electronic audio equipment, musical instruments, and similar devices.

a. The use, operation or playing of any radio, television, phonograph, stereo set, tape player, sound amplifier, musical instrument or similar device which produces or reproduces sound in a manner as to be plainly audible at a distance of fifty (50) feet or more away from the real property line of the source of the sound, to any person in a commercial, industrial, or residential area, or in or at a government-owned building or property. For multiple-family dwelling units on a common property, it shall be a violation if such is plainly audible fifty (50) feet from the source of the sound.

b. The operation or playing of any radio, musical instrument, or similar device which produces sound on the public right-of-way in such a manner as to be plainly audible to any person at a distance of fifty (50) feet from the source of the sound.

(3) Loudspeakers and devices for advertising.

a. The use, operation, or playing of any loudspeaker system, sound amplifier or other similar device which produces or reproduces sound which is cast or emitted upon public rights-

of-way for the purpose of commercial advertising or for attracting the attention of the public to any building, structure, vehicle or activity, which is being carried on thereon.

b. The use, operation, or playing of any loudspeaker system, sound amplifier or other similar device between the hours of 9:00 p.m. and 7:00 a.m. the following day during Nighttime in such a manner so as to cause a noise disturbance across a residential real property boundary. This section shall not apply to public school activities.

(4) Explosives, firearms or similar devices. The use or firing of explosives, firearms anywhere within the corporate limits of the city, unless in accordance with section 12-4 of this chapter.

(5) Loading and unloading. The loading, unloading, closing or other handling of boxes, crates, containers, building materials, or similar objects between the hours of 9:00 p.m. and 7:00 a.m. the following day during Nighttime so as to cause a noise disturbance across a residential real property boundary.

(6) Construction and demolition activity. The operation of any equipment used in construction work, building, excavation, grading, pile driving, pneumatic hammering, demolition, dredging, building alteration or repair work between the hours of 9:00 p.m. and 7:00 a.m. of the next day during Nighttime, except for emergency work.

(7) Fixed mechanical equipment. The use or operation of any noise-creating air conditioner, heater, compressor unit, power fan or blower, fixed electrical motor or engine which causes excessive and unnecessary noise, unless such mechanical equipment is functioning in accord with the manufacturers' specifications and with all manufacturers' mufflers and noise reducing equipment in proper operating condition.

(8) Portable mechanical equipment and domestic power tools. The use or operation of any power tools or portable mechanical equipment, including a power saw, sander, drill, grinder, lawn mower, leaf blower, garden tool, or similar device, used outdoors in residential areas between the hours of 9:00 p.m. and 7:00 a.m. the following day during Nighttime so as to cause a noise disturbance across a residential real property boundary.

(9) Vehicle and motorboat repair and testing in residential areas. The repairing, rebuilding or testing of any motor vehicle or motorboat within any residential areas between the hours of 9:00 p.m. and 7:00 a.m. the following day during Nighttime so as to cause a noise disturbance across a residential real property boundary.

(10) Refuse collection. The collection of refuse with a refuse collection vehicle between the hours of 7:00 p.m. and 7:00 a.m. the following day during Nighttime in a residential, or noise sensitive zone.

(11) Testing of emergency signaling device.

a. The intentional sounding or permitting the sounding of any fire, burglar, or civil defense alarm, siren, whistle, or similar stationary emergency signaling device between the hours of 9:00 p.m. and 7:00 a.m. the following day during Nighttime.

b. Any testing shall use a minimum cycle test time. In no case shall such test exceed sixty (60) seconds.

c. Testing of a complete emergency signaling system, including functioning of the signaling device and personnel response to the signaling device shall not occur between the hours of 9:00 p.m. and 7:00 a.m. of the following day during Nighttime. The testing of a complete emergency signaling system shall be exempt from the time limit specified in subsection b. above.

(12) Fixed building or vehicular alarms. Except as permitted by [section 12-70](#) [section 12-71](#) the use of fixed building or vehicular alarms unnecessarily or for an unreasonable period of time. Specifically, when sounded for false alarms or sounded for a period in excess of fifteen (15) minutes.

(13) Electronically amplified signals. The sounding of any electronically amplified signal from any stationary bell, chime, siren, whistle or similar device intended primarily for non-emergency purposes from any place for more than ten (10) seconds in any hourly period.

(14) The operation of any vessel on the waterways of the city in such a manner as to create a level of noise which is disturbing of the peace and tranquility, and plainly audible within one hundred (100) feet, or creates a level of measured sound, which exceeds the limits as set forth in Tables I, III, and IV.

(Ord. No. 07-O-05, 2-26-2007)

Cross reference— Same Certain acts prohibited, [§ 12-10](#).

(15) Certain animals and birds. The keeping of any animal or bird which, by causing frequent or loud continued noise, shall disturb the comfort and repose of any person in the vicinity.

Cross reference— Same Certain acts prohibited, [§ 12-10](#). Animals and fowl, Ch. 4

Sec. 12-7172. - Regulations on motor vehicles.

(a) It is a violation of this article for motor vehicles parked on private property and whose operator allows excessive engine, or amplified sound to be emitted as outlined in sections [12-66](#) [12-67](#), [12-67](#) [12-68](#), and [12-69](#) [12-70](#). Motor vehicles operated on a public right-of-way are regulated as set forth in Florida Statutes and are exempt from the ordinance.

(b) Competitive racing events. No person shall construct, alter or expand any installation or facility for competitive racing events without first providing documentation and assurance for

compliance with this article, and without first receiving approval from the city council. The documentation and assurance above shall include, but not be limited to, the use of sound barriers, use of muffler devices, control of direction and volume of loud speakers, and provisions for monitoring.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-7273. - Exemptions.

