



**Minutes of the
Crystal River City Council
Regular Council Meeting
Monday, April 23rd, 2018 @ 7:00 p.m.
Council Chamber, City Hall**

1. CALL TO ORDER

Mayor Farley called the meeting to order at 7:00 p.m.

Council Present: Mayor Farley, Vice Mayor Brown, Council member Fitzpatrick, Council member Gudis, Council member Holmes

Council Absent:

Staff Present: Finance Director Michelle Russell, City Attorney Jennifer Rey, City Clerk Fink, Public Works Director Beau Keene, Special Events Coordinator Leslie Bollin and Planning and Development Services Director Jackie Gorman.

Mayor Farley led in the Pledge of Allegiance and Council member Holmes led the invocation. Mayor Farley recognized Chamber of Commerce Executive Director Josh Wooten; County Commissioner Brian Coleman; and Joe Meek, Chamber of Commerce Board Chair.

2. ADOPTION OF AGENDA

Motion to adopt the agenda was made by Vice Mayor Brown; seconded by Council member Gudis. Motion carried 5-0.

3. PRESENTATIONS

- A. *Arbor Week Proclamation.....Crystal River Tree Board*
- B. *National Women’s Health Week Proclamation.....American Lung Association*

4. UNFINISHED BUSINESS

5. APPROVAL OF CONSENT AGENDA

- A. Motion to approve minutes from the Regular City Council meeting held April 12, 2018
- B. Monthly Departmental Reports for the month of March
- C. Motion to appoint Michael Martin to the Planning Commission Alternate Seat No. 2 and Gregory Acker to At-Large Seat No. 6

Background: [Agenda Sheet **Requested Motion: Motion to appoint Michael Martin to the Planning Commission Alternate Seat No. 2 and Gregory Acker to At-Large Seat No. 6.**

Summary: In February of 2018 Planning Commission At-Large Seat No. 6 became vacant. Planning Commissioner Gregory Acker, previously holding Alternate Seat No. 2, is recommended for appointment to At-Large Seat No. 6.

The City Clerk’s Office received an application from Michael Martin in March of 2018. Staff has reviewed the application and found that Mr. Martin is eligible to serve on the Planning Commission.

Staff Recommendation: Staff recommends approval.

End of Agenda Sheet]

Motion to approve the consent agenda was made by Council member Gudis; seconded by Council member Holmes.

6. PUBLIC INPUT

(Time Limit of Three Minutes)

Phillis Rosetti- 209 SE Paradise Rd. – Expressed concerns regarding USFWS Management Plan, including lack of performance measures, reimbursement clause, and discretionary authority of Refuge Manager, and noting the direct impact Three Sisters Springs has on the local community.

Julie Morris- USFWS Association- Discussed USFWS conservation and wildlife advocacy mission and spoke in favor of a continued multi-agency partnership, noting benefits including leveraged resources and federal funding, and acknowledging challenges of navigating bureaucracies.

Joan Luebbe- 1004 SE 5th Avenue- Discussed past actions by the Friends of the CRNWR and advocacy efforts for a continued partnership and spoke in favor of the City's Alternative Management Plan, noting funding certainty, efficiency of local government, and affordable ticket pricing.

Dr. Harley Barnett- Discussed his experience as a videographer for manatee documentaries (provided a copy to Council), expressing concerns regarding river degradation, environmental impact and potential consequences of losing federal funding and support and noting challenges and benefits of federal-local partnerships.

Phil Jannarone- Paradise Point Road- Discussed the manatee tourism industry and benefits of privatization.

Jack Huegel- 743 SE 1st Court- Spoke in favor of the City's Alternative management Plan, commended staff, and expressed concerns regarding the twenty year term, reimbursement clause, state of the property and recalled past USFWS management actions.

Trisha Green- Read a comment on behalf of Mary Morgan (ATTACHMENT A).

Liz Kleen-Wildlife Biologist- USFWS- Noted errors in a prior draft of the City's Alternative Management Plan, and spoke in favor of continued management by, listed current USFWS contributions and expressed concerns regarding City management including discontinuation of Refuge Days.

Janis Huegel-743 SE 1st Court- Spoke in favor of City's Alternative Management plan, noting city contributions including related to access and quality of service, and funding certainty under local management. She also expressed concerns regarding continued management under USFWS, noting lack of on-site improvements and timely reporting.

Zoe Morris-Crystal River- Spoke in favor of City's Alternative Management Plan, noting local government ability to best identify community needs.

Mike Engiles- Crystal River Watersports- Discussed the efforts of Three Sisters Springs Community Working Group and timing of the recommendations presented in April of 2017, noting Council's vote to begin process for renegotiations in May of 2017, expressed concerns regarding a lack of opportunity for the current Refuge Manager to move forward with vetted recommendations. He also expressed concerns regarding lack of clarity in the City's comparison document, specifically related to policy and how manatee

tours will be affected under the City's Alternative Management Plan, noting a recent ordinance requiring tour vessels to obtain decals.

Robert McClinton- Crystal River Watersports-Mermaid Tails- Discussed the spike in local population over the past decade and expressed concerns regarding City's ability to manage.

Gail Kostelnick-2021 NW 13th Street- Spoke in favor of continued USFWS management of Three Sisters Springs, noting her recent letter published in the Chronicle and another by former City Manager Andy Houston, expressing concerns regarding ability of city staff and funding.

Cindy Guy- 1301 SE 4th Avenue- Majestic Manatee- Majestic Wedding Chapel- Spoke in favor of continued USFWS management of Three Sisters Springs, discussing the on-the-water role of manatee tour companies, ineffectiveness of city's Water Enforcement tour companies and the impact of the City's trolley service on the local manatee tour operations.

Broderick Jenkins-Crystal River- Discussed the costly nature of ending partnerships, speaking in favor of a continued partnership, and encouraging Council to enhance the existing arrangement through contributions.

Ron Ross- Gulf Coast Expeditions- Discussed the role of tour operators and volunteers in on the water enforcement and education, noting efforts of tour operators to fill vacancies during sequester, and expressing concerns regarding city's understanding of responsibility and cost of enforcement and oversight.

Capt. John Spann- Plantation- Discussed importance and uniqueness of the swim-with program, expressing concerns regarding potential liabilities and city's ability to handle manatee protection and enforcement, and the critical nature of protecting manatees and the program.

Mayor Farley confirmed that the City's Alternative Management Plan did not involve ending the swim-with program.

Capt. Mike Dunn- Spoke in favor of a continued partnership, noting challenges in a partnership and the importance of protecting manatees.

Captain Jim- Spoke in favor of a continued partnership, and cost of failing to get along.

Pete Langolis- Crystal River- Discussed concerns regarding City assuming sole management of the site including size of the community and risk involved.

Charles Lee- Audobon FL- Director of Advocacy- Spoke in favor of a continued partnership, as necessary to preserving and protecting a natural resource, and discussed the timeline of events that led up to acquisition of the site and development of the current management plan and agreement.

Pat Rose- Save the Manatee Club- Spoke in agreement with Mr. Lee's previous comments, noting the collaborative effort to obtain the property, original vision for the partnership, and working group recommendations, and noting concerns with each of the draft proposals.

Josh Wooten- City County Chamber of Commerce- Spoke in agreement with Mr. Rose's previous comments, providing a brief history of the collaborative acquisition effort, noting community involvement, the National Geographic article about the site and surrounding area, and the need to continue working through a partnership.

Kennedy Smith-Crystal River- Discussed concerns regarding the USFWS Management Plan, noting the twenty year term and funding uncertainty, suggesting investment in the site be placed in ESCROW.

Tom Gotterup- 6083 W. Fairhope Ct. - Friends of the CRNWR President- Thanked former City Manager Andy Houston, Chamber of Commerce staff, Mike Engiles, META and the Friends, compared the number of comments in favor of City management with those in favor of USFWS management of continued partnership, and expressed concerns that state appropriated funding cited in City's plan was not guaranteed.

Council member Holmes requested comments received from Dee Atkins via email be entered into the record (ATTACHMENT B).

7. PUBLIC HEARING

8. CITY ATTORNEY

City Attorney Rey presented a memo regarding Three Sisters Springs property management (ATTACHMENT C) focused on liability and enforcement concerns.

9. CITY MANAGER

- A. Discussion and comparison of the two proposals for Three Sister Springs Property by United States Fish and Wildlife Service and City of Crystal River Staff

Background: [Agenda Sheet **Information Only: Presentations, discussion and comparison of the two proposals for Three Sister Springs Property by United States Fish and Wildlife Service and City of Crystal River Staff.**

Summary: City Staff and Representatives from United States Fish and Wildlife will make verbal or Power Point presentations on highlights of the attached plans and address City Council questions related to the each proposal and the differences.

As current management entity for the property, USFWS will first outline their plan and address Council questions.

City staff will then outline the alternate management plan for the property and address Council questions.

City Attorney will also provide input on the two plans from a legal perspective.

Open discussion to follow related to each plan as presented with staff and/or USFWS Representative to address any further questions.

Staff Recommendation: NA

End of Agenda Sheet]

Ernie Clark – Area Supervisor- USFWS- Expressed full support for Refuge Manager Joyce Palmer, noting her collaborative approach and benefits of incrementalist pace of federal government action. He confirmed USFWS commitment to continued partnership, continued representation as stewards of CRNWR and active participants in community.

Mayor Farley acknowledged presence of Jonathan Torres, representing Senator Marco Rubio's Office.

Refuge Manager Joyce Palmer distributed a revised comparative analysis table to Council members (received after agenda deadline) (ATTACHMENT D) and presents PowerPoint "Three Sisters Springs Management Plan" (ATTACHMENT E).

She discussed the purpose of the long term agreement to ensure that USFWS will be a party for the lifetime of any facilities that are put in place, the purpose of the reimbursement clause due to federal appropriations law, and noting provisions that may be made in the event that the city managed the site independently, including monthly presence of a USFWS biologist and manatee education.

Council discussion was then held regarding proposed agreements terms, site facilities and improvements, benefits of a coordination committee, funding concerns, and local decision making authority by USFWS leadership during which Ms. Palmer addressed Council questions and provided clarification. Further Council discussion was held regarding issues related to public access, future site development, interagency communications, and recent events leading up to renegotiation of the management plan during which Council member Holmes spoke in favor of termination if the current agreement with USFWS and adoption of the City's Alternative Plan proposal.

City Manager Burnell then discussed the Alternative Management Plan, providing an overview of events leading up to the renegotiations and noting potential federal funding shortfalls. He also discussed water quality improvement and other capital projects completed by the city, and other efforts to address on the water issues. He provided an overview of events leading up to the city's development of the Three Sisters Springs Visitor Center and Trolley tour , noting future funding secured for the site and cost cutting measures including seasonal employment. He also discussed how potential issues, such as attendance levels and volunteer staffing, would be addressed. He expressed concerns regarding USFWS plan provisions including capital funding reimbursement, limited city discretion, and increased admission cost. He spoke in favor of city's proposal, but noted that staff will support Council decision.

He also addressed Council member Gudis' questions regarding enterprise funding levels and affordability. Council member Holmes also provided confirmation that he was in favor of termination of existing agreement and City management of property. Council member Fitzpatrick inquired about enterprise funding levels for past and prior seasons, for which City Manager Burnell provided clarification noting establishment of a capital fund to cover slow seasons.

Mayor Farley discussed the comparison document and expressed concerns regarding long term sustainability and funding uncertainty based on factors including economy and weather.

He also spoke in favor of a continued partnership and discussed ways in which the City could help to decrease cost and increase efficiency, including in-house treatment of invasives and commended the current manager.

Vice Mayor Brown spoke in favor of a continued partnership with USFWS, commending efforts of all management entities, including SWFWMD for their on-site restoration projects, discussing original intent of the management agreement and plan, and expressing concerns regarding uncertainty of future Council's decisions. He discussed the benefits of a continued partnership under USFWS proposed plan including USFWS scientific expertise and coordination committee, and noted concerns regarding City's proposed plan including liabilities and funding uncertainty.

Council member Fitzpatrick spoke in favor of a continued partnership with USFWS, commending staff efforts and the resulting dialogue, noting risks associated with assuming sole management responsibility, and noting concerns with proposed reimbursement clause and potential sequestration.

Council member Holmes spoke in favor of the City's Alternative Plan, noting continued and ongoing revisions to each, issues presented by the City Attorney, and the need to continue negotiations.

Council member Gudis discussed the nature of the partnership, expressing concerns regarding the USFWS Draft Management Plan, including the 2 year term, revenue sharing and increased admission cost, and noting the need for further negotiation.

Council member Fitzpatrick noted the preference of continuing under the current plan and agreement and Council member Gudis noted that the current arrangement could be improved.

- B. Motion to approve the United States Fish and Wildlife Services Plan for management of the Three Sisters Springs property

Background: [Agenda Sheet **Requested Motion: Motion to approve the April 2018 United States Fish and Wildlife Service (USFWS) Draft Management Plan for the Three Sisters Springs Property.**

Summary: The USFWS can play a vital role in management of Three Sisters Springs and would like to continue managing the property. The Crystal River National Wildlife Refuge has been working cooperatively with the City to update the management plan and intends to work together with the City to develop the property as mutually agreed upon. The Refuge has assisted the City in meeting the intent of the Florida Communities Trust in granting funds to the City for purchase of the property and 19 of the 21 covenants have been initiated, are ongoing, or have been completed. We are prepared to invest significant funding into permanent structures, given certain conditions including a long-term lease to invest funds on lands not federally owned, sharing of entrance fees collected, and the ability to implement the plan once approved by City Council.

The USFWS has developed infrastructure for public access and enjoyment, including an access road, a 1,500-foot boardwalk, a picnic pavilion, temporary entrance gate, and 1.75 miles of trails. Next steps include construction of a permanent entry gate and booth, landscaping, and fencing at the public entrance off Three Sisters Springs Trail; new interpretive panels on existing trails; permanent public restrooms; manatee viewing platforms along Magnolia Springs; an observation platform for viewing wetland wildlife (herons, egrets and fish); and trail improvements, including wheelchair accessible surfaces. The USFWS will also develop environmental interpretation and education programs to connect people with nature at this unique site.

Staff Recommendation: NA

End of Agenda Sheet]

Motion to approve the April 2018 United States Fish and Wildlife Service (USFWS) Draft Management Plan for the Three Sisters Springs Property was made by Council member Fitzpatrick; seconded by Vice Mayor Brown.

City Attorney Rey reminded Council of some outstanding contractual items to be addressed, including valuation of capital investment and reimbursement and suggested amending motion to include language to provide policy direction to staff to iron out critical points and for Council to come back for final approval of plan and actual agreement. Discussion was then held with Ms. Palmer distinguishing management plans from actual management agreements.

Motion to amend the original motion to include language as suggested by City Attorney Rey (underlined portion below) was made by Council member Fitzpatrick; seconded by Vice Mayor Brown.

Motion to approve the draft United States Fish and Wildlife Services Plan for management of the Three Sisters Springs property with direction to staff and USFWS to iron out critical points (as

discussed) for Council to come back for approval of final management plan and corresponding agreement. Motion as amended carried 3-2 (Council member Gudis and Council member Holmes in opposition).