The following uses and activities shall be exempt from the noise level regulations of this article:

(1) Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.

(2) Noises of safety signals, warning devices, and emergency pressure relief valves, when utilized for their intended use.

(3) Noises resulting from emergency work as defined in [section 12-61](#).

(4) Construction operations for which building permits have been issued, or construction operations not requiring permits, providing all equipment is operated in accord with the manufacturers' specifications and with all standard equipment, manufacturers' mufflers and noise reducing equipment in use in proper operating condition. This exception shall not apply between the hours of 9:00 p.m. and 7:00 a.m. of the following day during Nighttime.

(5) Air conditioners are exempt from provisions of this article when functioning in accord with the manufacturers' specifications and with all manufacturers' mufflers and noise reducing equipment in use and in proper operating condition.

(6) Lawn mowers are exempt from provisions of this article when functioning in accord with the manufacturers' specifications and with all manufacturers' mufflers and noise reducing equipment in use and in proper operating condition, when operated during in accordance with [section 12-70 section 12-71](#)(8).

(7) The unamplified human voice.

(8) Unamplified crowd noises resulting from activities such as those planned by student or community groups, or racing/sporting events.

(9) Noises consistent with cultural, historical, or traditional observances, holidays and ceremonies. This shall include church activities, noncommercial public speaking and officially authorized public assembly activities in or at a government-owned building or property, or on public right-of-way such as school activities, carnivals, festivals, fairs, sporting events, parades, supervised fireworks displays or the like.

(10) Reasonable operation of unamplified church bells or chimes when used for religious purposes.

(11) The construction, emergency or routine maintenance of public service utilities.

(12) Approved mosquito fogging operations and aquatic plant control.

(13) All noises from railway and airport activities in accordance to federal, state and local laws.

(14) The supervised public display of fireworks by fair associations, amusement parks, and other organization or groups of individuals or other lawful use of fireworks.

(15) Refuse collection vehicles in areas other than residential areas and quiet zones, when operated in accordance with [12-70 12-71](#).

(16) Scheduled road construction and maintenance by city, or state agencies and their authorized contractors.

(17) Motor vehicles operating on a public right-of-way subject to F.S. § 316.272, and applicable federal criteria.

(18) Noises from all equipment tests required by law, and not otherwise regulated herein.

(19) Any other noise resulting from activities of a temporary duration permitted by law and for which a special permit is obtained pursuant to [section 12-72 section 12-73](#), provided the activities shall be in accordance with the conditions and limitations stated therein.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-72.174. - Special exception.

(a) A special exception to the noise standards set forth in this article may be issued for a single temporary public or private special event or use upon written request to the city manager or his duly authorized representative within a reasonable timeframe prior to the date for which the relief is requested.

(1) Any waiver granted by the city manager hereunder must be in writing and shall contain all conditions upon which said permit shall be effective.

(2) The city manager may prescribe any reasonable conditions or requirements deemed necessary to minimize the adverse effects upon the community or the surrounding neighborhood, including but not limited to the use of mufflers, screens or other sound attenuating devices.

(3) A special exception granted pursuant to this subsection shall be for a specified period, but shall not exceed fifteen (15) days.

(4) A copy of the request shall be forwarded to the chief of police, who may make recommendations to the city manager regarding approval, and, or suggest special conditions.

(b) Any person desiring relief from the provisions of this article not provided for by subsection (a) above may request a special exception in the same manner as set forth in subsection (a) for the following circumstances:

(1) Additional time is necessary for the applicant to alter or modify the activity or noise source in order to comply with this article.

(2) The activity, operation or noise source will be of a temporary duration and cannot be done in a manner that would comply with the provisions of this article.

(3) No reasonable alternative is available to the applicant.

(4) A special exception granted pursuant to this subsection shall be for a specified period, but shall not exceed sixty (60) days.

(c) Applicants for special exceptions granted pursuant to this section shall comply with all reasonable conditions and requirements deemed necessary by the city manager including effective date, time of activity, location and equipment limitations, and sound attenuation devices.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-7375. - Enforcement.

(a) The primary responsibility for enforcement of this article shall be by the City of Crystal River Code Enforcement Section. The City of Crystal River Police Department may also enforce the specific noise prohibitions set forth in this article.

(b) For the purpose of determining and classifying any noise as one which is declared unlawful and prohibited by this article, the enforcement officer shall apply the measurement techniques provided in [section 12-69](#) [section 12-70](#) to determine if a violation of the standards set forth in [section 12-66](#) [section 12-67](#) have been violated. However, a violation of this article may occur without occasion of the measurements being made if specified in [section 12-70](#) [section 12-71](#) regarding specific noise prohibitions.

(c) The following procedures shall be completed by the enforcement officer when enforcing this article:

(1) The appropriate enforcement officer shall investigate and determine if any noise is in violation of the specific noise prohibitions provided in [section 12-70](#) [section 12-71](#), or any noise level is in excess of the noise control measurement standards in [section 12-66](#) [section 12-67](#).

(2) Measurement techniques, when required, shall be done in accordance with [section 12-69 section 12-70](#).

(3) If a noise level is found to be in violation of this article, the appropriate enforcement officer shall give warning to the person responsible for the sound. The warning shall advise the person of the violation, and of the possible penalty if the person fails to eliminate the sound or reduce the sound so that it is within permitted limits or is not plainly audible.