C. Motion to approve the City of Crystal River's Alternate Plan for management of the Three Sister Springs property

Background: [Agenda Sheet **Requested Motion: Motion to approve the City of Crystal River's Alternate Plan to manage the Three Sister Springs property.**

Summary: This alternate plan has been developed in response to a unanimous vote by the Crystal River City Council (City) to put United States Fish & Wildlife Service (Service) on notice for failing to meet contractual obligations of the Management Plan (Plan) The Plan is a document containing contractual obligations the City must meet, with Florida Community Trust (FCT) as trustee of the property. The original intent was to have the Service manage and do the majority of improvements on site as documented in the 2010 Plan which shows capital and operational goals.

Originally, the City did not plan to have any responsibility relating to site operations. The Service requested that the City help meet the public access requirements of FCT and to assist in public education on the water. This was due to public outcry, poor visitor experiences, along with funding and regulatory issues within the Service. The City's role changed substantially over time in order to meet public demand for use of the property. City Council agreed to assist and the City took on the majority of operational functions at Three Sisters Springs, with the City having the most to lose. Crystal River was once a fishing village, then became a bedroom community for Duke Energy, and now it has become a tourist destination for outdoor water-related activities. Good or bad, this has become the life blood of our community.

The City now operates a Welcome Center, provides transportation in and out of Three Sisters, manages all visitors to the Three Sisters site and employs fourteen full or part-time personnel during manatee season. This year's budget included all required positions to operate independently utilizing no City tax dollars. The capital investment to meet many of the required improvements is also addressed with no City tax dollars expended.

This alternate plan lays out how the City would operate Three Sisters Springs without the Service's management. The intent of the original plan does not change as described in the original Executive Summary, except for changing the manager of the property from the Service to the City. The Crystal River National Wildlife Refuge (CRNWR) will remain but the Three Sisters and the three springs would be excluded if this alternate plan is approved. This plan will require FCT approval.

Staff Recommendation: Senior staff members have agreed and believe the operations/ management accomplished to date at Three Sister Springs and development of an alternate plan that is realistic is the best choice for the City of Crystal River. It achieves the following: Local accountability, lower ticket price, all monies collected remain local, maintains superior customer service, ability to adjust to changing environments, better assures site improvements that will be approved by Council and the citizens of Crystal River have an opportunity for direct input, an opportunity for improved local pride in our City, policies and development to enhance changes to promote local usage.

All Senior staff members will however respect and follow whatever determination by City Council.

End of Agenda Sheet]

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-* Reported that Joe Meek stepped down as Board President and Carol Kimbrough was nominated to assume that role, reported on approval of pump house historic preservation grant, and efforts to draft a vacant property registry ordinance.

C. Council member Fitzpatrick

- *Metropolitan Planning Organization-*

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 - Reported that he was pleased a decision had been made regarding Three Sisters Springs property management and looked forward to moving on to other items. .
- B. Vice Mayor Brown- Concurred with Mayor's comments, noting many positive Riverwalk comments received.
- C. Council member Fitzpatrick- Concurred with Mayor's comments, commended staff and C.R.O. Deputy Roush's presence on the river.
- D. Council member Gudis- Reported that he was glad a decision was made and willing to what is necessary to make partnership work.
- E. Council member Holmes- Commended staff.

14. PUBLIC INPUT

(Five Minute Time Limit)

Ed Flowers-Crystal River- Presents handout proposing modification of existing tennis court to fit four full size pickleball courts. (ATTACHMENT F).

Arthur Larrell- Spoke in support of Mr. Flowers proposal, noting the fast growth of the sport and community benefit.

Rick Biccione- Spoke in favor of proposal, noting his involvement in sport at 91 years of age.

Jackie Enoch- Spoke of experience playing pickleball tournaments, popularity of sport and support of modifying existing courts, rather than building new.


Brenda Flowers- Crystal River- Spoke in favor of proposal and of experience playing with people of all ages, and noting locations of existing courts.

Charles Wesner- Spoke in favor of the proposal, noting that it is a commonly promoted amenity throughout many communities.

15. ADJOURNMENT

Mayor Farley adjourned the meeting at 10:22 p.m.

CITY OF CRYSTAL RIVER



JIM FARLEY, MAYOR

ATTEST:



MIA FINK, CITY CLERK



ATTACHMENT "A"

April 23, 2018

Crystal River City Council

RE: TSS Management

Dear Council Members,

Regretfully, I cannot attend tonight's City Council Meeting as Joe and I are helping family in Chattanooga.

Joe Smith and I are very concerned about the funding for the Three Sisters Spring improvements. The "**Comparative Analysis**" states under "Operational Costs" That "**Total \$1,050,381 first year commitment with no City taxpayer funding, all ticket fee and grant based.**"

The grant was \$400,000 and the ticket fees I believe, grossed between \$75,000 and \$100,000. Where is the other \$650,000 coming from?

TSS EXPENSES	COST
Boardwalk and sixth platform	TBD
2 Observation platforms (Magnolia)	\$100,000.00
1 Observation Wetlands	\$50,000.00
Main Entrance Enhancements	\$50,000.00
Nature Trail Improvements	\$50,000.00
Fishing Docks (2)	\$60,000.00
Additional Pavillion	\$35,000.00
Education Station	\$80,000.00
Restrooms	\$170,000.00
Parking Improvements	\$50,000.00
Interpretive Signs	\$10,000.00
Infrastructure Improvements	\$95,000.00
Staffing	\$312,161.00
Maintenance	\$102,220.00
Trolley	\$20,000.00
Total Expenses	\$1,184,381.00

This is too much for a city of 3500 people to take on. Council balked at \$45,000 for pickle ball courts recently. Do not be penny wise and pound foolish.

The City is going take over plant and wildlife survey monitoring. What does a biologist cost to do that survey? What does invasive plant removal cost?

How much will it cost to train the paid staff or volunteers to take over interpretation on the boardwalk and the trails?

USFWS has experience developing interpretive programs, public outreach, and educational materials. They are in the business of habitat management, exotic/invasive plant control, and habitat restoration.

Please partner with USFWS and keep the property in the hands of the experts.

Three Sisters Spring is successful because it is part of a Federal Wildlife Refuge.

Sincerely, Mary Morgan 124 N Citrus Ave, Crystal River, FL 34428

ATTACHMENT "B"

3SS

RECEIVED 4/23/18 FROM DEE ATKINS

1. THESE ARE THE SAME COMMITMENTS AND PLAN WE'VE SEEN AND HEARD MANY TIMES IN 10 YEARS AND NOTHING HAS BEEN DONE. THEY'VE NEGLECTED OUR GEM FOR 10 YEARS AND I DON'T SEE ANYTHING CHANGIING. AS A MATTER FACT, INSTEAD OF MAKING LUDICROUS DEMANDS SUCH AS A 25 YEAR CONTRACT AND POSSIBLE REIMBURSEMENT FOR WHAT WAS PROMISED IN THE FIRST PLACE, THEY SHOULD BE ASHAMED AND EMBARRASSED AND CHOMPING AT THE BIT TO FULFILL THEIR COMMITMENTS.
2. ANOTHER POINT, THE FRIENDS KEEP ITERATING HOW THEY HAD SUCH A LARGE PART IN THE PURCHASE. THAT'S TRUE, HOWEVER, THEY DIDN'T DO IT ALONE. THERE WERE ALOT OF PRIVATE DONATIONS FROM CITIZENS AND OTHER ORGANIZATIONS SUCH AS THE ROTARY. I WAS ONE OF THOSE DONORS AND I WAS IN TALLAHASSEE THE DAY WE WENT BEFORE THE FCT VYING FOR THE GRANT ALONG WITH MANY OTHER PEOPLE THAT WERE NOT MEMBERS OF THE FRIENDS..
3. YOU KNOW, THE CIVIL WAR ENDED IN 1865 LEAVING THE COUNTRY IN SHAMBLES. 20 YEARS LATER THERE WERE NETWORKS OF RAILWAYS FROM ONE COAST TO THE OTHER, OIL REFINERIES MAKING ENOUGH KEROSENE TO LIGHT EVERY HOME, BUSINESS, STREETS. TWO YEARS LATER WE WERE MASS PRODUCING STEEL TO BUILD BUILDINGS AND BRIDGES.

BUT OUR FEDERAL AGENCY, THAT IS SUPPOSED TO HAVE ALL THESE WONDERFUL RESOURCES, HASNT EVEN MET THE COMMITMENTS AND PROMISES OF A 57 ACRE REFUGE IN 10 YRS.. NOT EVEN A RESTROOM.

THIS IS SUPPOSED TO BE A REFUGE AND YET THE ONLY THING THAT'S CONDUCIVE TO WILD LIFE IS THE SPRINGS THAT GOD GAVE US AND THE WETLANDS THAT SWFWMD GAVE US, AS PROMISED.

4. YOU WILL BE MAKING AGREEMENTS WITH STAFF THAT HAS NO AUTHORITY TO APPROVE OR ALLOCATE FUNDING AND THEY SAY ALL THEIR COMMITMENTS ARE CONTINGENT ON FUNDING. WE'VE BEEN DOWN THAT ROAD..MORE THAN ONCE IN THE LAST 10 YEARS.

THE PROPERTY HAS BEEN DEFOLIATED AND NEGLECTED AND USFWC HAVE ONLY SHOWN ME THEY ARE POOR STEWARDS OF WHAT SHOULD BE A WONDERFUL AND BEAUTIFUL 'REFUGE'.

BE VERY CAREFUL, MY FRIENDS!!! ITS AN AGREEMENT I'M SURE NONE OF YOU WOULD ACCEPT IN THE PRIVATE SECTOR. THEY WOULDN'T HAVE LASTED 6 MONTHS MUCH LESS 10 YEARS.

ATTACHMENT "C"

THE HOGAN LAW FIRM®

We mean businessSM

MEMORANDUM OF LAW

TO: CRYSTAL RIVER CITY COUNCIL
DAVE BURNELL, CITY MANAGER

FROM: JENNIFER C. REY, ESQ.
THE HOGAN LAW FIRM, LLC
AS CITY ATTORNEY

RE: THREE SISTERS SPRINGS PROPERTY MANGEMENT

DATE: APRIL 20, 2018

We have been asked to advise the City Council on the legal issues associated with Three Sisters Springs and the future management of the property. To this end, there are five areas of focus where legal liability arises: Contractual Liability, Financial Liability, Personal Injury Liability, Environmental Liability, and Enforcement Concerns.

Contractual Liability

Based on the funding sources for the acquisition of Three Sisters Springs, the City committed to meeting the obligations set forth in the Florida Community Trust Declaration of Restrictive Covenants. Some of these Declarations have been completed to date; others have not. Certain Declarations require an ongoing commitment on behalf of the City. To date, the City has delegated the completion of these Declarations to the U.S. Fish and Wildlife Service (the "Service"). Should the City decide to continue with a Management Plan with the Service, it is suggested that the agreement clearly delineate how the Service will meet each of the obligations under the Declarations and that a timetable with deadlines be established so that all parties are clear on what obligations need to be met or performed by a date certain. Furthermore, where Declarations require construction or development of capital improvements or structures, it should also be clearly delineated on what process will be used to determine where the improvements or structures will be constructed and how their design will be determined. Not having clear guidance to address these issues may delay compliance with the Declarations. Finally, to the extent the agreed upon improvements deviate from the FCT grant agreement or application, the parties would be wise to obtain approval from the FCT to ensure the project maintains an appropriate level of points to support the grant.

In the event the City chooses, to terminate its Management Agreement with the Service, then the City becomes solely responsible for completing and maintaining the commitments set forth in the Declaration. Some of the ongoing obligations under the Declarations include:

- Annual scheduled educational classes or programs (at least 12)
- Natural Communities shall be preserved and appropriately managed.

- Project shall be maintained in a manner that protects and enhances listed and non-listed native species and their habitat.
- Ongoing monitoring and control program for invasive vegetation and nuisance native plant species.
- Feral animal removal program

Financial Liability

To date, the property management and operational costs, including tourist and educational activities, are being jointly funded through a variety of sources including federal, state, local, and private dollars. The Service has funded its property management costs using federal and private dollars. Should the City decide to continue its Management Agreement with Service, the Service has asked for a 20 year term for the Agreement, and in the event the City terminates the new Agreement, the Service requires that the City pay it back for the depreciated costs of capital improvements to the property installed or constructed after the new Management Agreement is in effect. It is our recommendation that, in the event the City terminates the new Agreement, the City should only be responsible for the depreciated value of the Capital Improvements funded through federally appropriated funds, and not any private or philanthropic funds. It is also our recommendation that should the Service terminate the Agreement, that the City not be responsible for paying back any of the funded capital improvements. The current proposed Management Plan provided by the Service is not consistent with these recommendations.

In the event the Service is no longer responsible for property management, federal funds may no longer be available to assist with property management or other capital improvement costs. Should the City choose to terminate the current Management Agreement with the Service, then the City, and local taxpayers, are liable for the full costs of property oversight, including, but not necessarily limited to the following: infrastructure improvements, daily maintenance and operational costs, transportation of the public to and from the site, invasive species control (animal and vegetative) and the hiring of on-site personnel (including the hiring or designation of current City staff as the Refuge Manager). The City may use a variety of funding sources to fulfill its financial obligations to carry out the performance obligations in the Declarations, including enterprise funds, CRA funds, grant funding or private philanthropy; however, ultimately, if alternative revenue sources are inadequate to meet the funding requirements for City's performance obligations, the City must be prepared to use general ad valorem tax revenue. To the extent that the City does not currently have the staff or capacity to perform its obligations under the Declarations, the City may incur additional financial burdens to either hire personnel or contract with individuals or businesses to carry out the obligations under the Declaration.

Personal Injury Liability

As with any city property, the City is subject to liability for injuries that occur on the property. Although the City is currently liable for damages associated with injuries occurring on the property, under the current Management Agreement, there is shared or joint liability with the Service. To the extent, the Service is no longer managing the property, or constructing any of the improvements, the City assumes sole liability for damages for injury to persons or property occurring at Three Sisters. The City does have statutory immunity, and has the capacity to insure itself against potential damages. If the City assumes management of Three Sisters, the City will

need to evaluate its existing insurance coverage to ensure the City is adequately insured for any additional potential liability it may incur.

Environmental Liability

Since the Service has been managing Three Sisters, the Service has assumed liability for managing the environmental commitments and conditions of the property. Should the City choose to terminate its Management Agreement with the Service, the City will now have sole liability with respect to both environmental commitments under the Declarations and environmental conditions. For example, in 2015 the Service was sued by Public Employees for Environmental Responsibility (PEER) for “taking” of manatees as a result of permits it had issued for guided swim tours. If the City assumes sole management responsibility, the City will likely be a target for similar lawsuits. In addition, absent the Service’s management of the Property, the City will have sole liability for the environmental management of the property to include planting and cultivating native species, monitoring and removing invasive species, and preserving the natural communities occurring on the property. Another legal concern arises out of the potential for environmental contamination. Activity or development on the property creates the risk or potential for environmental contamination. In the event an incident occurs causing contamination to the property, the City would have sole liability and responsibility for cleanup and mitigation.