(4) The person receiving the warning shall have a reasonable time to comply with the warning. Absent special circumstances, reasonable time is fifteen (15) minutes.

(5) For the purposes of this article, it is sufficient warning for all prohibited sounds if the person responsible for such sound has been warned of, or cited for, one (1) or more offending sounds of the same type within the previous sixty (60) days, or in the case of a business, in the time period since ownership of the business changed, whichever is less.

(6) If the sound is not eliminated or is not reduced to allowable limits within a reasonable time after the warning, or if the noise or sound is abated after warning then reoccurs, the person so warned and not complying shall be cited for a violation of this article as set forth in [section 12-75 section 12-76](#).

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-7476. - Citation procedures.

(a) Citation authorization. Any city code enforcement officer or police officer is hereby authorized to issue a citation to a person when, based upon personal investigation, the enforcement officer has reasonable cause to believe that the person has committed a violation of this article.

(b) Procedures. A citation issued by a code enforcement officer or police officer shall be in a form prescribed by the city and shall contain:

- (1) The date and time of issuance.
- (2) The name and address of the person to whom the citation is issued.
- (3) The date and time the civil infraction was committed.
- (4) The facts constituting reasonable cause.
- (5) The number of the section of the code violated.
- (6) The name and authority of the enforcement officer.

(7) The procedure for the person to follow in order to pay the civil penalty or contest the citation.

(8) The applicable civil penalty if the person elects to contest the citation.

(9) The applicable civil penalty if the person elects not to contest the citation.

(10) A conspicuous statement that, if the person fails to pay the civil penalty within the time allowed, or fails to appear in court to contest the citation, he or she shall be deemed to have waived his or her right to contest the citation and that, in such case, judgment may be entered against the person for an amount up to the maximum civil penalty.

(c) Citations to be deposited with the city finance department. After issuing a citation, the enforcement officer shall deposit the original and one (1) copy of the citation with the city finance department.

(d) Penalties.

(1) A violation of this article shall be deemed a civil infraction.

(2) All penalties shall be accordance with Table V in section 12-77 and shall have the right to a hearing before the special master. All decisions shall be based on a preponderance of the evidence. The Florida Rules of Civil Procedure and Florida Evidence Code shall be applicable.

(e) Payment of penalties. All civil penalties shall be paid to and collected by the finance department.

(f) Refusal to sign or accept citation. There is no penalty for refusing to accept or sign a summons. Such refusal shall not be construed as invalidating the citation as long such refusal is witnessed by two (2) or more enforcement officers.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-7577. - Penalty schedule.

(a) Penalties for uncontested violations shall be as set forth in Table V.

Table V

Section	Description	Penalty
12-66 12-	Sound level limits	\$50

<u>67</u>		.00
<u>12-67 12-68</u>	Noise sensitive zones	75.00
<u>12-68 12-69</u>	Noise exposure	100 .00
<u>12-6912-70</u>	Specific noise prohibitions	50.00
<u>12-7112-71</u>	Regulations on motor vehicles	50.00
<u>12-7212-74</u>	Violation of conditions of special exception	75.00

(b) A second violation of the same offense shall be double the amount shown on the penalty schedule. Third and subsequent violations of the same offense shall be a fine of five hundred dollars (\$500.00).

(Ord. No. 07-O-05, 2-26-2007)

Secs. 12-7678—12-90. - Reserved.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence or paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 7. CODIFICATION

It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, of the City of Crystal River, Florida. The word "Ordinance," or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-

lettered to accomplish such intention; provided, however, that Sections 1, 2, 5, 6, 7 and 8 shall not be codified. The Code codifier is granted liberal authority to rescind those sections of the Code declared null and void as set forth herein, within the City's Code of Ordinances.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective immediately upon passage.

This Ordinance was introduced and placed on first reading on the ___ day of ____, 2018, and upon motion duly made and seconded was passed on first reading.

This Ordinance was introduced and placed on second reading on the ___ day of ____, 2018, and upon motion duly made and seconded was passed and adopted on second reading.

Attest: _____
Mia Fink, City Clerk

By: _____
Jim Farley, Mayor

PASSED on First Reading _____

NOTICE Published on _____

PASSED on Second & Final Reading _____

Approved as to form for the
reliance of the City of Crystal River
only:

Jennifer C. Rey, City Attorney

VOTE OF COUNCIL:

Brown _____
Gudis _____
Holmes _____
Farley _____
Fitzgerald _____

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 9D

Requested Motion: N/A- Discussion on draft ordinance related to lawn maintenance, including amendments to Chapter 10, "Health, Sanitation, and Public Welfare", "Article I, In General" and Chapter 14 "Streets and Sidewalks", Article III, "Private Yards and Lots"

Summary: Request from City Council to review and propose updates to shorten the timeline as it relates to unkempt private yards. Attached is a modification to the existing ordinance per that request.

Staff Recommendation: The agenda item is to provide an opportunity for input on this issue, so that it can be moved forward and advertised in the near future for ordinance adoption.