Enforcement Concerns

Currently, the Service provides a certain level of enforcement on the property (and in the water) to include enforcement of federal law, particularly those regarding wildlife protection. If the City continues under a modified Management Agreement with the Service, a certain level of federal enforcement will continue to be provided. However, if the City terminates its Management Agreement with the Service, the City then assumes sole responsibility for enforcement of laws, ordinances and regulations on the landward portion of the property. It is currently understood that the Citrus County Sheriff’s Office, under its interlocal agreement with the City, cannot enforce federal law; therefore, the City would need to evaluate how federal laws would be enforced on the property, particularly with respect to protected species. In addition, the City would have sole responsibility for enforcement of City rules and regulations as they apply to the property. It should be noted that while the Service will always maintain a presence in Crystal River, and on the bay, the level and responsiveness of such enforcement is unclear if the City assumes management responsibilities.

Three Sister Springs Management Plans Comparative Analysis

Operations and Procedures

Item	USFWS	City
Performance Measurements	A Three Sisters Springs Coordination Committee comprised of the refuge manager, city manager, a representative from the SWFWMD, a resident of Crystal River selected by the committee through an application process, and a liaison from city council will meet regularly to enhance coordination among the partners and to act as a bridge between the partners and city council. The committee will provide valued input on management goals for the property and review and evaluate progress through regularly scheduled committee meetings. Public input will be incorporated through City Council, committee members and through the federal planning process.	Performance measures will be in place. City operations will receive input from City Council, Community Working Group, and the public. This format allows for accountability to the people of the community.
Decision-making Process	Once the management plan is approved by City Council, USFWS will implement elements identified within the plan with consensus of the Coordination Committee. Council will receive regular reports on progress through the council member appointed to the committee.	The management plan will be implemented by the City. Decisions are made by City Manager who is <i>overseen?</i> By Council. City Council will receive regular reports on progress. The Waterfronts Manager and Three Sisters staff will oversee projects and progress on site.
Operational Costs	Fiscal Year 2017 expenditures <ul style="list-style-type: none"> • \$301,715 staffing • \$26,000 Maintenance • \$327,715 total/year Fiscal Year 2018 budget <ul style="list-style-type: none"> • \$358,200 staffing • \$30,000 maintenance Added costs proposed if city operates trolley: <ul style="list-style-type: none"> • \$100,000 staffing • \$75,000 Maintenance • \$175,000 total/year Additional costs proposed if USFWS operates trolley:	Current Budget: 2018 <ul style="list-style-type: none"> • \$220,469 staffing • \$100,000 Maintenance • \$20,000 trolley • \$409,124 total/year Proposed Budget: 2019 <ul style="list-style-type: none"> • \$312,161 staffing • 101,220 Maintenance • 20,000 Trolley • \$617,000 Capital Investment Total \$1,050,381 first year commitment with no City taxpayer funding, all ticket fee and grant

ATTACHMENT "D"

Three Sister Springs Management Plans Comparative Analysis

	<ul style="list-style-type: none"> • \$350,000 staffing • \$25,000 Maintenance • \$475,000 total/year <p>\$924,000 in federal funds available for capital improvements</p>	based.
Staffing	<p>Current:</p> <ul style="list-style-type: none"> • 9 FT employees that spend 32% time on TSS <p>Proposed:</p> <ul style="list-style-type: none"> • 8 FT employees that spends up to 10-25% time on TSS • Up to 5.5 employees that spend 100% time on TSS depending on City involvement 	<p>Current:</p> <ul style="list-style-type: none"> • 1 FT permanent 1 FT seasonal, 6 PT permanent, 2 PT seasonal employees that spend 100% time on TSS • 2 FT employees that spend 10% time on TSS • 1 Full Time Staff that spends x% of time on TSS <p>Proposed:</p> <ul style="list-style-type: none"> • The City if managing the property would fill two budgeted position left open this year and make two full time temporary jobs permanent.
Admission Price	The Service request of a \$3.00 - \$5.00 fee per person to meet a desired total dollar value of \$100,000. The City may need to accept the loss, increase the cost of the ticket price, or fund the trolley in through additional ways.	Admission price will be lower, since operational costs will be lower.
Policy	Management decisions must align with National Wildlife Refuge System mission and policy. USFWS is currently working a 15-year management plan, the Comprehensive Conservation Plan (CCP), for the refuge which would include the Three Sisters Springs property. This is an ideal time for City Council, City staff and the public to have input in the direction of the CCP.	Management decisions follow the City Comprehensive Plan and City Ordinances. The City may need to create new ordinances to monitor in-water activities if USFWS decides to discontinue regulating the sanctuaries in Three Sisters Springs.
Volunteer Group	USFWS has established an active volunteer group which includes a network of support nationally and internationally. Volunteers greet visitors on the board walk, monitor and report manatee interaction, and	City would be required to establish a smaller group to manage monitoring the spring. If the gate system repaired the city does have a position that could be used to cover this area if required. City staff is comfortable with

Three Sister Springs Management Plans Comparative Analysis

	conduct multiple interpretive and wildlife viewing tours.	development of a volunteer base.
Visitor Services	City will act as concessionaire under USFWS management for the trolley service. Other concessionaires may be considered.	City will operate visitor services and manage the property. Concessionaires may be considered.
Property Improvements (costs listed if included in plan)		
Item	USFWS	City
Repayment of Investment	The proposed length of agreement is for 20 years. If the City terminates the agreement prematurely, the City agrees to reimburse USFWS the depreciated or prorated (to be determined by council) value of improvements made to the property.	The City plan does not impose any costs to the taxpayers of Crystal River in its operational or capital plan. Therefore it can if it is in the best interest of the City to transfer management to others in the future there are no direct negative impacts to the City taxpayer.
Entrance	Install permanent fee booth, gate, landscaping and fencing. To be completed by 2020. <ul style="list-style-type: none"> • Cost: \$100,000 	Make improvements on fee booth, create drive-through window for staff safety, move gate back to alleviate traffic congestion, install new entrance gates and permanent fencing. To be completed by 2021. <ul style="list-style-type: none"> • Cost: \$50,000 in 2019 to make functional and reduce labor. • Further facade improvements complete by 2021
Interpretive Signage	Add 8 interpretive signs, 6 panels and improve current kiosk panels. To be completed by 2020. <ul style="list-style-type: none"> • Cost: \$20,000 	Add a combination of interpretive sign and trail signage throughout property. <ul style="list-style-type: none"> • Cost: \$10,000
Restrooms	Construction expected by 2020 <ul style="list-style-type: none"> • Cost: \$250,000 	Construction in 2018/19 <ul style="list-style-type: none"> • Cost: \$170,000
Wetland/Birding Platform and 2 Platforms at Magnolia Springs	Construction expected by 2020, design and placement of the overlooks on magnolia springs incorporated homeowner concerns. Wetland platform will be placed along ADA accessible trail. <ul style="list-style-type: none"> • Cost: \$60,000 	Designs include ADA accessibility, minimal impact to habitat, and blinds on structure overlooking Magnolia Springs to address homeowners' concerns. Construction in 2018/19. <ul style="list-style-type: none"> • Cost: \$100,000

Three Sister Springs Management Plans Comparative Analysis

Nature Trails (1.75 miles exist)	<p>Improve existing trails (resurface with natural and pervious surfaces where possible, will meet ADA requirements). Construction expected by 2020. Bikes will be allowed on specified trails</p> <ul style="list-style-type: none"> • Cost: \$75,000 	<p>Yes, improve trails as needed and create a bike path, install short boardwalk, an educational native flora trail, and additional 0.25 mi trail. ADA requirements are a priority. Construction expected by 2025.</p> <ul style="list-style-type: none"> • Cost: \$50,000
Temporary Parking Lot	<p>Construct accessible parking spaces. Construction expected by 2020.</p>	<p>Determine minimum parking requirements to minimize impacts, and improve permanent ADA parking. Construction expected to vary based on development details and timeline</p>
Vegetative Buffer	<p>Proposed along Magnolia Trail (approximately 0.15 miles) and along property boundary where needed. Native vegetation will be used, including pollinator gardens where feasible. Construction expected by 2020.</p> <ul style="list-style-type: none"> • Cost: \$35,000 	<p>Possible relocation of trails away from water's edge, plant native and Florida Friendly vegetation as recommend by SWFWMD and Citrus County Native Plant Society to protect and enhance shoreline.</p> <ul style="list-style-type: none"> • Cost is part of the annual maintenance
Boardwalk	<p>Entrance support railing complete and certified.</p>	<p>TBD, City would like to consider additional platform or platforms in the future.</p>
Exotic and Invasive Plant Control	<p>Annual spot treatments as needed by staff</p> <ul style="list-style-type: none"> • Cost: labor and materials <p>Entire property treated periodically (3-5 years) as needed.</p> <ul style="list-style-type: none"> • Up to \$35,000/treatment 	<p>City has licensed exotic plant control employee who will remove invasive annually.</p> <ul style="list-style-type: none"> • Cost is part of annual maintenance
Outdoor Educational Facility	<p>Develop an outdoor educational facility up to 1,000 square feet with 12 parking spaces (including 2 bus spaces). If funding becomes available, construction may occur by 2026.</p> <ul style="list-style-type: none"> • Cost: \$350,000 	<p>TBD Needs further discussion with Community Working Group. This plan includes a proposed outdoor/open air educational pavilion that has minimal development in an area up to 1,000 square feet. Timeline not known at this time.</p> <ul style="list-style-type: none"> • Cost: TBD
Off-site Education Center	<p>The USFWS does not plan to construct the 2,000 to 20,000 square feet visitor/educational center.</p> <p>The Refuge is renovating their existing offices and visitor contact stations damaged by hurricane Hermine which will include improved educational/interpretive displays and a multi-purpose/education room separate</p>	<p>The City opened the Three Sisters Springs Center in 2016 in downtown Crystal River. Improvements will be made to building to enhance educational opportunities by 2019. No planned off site educational facility of USFWS for Manatee and Manatee habitat.</p>

Three Sister Springs Management Plans Comparative Analysis

	from this plan.	
Parking Lot	Up to 12 parking spaces including accessible and bus spaces to support outdoor educational facility. Additional parking to meet ADA and operational needs will be evaluated in the future.	The City is looking to continue trolley operations. for parking closer to the property entrance. The City's goal is to minimize total parking onsite to reduce impact.
Piers on Lake Crystal	1-2 Piers 500 square feet or less. If funding becomes available, construction may occur by 2026. <ul style="list-style-type: none"> • Cost: \$125,000 	2 Piers to be constructed 2019 <ul style="list-style-type: none"> • Cost: \$60,000
Weather Shelter	Construct a cover over an existing 150 square feet concrete slab to provide shelter during inclement weather. If funding becomes available, construction may occur by 2026. <ul style="list-style-type: none"> • Cost: \$10,000 	City will add areas with shade and/or cover to provide shelter during inclement weather. To be constructed 2019 to 2027. <ul style="list-style-type: none"> • Cost: \$1,000 to 2,000 each
Maintenance Shed	150 square foot shed. If funding becomes available, construction may occur by 2026. <ul style="list-style-type: none"> • Cost: \$2,500 	The City is not proposing to construct a shed onsite. The City has a maintenance shop 2 miles away. <ul style="list-style-type: none"> • Cost: N/A
Roads	Resurface 54,200 square feet of access road to reduce dust. If funding becomes available, construction may occur by 2026. <ul style="list-style-type: none"> • Cost: \$500,000 to \$600,000 	Utilize heavier rock/shell aggregate to continue having pervious surfaces. Permeable paving options will be looked at. Construction 2020 - 2023 <ul style="list-style-type: none"> • Cost: \$50,000
Native Plants	Propose restoring 34 acres of native plants including pollinator garden. If desired, could restore 17 acres of wetlands. If funding becomes available, construction may occur by 2026. <ul style="list-style-type: none"> • Restoration Cost: \$50,000 to \$200,000 • Pollinator garden cost: \$5,000 	The City will work with SWFWMD, Citrus County Native Plant Society, and other contractors to restore natural hydric hammock habit and encourage other native plant growth. Construction will start 2019 – 2025 <ul style="list-style-type: none"> • Cost: \$TBD likely grant eligible
Children's Nature Trail and/or Adult Art Trail	Educational trail (replicas of bird nests, animal dens, fish, wildlife, animal tracks and scat). Long-term planning, unknown time frame.	A 0.5 mile loop educational trail with native flora and educational displays. Construction to start in 2020. <ul style="list-style-type: none"> • Cost \$50,000 from future Enterprise funding and grants if available.

Three Sister Springs Management Plans Comparative Analysis

Utilities	Water, power, and sewer have been installed but need to be extended to support the new location of the restrooms proposed by the Community Working Group. Power is currently only available at the boardwalk. <ul style="list-style-type: none"> • Cost: \$115,000 	2019-2020 Utilities services will be installed for complete long-term build out of plan. Build out may include power to gazebos, water fountains, safety lighting/security lighting listed as infrastructure in this plan. <ul style="list-style-type: none"> • Cost \$95,000
Littoral Zones	Long-term planning, unknown time frame.	The littoral zones in Lake Linda would be very expensive without contribution of clean fill by others.
Fish Stocking Program	Evaluate the need if stocking fish is needed in Lake Linda and partner with Florida Fish and Wildlife Conservation Commission	Start in 2019
Catch and Release	Catch and release program will be evaluated as part of the CCP process	Start in 2020
Mooring Area	Not included in this plan. Will be evaluated as part of the CCP process.	2018 -2022 Mooring area outside Three Sister Springs \$15,000 grant awarded to City in 2018 for mooring fields in Kings Bay
Benches	Planned as part of annual budget	<ul style="list-style-type: none"> • Start 2019 to 2027
Important Notes		
Item	USFWS	City
Partnership	USFWS would be responsible for implementing elements of the plan once approved by City Council and has funding (\$925,000) for projects included in Tier 1. The plan is based on and will assist the City in fulfilling the FCT restrictive covenants. The City may terminate the agreement for any reason with a 6-month notice but must reimburse USFWS if the agreement is terminated prior to the 20-year length. Approximately one-third of refuge staff time currently spent (~ \$301,000) on management of the property annually at no cost to the City of Crystal River or its' citizens. All maintenance and repairs currently conducted and funded by the refuge at no cost to the City of Crystal	USFWS will be involved as it related to educational opportunities, manatee interactions and manatee health issues. Stakeholder groups will meet regularly to be inclusive in the decision making process. City will also work with the State of Florida to establish manatee sanctuaries in Three Sisters Springs, since USFWS will not continue regulating them.