Funding Information:

Project Cost: NA

Funding Source:

Amount Available:

Finance Department Approval: _____

Approvals:



Originating Department

City Manager

City Attorney (if applicable)

Attachments: Draft Ordinance

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING CHAPTER 10 HEALTH, SANITATION, AND PUBLIC WELFARE, ARTICLE I, IN GENERAL AND, CHAPTER 14 STREETS AND SIDEWALKS, ARTICLE III PRIVATE YARDS AND LOTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Crystal River, Florida is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to enact ordinances;

WHEREAS, this Ordinance is enacted pursuant to the home rule powers of the City of Crystal River, Florida as set forth at Article VIII, Section 2, of the Constitution of the State of Florida; Chapter 100, Florida Statutes; Chapter 101, Florida Statutes, Chapter 166, Florida Statutes, and other applicable controlling law;

WHEREAS, the City Council of the City of Crystal River, Florida desires to amend its Code of Ordinances, relating to private yards and lots in order to address certain private yard maintenance and growing vegetation problems occurring in residential areas, and to provide for more effective enforcement;

WHEREAS, the City Council finds that the accumulation of debris, trash, garbage and other similar items, and overgrowth of weeds and vegetation which exceed a height of twenty-four (24) inches both constitute a public health hazard in that such accumulation and overgrowth leads to the harboring of rodents, propagation of mosquitos, and other public nuisances; and

WHEREAS, the City of Crystal River, Florida has provided all notices required under Florida law for the consideration and adoption of this Ordinance.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the City of Crystal River Code of Ordinances, Chapter 12, "Streets and Sidewalks", specifically amending Article III "Private Yards and Lots", to regulate notice of prohibited conditions which violates maintenance standards for private yards and lots, and enforcement of code standards.

SECTION 2. AUTHORITY.

A. The City Council is authorized to amend the Crystal River Code of Ordinances pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions, of the Code of Ordinances of the City of Crystal

River, and as otherwise authorized by applicable Florida Statutes.

B. The City Council of the City of Crystal River, Florida, hereby adopts and incorporates into this Ordinance the recitals (Whereas clauses) set forth herein as the legislative and administrative findings and intent of the City Council, *in haec verba*.

D. The City of Crystal River, Florida, has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

SECTION 3. AMENDMENT OF CHAPTER 14 ARTICLE I.

The Code of Ordinances of the City of Crystal River, Florida, Chapter 10 "Health, Sanitation, and Public Welfare", Article I, "In General", is hereby amended and restated to read as follows. (*Changes are noted in strikethrough and underline.*)

Sec. 10-5. - ~~Unimproved~~ Real property maintenance standards.

~~No person shall keep or allow to remain upon his/her premises within the city or upon premises in the city under his/her charge or control in such a manner as not to become a public or private nuisance. All unimproved parcels within the city shall remain free and clear of debris, trash, garbage and other similar items such that the parcels do not become a public or private nuisance.~~ All prior landscaped or mowed lots in the city shall be kept free from the overgrowth of weeds and vegetation which exceed a height of twenty-four (24) inches. Upon written notice, in accordance with Section 14-51, to the property owner requesting compliance with this section and the owner's ~~timely~~ failure to ~~respond within~~ remedy the non-compliance within ten (10) seven (7) days of receipt of the notice, the city may, after re-inspection in accordance with Section 14-51(d), mow weeds and vegetation in violation of this height requirement to bring the parcel into compliance with this section. A fee will be charged to the owner by the city for any mowing/maintaining of a parcel, such will be the actual cost for performing this service.

(Ord. No. 96-0-20, § 1, 12-2-96)

SECTION 4. AMENDMENT OF CHAPTER 14, ARTICLE III.

The Code of Ordinances of the City of Crystal River, Florida, Chapter 14 "Streets and Sidewalks", Article III, "Private Yards and Lots", is hereby amended and restated to read as follows. (*Changes are noted in strikethrough and underline.*)

Sec. 14-51. -Notice of Prohibited conditions.

(a) No person shall be in violation of the real property maintenance standards set forth in Section 10-5.

(a)(b) If a code enforcement officer determines that vegetation, which violates the maintenance standards in this article exists, and determines that the city should correct the violation, a code enforcement officer shall notify the owner(s) of record of the property in

writing and demand that such owner cause the violation to be remedied within seven (7) days. The notice shall be given by first class mail, addressed to the owner(s) of record [of] the property described, as their names and addresses are shown upon the records of the county property appraiser, and shall be deemed complete and sufficient when so addressed and deposited in the United States mail with proper postage prepaid. Notice shall also be posted upon the property declared a "public nuisance". Notice may be served by hand delivery to the owner(s) of record of the property in lieu of mailing.

(b)(c) The notice shall be substantially in the following form:

NOTICE OF PROHIBITED CONDITIONS

I inspected your property (describe property) on or about (date) and found the following conditions (describe conditions) that are a violation of City Code Chapter _____, Article _____. You are hereby notified that you must correct these violations within ~~ten (10)~~ seven (7) days of the date of this Notice or by (date), whichever is later. If not all conditions are corrected by this date, the City will cut, trim, edge and clear the property to correct the violations of the City Code. To perform this maintenance, the City will also remove any junk, rubbish or other material from the property. The cost of this work, including administrative expenses, will be charged to you in the form of a lien against the property. You can appeal the finding that there is a violation by filing a written appeal to the City Clerk within ~~ten (10)~~ seven (7) days of the date of this letter.

(Official Title)

(Ord. No. 07-0-45, § 1, 9-24-2007)

(d) The code inspector shall perform a re-inspection after the allowed time to remedy the violation. If the violation has been corrected, the case will be considered closed or shown as being in compliance. If the re-inspection finds no change, then the City may proceed to cut, trim, edge and clear the property to correct the violations of the City Code, and charge the owner for the costs, including administrative expenses in the form of a lean against the property.

Sec. 14-52. - Appeals.

(a) Within thirty (30) after the mailing or service of notice, or after the first day of posting on the property, whichever occurs last, the owner or the designated agent of the owner may file an appeal to show that the violation alleged in the notice does not exist. The appeal shall be in writing and must be filed with the director of code enforcement.