Three Sister Springs Management Plans Comparative Analysis

	<p>River or its' citizens. Legal liability falls on refuge/U.S. Fish and Wildlife Service at no cost to the City of Crystal River or its' citizens.</p> <p>Management decisions will be in accordance with National Wildlife Refuge System mission and policy. City also has no final decision-making authority but is vested concessionaire if desired.</p> <p>Current refuge staff has:</p> <ul style="list-style-type: none"> • Biological expertise (plants, mammals, birds, ecology, springs, wetlands, etc.). • Experience in manatee management Experience in habitat management. • Experience in exotic/invasive plant control. • Experience in habitat restoration. • Experience developing public facilities. • Experience managing public access to conservation lands. • Experience managing concessionaires. • Experience developing public outreach and education materials. • Experience developing interpretive programs for visitors. • Experience developing education programs for school groups. • Experience managing federally listed species and related outreach and education with the public (land and water). • Experience managing commercial activities on federally owned or managed lands in fair and equitable manner. • Experience developing tourism opportunities with local governments. 	
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Three Sister Springs Management Plans Comparative Analysis



Long-term Commitment	Improvements to property beyond Tier 1 projects are contingent upon funding from USFWS/ Refuge/Friends group. Contract will last a minimum of 20 years. If City wishes to cancel contract prior to 20 years, the City will be liable for costs of capital improvements onsite minus depreciated or prorated value (to be determined by City council).	City needs to develop long-term plan and Ordinances to meet long-term standards.
Political Stability	The national budget for the USFWS has decreased in recent years. The President's FY2018 Proposed Budget included a \$10.4 million decrease for the National Wildlife Refuge System. However, the enacted appropriation provided an overall increase of \$2.8 million for the NWRS.	The City's budget for TSS has increase over the last few years and more positions have been added. The 2018 FY budget reflects a continued growth based on activity levels. City Council consists of 5 elected positions, and will provide policy oversight of Three Sister Springs.
Contractual Requirements	FCT requirements must be met, and this plan must be approved by FCT	FCT requirements must be met, and this plan must be approved by FCT
Monitoring Manatees in Three Sister Springs	USFWS has invested significant effort in managing manatees and people in Three Sisters Springs at no cost to the City or its' citizens. The refuge strives to protect warm water habitat at Three Sisters Springs for manatees when they need to be there to survive while maintaining public access by establishing the lobe closures based on manatee use patterns within the springs, banning paddle craft during manatee season, and developing and implementing a science-based management protocols to protect manatees during cold weather events. See page 9 of the management plan for details.	Springs would be closed intermittently during cold weather by USFWS. Manatee sanctuaries in the lobes of Three Sisters Springs will be implemented by the City and monitored. Enforcement of manatee violations would be FWC and USFWS on request.
Tourism	National and international recognition of National Wildlife Refuge System (NWRS) increases tourism in the local area. Banking on Nature 2013: Crystal River National Wildlife Refuge (CRNWR) visitors have significant economic impact on local economy (Carver and	The property and the property around Three Sisters Springs would no longer be a part of the Crystal River National Wildlife Refuge. There have been concerns expressed that this would reduce tourism to the area; however, the Crystal River Refuge will still exist, and search trends show that most people search for "Crystal River" and "Crystal Springs", while few search for the

Three Sister Springs Management Plans Comparative Analysis

	<p>Caudill 2013).</p> <p>Over 400,000 visitors to CRNWR annually</p> <ul style="list-style-type: none"> o Total recreation (non-consumptive and fishing) expenditures \$24.2 million o 278 jobs o \$11.5 million employment income o \$4.6 million tax revenue 	<p>“Crystal River National Wildlife Refuge”. The City has increased its social media popularity by 150% in the last year alone. The Three Sisters Springs Center and trolley tours have helped increase business to the downtown</p>
Liability	<p>Legal liability falls on refuge/U.S. Fish and Wildlife Service at no cost to the City of Crystal River or its’ citizens.</p>	<p>Increased liability for the City, including in-water recreation. Additions to the current Florida League of Cities policy would be required.</p>
Political Stability	<p>The national budget for the USFWS has decreased in recent years. The President’s FY2018 Proposed Budget included a \$10.4 million decrease for the National Wildlife Refuge System. However, the enacted appropriation provided an overall increase of \$2.8 million for the NWRS.</p>	<p>The City’s budget for TSS has increased over the last few years and more positions have been added. The 2018 FY budget reflects a continued growth and lower ticket costs to special interest. City Council consists of 5 members who provide guidance to City functions. Both plans have potential negative aspect of political stability</p>

Three Sisters Springs Management Plan

Crystal River National Wildlife Refuge

U.S. Fish and Wildlife Service

Acquisition of Three Sisters Springs

- Crystal River National Wildlife Refuge & Friends group spearheaded acquisition
- National Wildlife Refuge Association
 - Coordinated Public and Private Partner funds: **\$10.5 million**
 - Asked City to apply for Florida Communities Trust grant
 - Southwest Florida Water Management District
 - Felburn Foundation
 - Department of Interior/US Fish and Wildlife Service
 - Community support and donations
- July 2010 – purchase/Management Plan/Management Agreement



U.S. Fish and Wildlife Service Investment

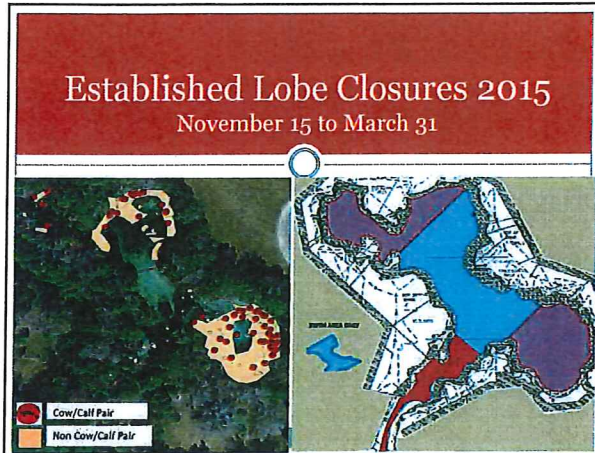
Expenditure	Amount
Capital Improvements	\$1,323,978
Resource Management	\$60,000
Purchase of Water Rights	\$3,225,000

Annual Costs	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018
Staffing	\$276,000	\$301,715	\$358,200
Maintenance	\$28,000	\$26,000	\$30,000

Initial Land Management and Planning

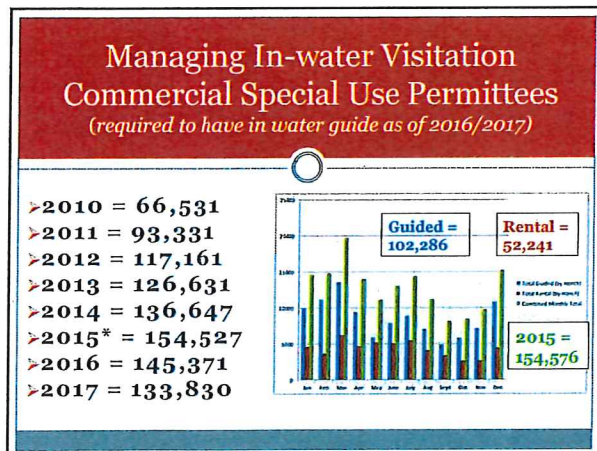
- 2010
 - Removed pine plantation
 - Removed boulders in the spring run
 - Removed unwanted structures and fencing
 - Began exotic plant treatments by staff
- 2011
 - Boardwalk with 5 viewing platforms constructed
 - Sequestered/Budget Control Act
- 2012
 - Development Master Site Plan - still pending approval by council
 - Management Plan revised/approved by FCT only – still pending approval by council





Improved Manatee Protections in the Springs

- Facilitates emergency closures at critical times
 - Environmental/Biological guidelines
 - Temperature at Gulf based on 11 years of telemetry data





On-site Environmental Education and Interpretation

- > 140 volunteers greet and educate visitors on boardwalk
- 30 interpretive programs provided FREE to the public per week during manatee season (2016/17 & 2017/18)
 - Walk through the Wetlands: 4/day
 - Beyond the Boardwalk: 4/day
 - Birdwatching Hikes: 2/week
- Pilot 4th and 5th grade education
Crystal River Primary School - 2017
- CRPS Teacher training - 2017



- Permanent access road from Three Sisters Trail
- Guard house/fee booth
- Underground utilities (water & sewer) along the road
- Temporary fencing and gates
- Temporary parking
- Retention swales
- Pavilion

Capital Improvements 2014/2015
 Funding allocated from Regional Office ~\$1.71 million
 Federal Lands Access Program grant City ~ \$984,000
 USFWS ~ \$782,500





U.S. Fish and Wildlife Service


Architectural drawings showing two views of a building. The top drawing is a two-story structure with a central portico supported by columns. The bottom drawing is a single-story version of the same building. To the right of the drawings is a vertical column of technical specifications and a scale bar.