(b) The code enforcement special master shall hold a hearing at such reasonable time and place as provided under chapter 2, article VI, of the Ordinance Code of the City of Crystal River.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence or paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 7. CODIFICATION

It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, of the City of Crystal River, Florida. The word "Ordinance," or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that Sections 1, 2, 5, 6, 7 and 8 shall not be codified. The Code codifier is granted liberal authority to rescind those sections of the Code declared null and void as set forth herein, within the City's Code of Ordinances.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective immediately upon passage.

This Ordinance was introduced and placed on first reading on the ___ day of _____, 2018, and upon motion duly made and seconded was passed on first reading.

This Ordinance was introduced and placed on second reading on the ___ day of _____, 2018, and upon motion duly made and seconded was passed and adopted on second reading.

Attest: _____
Mia Fink, City Clerk

By: _____
Jim Farley, Mayor

PASSED on First Reading _____

NOTICE Published on _____

PASSED on Second & Final Reading _____

Approved as to form for the

VOTE OF COUNCIL:

reliance of the City of Crystal River
only:

Jennifer C. Rey, City Attorney

Brown _____
Gudis _____
Holmes _____
Farley _____
Fitzgerald _____

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 9E

Requested Motion: Motion to approve a professional services agreement with Greenman-Pederson, Inc. in a not-to-exceed amount of \$25,000.00 for engineering services during construction of the US-19 widening utility relocation project.

Summary: Recall US-19 is to be six-laned from W. Jump Ct. in Homosassa to Ft. Island Trail and the City has existing water and sewer utilities within the northern section of the corridor that must be relocated.

The City's engineering consultant for this utility relocation project is Greenman-Pederson, Inc. (GPI). The original scope of work did not contemplate services during construction and Staff is requesting approval to engage GPI for the next phase as we're now progressing from design/permitting into construction. GPI is currently under a continuing contract with the City for as-needed services and Staff recommends continuing with this firm for construction engineering services.

Services will be billed on a time & materials basis in accordance with the rates established in our existing continuing services contract. The scope of work includes, but is not limited to: responses to contractor requests for additional information/clarification; plan revisions as necessary; shop drawing review; progress meetings attendance, etc.

For informational purposes ---

The successful bidder is DAB Constructors, Inc. who is currently performing the US-19 widening work through Homosassa.

The preconstruction meeting was held on October 2, 2018 and work is expected to begin in early November, 2018; the underground work will most likely start in early 2019 (after the holidays).

This \$50.4M road project is expected to take three years to complete.

Staff Recommendation: Approve the requested motion.

Funding Information:

Project Cost: \$ 25,000.00

Funding Source: 403-43650-31002-1343B (W&S CIP Hwy 19 Widening Utility Relocation – Engineering Services)

Amount Available: \$ 25,000.00

Finance Department Approval: _____

Approvals:

Department of Public Works



City Manager

City Attorney (if applicable)

Attachments: Greenman-Pedersen Work Order Number 7 proposal dated 10/1/18

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

GREENMAN-PEDERSEN, INC.
WORK ORDER NUMBER 7
For the performance of Specific Professional Services
Under the terms of the CONTINUING ENGINEERING SERVICES CONTRACT

PROJECT: US 19 UTILITY RELOCATION PROJECT

OCTOBER 1, 2018

THIS WORK AUTHORIZATION DETAILS SPECIFIC SERVICES TO BE PROVIDED IN ACCORDANCE WITH THE CONTINUING ENGINEERING SERVICES CONTRACT PREVIOUSLY SIGNED BY GREENMAN-PEDERSEN, INC., (GPI) AND THE CITY OF CRYSTAL RIVER (CITY)

A. PROJECT DESCRIPTION

The Florida Department of Transportation (FDOT) is widening a section of Highway US 19 through the City of Crystal River. The widening will impact the City's water and wastewater lines within the project limits. The total project length is approximately 25,000 feet, and is impacting City facilities from West Ozello Trail to West Jump Court. This work order is for construction services to be provided to the City of Crystal River for the construction of the utility relocations required due to this roadway reconstruction project. GPI's services will include responding to construction RFI's and making field revisions to plans as necessary during construction to document the final as-built construction plans.

B. SCOPE OF SERVICES

The following scope of services has been developed by GPI to address the construction services to be provided.

Task 1 – Construction Services

- a. GPI will provide responses to RFI's from the FDOT contractor.
- b. GPI will provide signed and sealed updated plan revisions as necessary.
- c. GPI will review / approve shop drawings provided by FDOT contractor.
- d. GPI will attend progress meetings and field reviews if requested by FDOT contractor or City of Crystal River.

GREENMAN-PEDERSEN, INC.
WORK ORDER NUMBER 7
For the performance of Specific Professional Services
Under the terms of the CONTINUING ENGINEERING SERVICES CONTRACT

PROJECT: US 19 UTILITY RELOCATION PROJECT

C. FEES AND BILLING TERMS

Task 1 will be provided based on an hourly amount – not to exceed. The following fee estimate has been prepared based on the scope of services. If additional services are required they will be provided on an hourly basis based on the approved hourly rates in the continuing services contract

Monthly invoices will reflect hourly time charges with a corresponding RFI number and /or meeting attended and expenses incurred.

HOURLY TASKS	FEE (\$)
1. Construction Services	\$25,000
TOTAL AUTHORIZED AMOUNT NOT TO EXCEED	\$25,000

H. GPI CONTACTS

Todd Potter, PE is the GPI point of contact for the CITY, and will function as Project Manager.

Travis K. Justice, PE is the Senior Principal and engineer of record and will oversee the project and assist with project management and quality assurance and control measures.

PREPARED AND SUBMITTED BY



Travis K. Justice, P.E.

Assistant Vice President / Director of Engineering
Greenman-Pedersen, Inc

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 9F

Requested motion: N/A- Discussion on Two Septic to Sewer Projects in the approval process with DEP and SWFWMD. (Staff is requesting consensus on the two projects)

Summary: For several years, City Council has pursued the long-term health of the Kings Bay Watershed, taking on approximately 13 million dollars of project work to reduce nitrogen release into the aquifer. The City is the only municipality as an active member of the Springs Committee that SWFWMD manages for the five major spring sheds. The City also works together with Citrus County Utilities to better manage long-term environmental health in its entirety. The City is beginning the process to establish contracts with DEP and SWFWMD on two projects in the City's Water and Sewer Districts located outside the municipal limits. Staff will also work with Citrus County to identify any terms and conditions and/or any Interlocal agreement requirements.

In discussions with SWFWMD the final vote on these projects by the State will be in January.

The first project is called the Southern Sewer Project that will eliminate 7.8 tons of nitrogen per year into the aquifer. There are 706 residential units and 16 commercial properties. The expected cost approximately 6.5 million dollars. It is funded by DEP at the rate of 50%, SWFWMD 25% and assessment of 25%. Timeline of the project is 2018 – 2021. There is an attached illustration of the areas being included.

The second project is called the Indian Waters Sewer Expansion Grant Project that will eliminate 3.0 tons of nitrogen per year. Many of the residences are on canals and all are near to the Indian River. It includes taking an older privately held package plant which directly outfalls into the river. The expected cost is \$5.5 million dollars. It is funded by DEP at the 50% of the cost, SWFWMD 25% and assessment of 25%.

The benefit of having a secondary use of the treated wastewater at Duke greatly improves the value of investing in Crystal River's utility system.

Staff will be keeping you informed as the process moves forward.

Staff Recommendation: Staff recommends consensus to move forward.

Funding Information:

Project Cost: NA

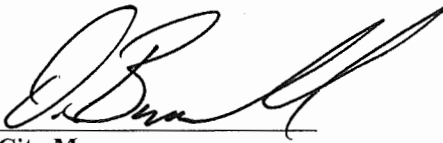
Funding Source:

Amount Available:

Finance Department Approval: _____

Approvals:

Originating Department



City Manager

City Attorney (if applicable)

Attachments: 2 Site plans

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____



YOUR TAX DOLLARS AT WORK...

Southern Sewer Expansion Grant Project

COST: \$6,500,000 (FY2018 - 2021)

FUNDING: FDEP = 50%, SWFWMD = 25%, Utility Assessments = 25%

SCOPE: Removal of 706 residential and 16 commercial septic systems

BENEFIT: Elimination of 7.8 TONS OF TOTAL NITROGEN PER YEAR
from entering the aquifer and our precious waterways.





**INDIAN WATERS
SEWER EXPANSION PROJECT**

YOUR TAX DOLLARS AT WORK...
Indian Waters Sewer Expansion Grant Project
COST: \$5,497,000 (FY2018 - 2021)
FUNDING: FDEP = 50%, SWFWMD = 25%, Utility Assessments = 25%
SCOPE: Wastewater master planning, removal of 270 septic systems and the decommissioning of an antiquated wastewater treatment plant which currently serves an additional 138 equivalent residential units
BENEFIT: Elimination of 3.0 TONS OF TOTAL NITROGEN PER YEAR from entering the aquifer and our precious waterways.



CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 9G

Requested Motion: Motion to ratify proclamation pertaining to a declared emergency due to Tropical Storm Michael.

Summary: Due to the impacts of Tropical Storm Michael staff has worked to ensure that a disaster proclamation is put into place and move forward with the emergency funding appropriation process, in accordance with Chapter 21 of the City's Code of Ordinances. (APPLICABLE EXCERPTS BELOW).

Sec. 21-3. - Declaration of emergency by proclamation—Generally.

(a) A state of emergency shall be declared by proclamation of the mayor, or the vice-mayor in his absence, or by the city manager, or his designee, in the absence of the mayor or vice-mayor. The state of emergency shall continue until the mayor, or the vice-mayor in his absence, or city manager, or his designee, in the absence of the mayor or vice-mayor, finds that the threat or danger no longer exists or until an emergency meeting of a quorum of the city council can take place and terminate the state of emergency by proclamation.

(b) A proclamation declaring a state of emergency shall activate the disaster and/or hurricane operations plan applicable to Crystal River and shall be the authority for use or distribution of any supplies, equipment, materials, or facilities assembled or arranged to be made available pursuant to such plans.

Sec. 21-4. - Same—Authority of designated official.

In the event of an emergency pursuant to this chapter, the mayor, or vice-mayor in his absence, or the city manager, or his designee, in the absence of the mayor or the vice-mayor, may issue a proclamation declaring a state of emergency when a quorum of the city council is unable to meet and shall have the authority and power to take such action to protect the health, safety, and welfare of the community including the following which shall have the force of municipal law during this emergency which, at the discretion of the mayor, or the vice mayor in his absence, or the city manager, or his designee in his absence, may include any of the following, as needed to deal the emergency at hand...

(5) Utilize all available resources of the city government as reasonably necessary to cope with the disaster emergency, including emergency expenditures not to exceed two hundred thousand dollars (\$200,000.00).

Staff Recommendation: Ratification of the proclamation, as recommended.

Funding Information:

Project Cost:

Funding Source:

Amount Available:

Finance Department Approval: _____

Approvals:

Originating Department



City Manager

City Attorney (if applicable)

Attachments: Emergency Declaration Proclamation

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

SIGNED 1305
10/08/18

PROCLAMATION

A PROCLAMATION BY THE MAYOR OF THE CITY OF CRYSTAL RIVER, FLORIDA, PERTAINING TO A DECLARED EMERGENCY DUE TO TROPICAL STORM MICHAEL

WHEREAS, Governor Scott declared a "State of Emergency" for the State of Florida on Sunday, October 7, 2018, due to the imminent threat of Tropical Storm Michael; and,

WHEREAS, public life, health, property or peace may be threatened in the City of Crystal River by Tropical Storm Michael with increasing risk of dangerous storm surge, rainfall, strong winds, hazardous seas, and the potential for isolated tornadic activity for portions of Florida's northern Gulf Coast by mid-week; and

WHEREAS, in the event a state of emergency is declared for Citrus County, mandatory evacuation of portion of the City of Crystal River west of U.S. Highway 19 would likely be issued by the Citrus County Sheriff.

NOW, THEREFORE, I JIM FARELY, DO HEREBY PROCLAIM:

1. Based on the findings above, a public emergency may arise due to Tropical Storm Michael which would affect the citizens of the City of Crystal River.
2. Upon declaration by the Citrus County Sheriff or Citrus County Emergency Operations Center that a state of emergency exists for Citrus County, a state of emergency will immediately exist for the City of Crystal River, and is hereby declared.
3. This proclamation shall be forwarded to the Citrus County Sheriff and/or Citrus County Emergency Operations Center, and the Citrus County Board of County Commission.
4. Any local ordinance of the City of Crystal River dealing with a state of emergency and emergency procedures is hereby activated.

Signed this 8th day of October, 2018.

CITY OF CRYSTAL RIVER


Jim Farley, Mayor

ATTEST:


Mia Fink, CMC, City Clerk



CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 9H

Requested Motion: Motion to adopt Emergency Resolution No. 19-ER-01 authorizing emergency appropriations related to Tropical Storm Michael.

Summary: Due to the impacts of Tropical Storm Michael staff has worked to ensure that a disaster proclamation was put into place and proposes moving forward with the emergency funding appropriation process, in accordance with Chapter 21 of the City's Code of Ordinances. (APPLICABLE EXCERPTS BELOW).

Although already adopted, a recommendation was made for staff to bring forward those documents for ratification by Council when a quorum could be established.

Sec. 21-3. - Declaration of emergency by proclamation—Generally.

(a) A state of emergency shall be declared by proclamation of the mayor, or the vice-mayor in his absence, or by the city manager, or his designee, in the absence of the mayor or vice-mayor. The state of emergency shall continue until the mayor, or the vice-mayor in his absence, or city manager, or his designee, in the absence of the mayor or vice-mayor, finds that the threat or danger no longer exists or until an emergency meeting of a quorum of the city council can take place and terminate the state of emergency by proclamation.

(b) A proclamation declaring a state of emergency shall activate the disaster and/or hurricane operations plan applicable to Crystal River and shall be the authority for use or distribution of any supplies, equipment, materials, or facilities assembled or arranged to be made available pursuant to such plans.

Sec. 21-4. - Same—Authority of designated official.

In the event of an emergency pursuant to this chapter, the mayor, or vice-mayor in his absence, or the city manager, or his designee, in the absence of the mayor or the vice-mayor, may issue a proclamation declaring a state of emergency when a quorum of the city council is unable to meet and shall have the authority and power to take such action to protect the health, safety, and welfare of the community including the following which shall have the force of municipal law during this emergency which, at the discretion of the mayor, or the vice mayor in his absence, or the city manager, or his designee in his absence, may include any of the following, as needed to deal the emergency at hand...

(5) Utilize all available resources of the city government as reasonably necessary to cope with the disaster emergency, including emergency expenditures not to exceed two hundred thousand dollars (\$200,000.00).

Staff Recommendation: Adoption of resolution as recommended.


Funding Information:

Project Cost: \$ 200,000.00
Funding Source: 001-01580-99012 (General Fund Restricted Reserves - Emergency Reserves)
Amount Available: \$ 1,047,408.00

Finance Department Approval: 

Approvals:

Originating Department



City Manager

City Attorney (if applicable)

Attachments: Emergency Resolution No. 19-ER-01

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

EMERGENCY RESOLUTION NO. 19-ER-01

**A RESOLUTION OF THE CITY OF CRYSTAL RIVER, FLORIDA,
PURSUANT TO CITY CHARTER SECTION 3.11(B) AUTHORIZING
EXPENDITURE OF RESERVE FUNDS UPON DECLARED EMERGENCY.**

WHEREAS, the City of Crystal River Charter, Section 3.11(b) provides that City Council may make emergency appropriations to meet a public emergency affecting life, health, property or the public peace; and,

WHEREAS, the Governor of the State of Florida has declared a “State of Emergency” for the State of Florida; and,

WHEREAS, in the event an emergency is declared for Citrus County and/or the City of Crystal River relating to the imminent threat of Tropical Storm Michael, it will be necessary to expend emergency funds to protect public life, health, property, and peace; and,

WHEREAS, the City Manager is authorized through City Charter Section 1.05(b) to act upon local and temporary public emergencies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA:

SECTION 1: Emergency appropriations are hereby allocated in the amount of two hundred thousand dollars (\$200,000.00) to be expended from the General Fund Restricted Reserve.

SECTION 2: These emergency appropriations shall only be expendable upon an emergency for the City of Crystal River declared by the Mayor of Crystal River.

SECTION 3: The authority to expend these emergency appropriations shall be immediately repealed when the threat to public life, health, property, and peace no longer exists.

SECTION 4: This Resolution shall become effective immediately upon its passage.

Done, this 8th day of October, 2018.

CITY OF CRYSTAL RIVER

ATTEST:

JIM FARLEY, MAYOR

**MIA FINK, CMC
CITY CLERK**

CITY OF CRYSTAL RIVER

JOURNAL ENTRY

JE: 11118

Post Date: 10/08/2018

Entered By: MRUSSELL

Entry Date: 10/08/2018

Journal: BA

Description: RES #19-ER-01 HURRICANE MICHAEL FUNDING1

GL #	Description	DR	CR
001-01539-49013-MIKE8	INITIAL EMERGENCY FUNDING PER RESOLUTION		200,000.00
001-01580-99012	INITIAL EMERGENCY FUNDING PER RESOLUTION	200,000.00	
Journal Total:		200,000.00	200,000.00

APPROVED BY: _____

CRYSTAL RIVER CITY COUNCIL
Agenda Item Summary

Meeting Date: October 8, 2018

Agenda Item Number: 9I

Requested Motion: Motion to adopt Resolution No. 19-ER-02 authorizing additional emergency funding in the amount of \$300,000.00 for a total of \$500,000.00 to hire contractors and professional services related to clean-up and recovery, including debris removal for commercial businesses in the event that damages are sustained from Tropical Storm Michael.

Summary: Following Hurricanes Hermine and Irma, the City moved forward with debris removal and clean-up prior to federal declaration of emergency. Although the direct effects of Tropical Storm Michael have yet to be determined, this item is being brought forward to provide City Council with the opportunity to appropriate additional City funds in order to minimize the impact to residents and businesses by aggressively moving forward with clean-up, in the event that damages are sustained.

If the City Council approves this motion, staff recommends doing it in a way that will make the majority of the cost eligible for FEMA reimbursement. This will include hiring a monitoring service to document the entire process, per FEMA guidelines.

As discussed during the previous year's emergency meetings following Hurricanes Hermine and Irma, commercial debris removal is not covered by FEMA, although proved to be an integral part of recovery efforts

Staff Recommendation: Staff recommends pre-approval of additional cost, if it becomes necessary.

Funding Information:

Project Cost:	\$ 300,000.00
Funding Source:	001-01580-99012 (General Fund Restricted Reserves – Emergency Savings)
Amount Available:	\$ 847,408.00

Finance Department Approval: Michelle H Russell

Approvals:

_____ Originating Department	 _____ City Manager	_____ City Attorney (if applicable)
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Attachments: Resolution No. 19-ER-02

Council Action:

Approved _____ Denied _____ Deferred _____ Other _____

EMERGENCY RESOLUTION NO. 19-ER-02

**A RESOLUTION OF THE CITY OF CRYSTAL RIVER, FLORIDA,
PURSUANT TO CITY CHARTER SECTION 3.11(B) AUTHORIZING
EXPENDITURE OF RESERVE FUNDS UPON DECLARED EMERGENCY.**

WHEREAS, the City of Crystal River Charter, Section 3.11(b) provides that City Council may make emergency appropriations to meet a public emergency affecting life, health, property or the public peace; and,

WHEREAS, the Governor of the State of Florida has declared a “State of Emergency” for the State of Florida; and,

WHEREAS, in the event an emergency is declared for Citrus County and/or the City of Crystal River relating to the imminent threat of Hurricane Michael, it will be necessary to expend emergency funds to protect public life, health, property, and peace; and,

WHEREAS, the City Manager is authorized through City Charter Section 1.05(b) to act upon local and temporary public emergencies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA:

SECTION 1: Additional emergency appropriations are hereby allocated in the amount of three hundred thousand dollars (\$300,000.00) to be expended from the General Fund Restricted Reserves.

SECTION 2: These emergency appropriations shall only be expendable upon an emergency for the City of Crystal River declared by the Mayor of Crystal River.

SECTION 3: The authority to expend these emergency appropriations for the removal of storm debris and monitoring services as well as any other inspections/and or permitting services prior to federal declaration of emergency as a result of Hurricane Irma.

SECTION 3: The authority to expend these emergency appropriations shall be immediately repealed when the threat to public life, health, property, and peace no longer exists.

SECTION 4: This Resolution shall become effective immediately upon its passage.

Done, this ____ day of _____, 2018.

CITY OF CRYSTAL RIVER

ATTEST:

JIM FARLEY, MAYOR

MIA FINK, CMC, CITY CLERK

CITY OF CRYSTAL RIVER

JOURNAL ENTRY

JE: 11119

Post Date: 10/08/2018

Entered By: MRUSSELL

Entry Date: 10/08/2018

Journal: BA

Description: RES 19-ER-02 HURRICANE MICHAEL FUNDING2

GL #	Description	DR	CR
001-01539-49013-MIKE8	ADDITIONAL EMERGENCY FUNDING PER RESOLUT		300,000.00
001-01580-99012	ADDITIONAL EMERGENCY FUNDING PER RESOLUT	300,000.00	
	Journal Total:	300,000.00	300,000.00

APPROVED BY: _____