Three Sisters Springs Community Working Group

**2016: 4 Facilitated meetings -
Formal Recommendations to City
Council in October**



**2017: Prioritized
recommendations -
still pending Council approval**



Status of Management Agreement

- Poor coordination/rumor/innuendo about status of agreement
 - Three Sisters Springs Workshop: June 27, 2016
 - Planned events in December without notification
- January 25, 2017 council workshop
 - USFWS requested update management plan and agreement
 - Not invest any more money until completed
- April 2017
 - USFWS letter requesting update management plan and agreement
 - Not invest any more money until completed
- May 2017
 - City council voted to give 6-month notice of termination
 - Negotiated to update management plan and agreement
- August 2017
 - USFWS received termination letter with 90-day notice
- November 2017
 - USFWS reiterated commitment and desire to work together

U.S. Fish & Wildlife Service

Tier 1 USFWS: \$925,000 Refuge: \$55,000 Friends: \$60,000

- A. Improve Visitor Gate and Fee Booth
- B. New Interpretive signs
- C. Restrooms
- D. Extend Utilities for Restrooms
- E. Magnolia Springs Viewing Platform
- F. Wetland Viewing Platform
- G. Improve 1.75 miles of trails including ADA surfaces
- H. Construct ADA accessible parking
- I. Establish vegetative buffers and move trails
- J. Eradic and invasive plant control (57 acres)

Legend:
 - - - Boardwalk
 - - - Lake Crystal Trail
 - - - Wetland Trail
 - - - Three Sisters Springs Unit Boundary
 - - - Beyond the Boardwalk Trail
 - - - Parking Trail
 - - - Existing features
 - - - Vegetation Buffer

PHOTO COURTESY JAMES RILEY, 2014

Crystal River Entry Gate Sketches

General Fabrication:
 All elements must be professionally detailed to create the structure panel sections with appropriate bracing and bolting points, all work to be done in accordance with applicable building code and project specifications.

Steel Support:
 12" x 12" x 1/2" A36 steel plate with 1/2" x 1/2" x 1/2" angle

Horizontal Support:
 12" x 12" x 1/2" A36 steel plate with 1/2" x 1/2" x 1/2" angle

Vertical Support:
 12" x 12" x 1/2" A36 steel plate with 1/2" x 1/2" x 1/2" angle

Color Suggestions:
 Steel Color: Powder Coating

Visual References:
 Three images showing different views of the gate structure in a natural setting.

Wingman Works
 David Williams
 Wingman Works © 2018

Common Wetland Birds at Three Sisters Springs

Common Wetland Plants at Three Sisters Springs

Common Wetland Insects, Amphibians and Reptiles at Three Sisters Springs

Springs
 A spring is a natural outflow of groundwater or surface water from the earth to the surface. The water is typically mineral-rich and is often found in a natural setting.

Manatees
 The manatee is a large aquatic mammal that lives in shallow, warm waters. It is a herbivore and feeds on seagrass and other aquatic plants.

Springs
 A spring is a natural outflow of groundwater or surface water from the earth to the surface. The water is typically mineral-rich and is often found in a natural setting.

Functional Agreement

- Would allow Refuge to manage the property according to National Wildlife Refuge System mission and policy
- All activities must comply with federal mandates/legislation
 - Refuge Recreation Act of 1962
 - National Wildlife Refuge System Administration Act of 1966
 - National Wildlife Refuge System Improvement Act of 1997
 - Federal Lands Recreation Enhancement Act


Coordinated Management

- City Council approval of Management Plan
 - Refuge can then implement plan elements without additional approval by council
- Three Sisters Springs Coordination Committee
 - 5 members
 - City Manager
 - City Council Member
 - SWFWMD representative
 - Refuge Manager
 - Resident of Crystal River
 - Provides valued input on management goals and planning efforts
 - Evaluates progress through regularly scheduled meetings
 - Manage by consensus; otherwise refuge manager consults with committee and makes final decision in accordance with NWRS mission in policy (*Refuge assumes legal liability through agreement)




Functional Agreement

- Refuge can't use appropriated funds on property it does not own unless:
 - Long-term agreement is in place: 20-years
 - If City agrees to reimburse the USFWS for depreciated or prorated costs of all capital improvements if terminated prematurely
- To support operations, share funds from ticket sales once the Refuge establishes an entrance fee
 - Up to 30% of current ticket price
 - \$3 to \$5 per person



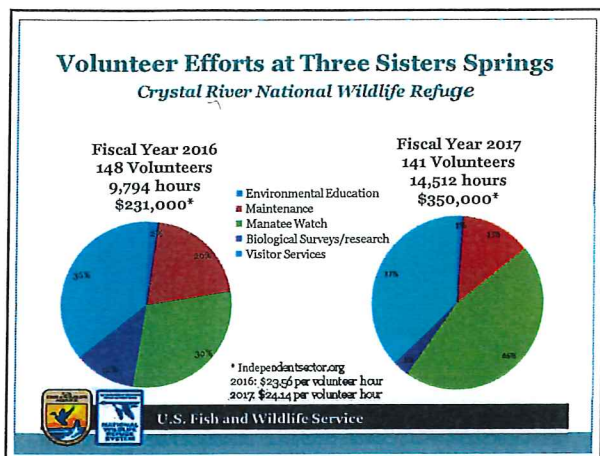

Benefits to City to Retain Partnership


- Biological and habitat management capability and expertise
- Education & Interpretation programs
- Manatee management
- Management of in-water visitation at Three Sisters Springs
- Maintenance of infrastructure, grounds and facilities



Benefits to City to Retain Partnership

- Legal liability at no cost to City or it's citizens
- Law enforcement coverage commitment
- National Wildlife Refuge System mission, federal law, and policy govern our actions - predictability
- Public input on programs, activities, and capital improvements required – public buy in
- \$1,040,000 funding (USFWS, Refuge, and Friends)
- Established volunteer program




- ### Disadvantages to Retaining Partnership
- Increased time for implementation due to environmental analysis and public input process
 - Legal, thoroughly vetted and environmentally sound
 - Budget dependent on annual Congressional appropriations
 - President's FY2018 Proposed Budget - \$10.4 million decrease for the National Wildlife Refuge System
 - Enacted appropriation - overall increase of \$2.8 million for the NWRS
 - Refuge has existed for 35 years and will continue to be funded
- 

Florida Communities Trust

21 Declaration of Restrictive Covenants

Status:
17 Completed




- Land use/zoning changes - City
- Permanent recognition sign - USFWS
- Installation of wetland treatment area - SWFWMD
- Interpretive signs - USFWS & SWFWMD
- Wetland treatment area provide wildlife habitat - SWFWMD
- Wetland areas planted with native vegetation - SWFWMD/USFWS/Citrus County Native Plant Society
- Archaeological measures - none present
- Pedestrian sidewalk connection - City
- One-quarter mile or more of trails - USFWS
- Ensure site is part of Cross Town Trail - City
- No pumping, withdrawal diversion from or impoundment of ground or surface water - USFWS/Felburn Foundation

Florida Communities Trust

21 Declaration of Restrictive Covenants

Status:
Completed and continuous




- 12 regularly scheduled education programs per year - USFWS
- Preserve natural communities - USFWS & SWFWMD
- Protect native listed/non-listed wildlife and their habitats - USFWS & SWFWMD
- Exotic vegetation removal - USFWS & SWFWMD
- Implement invasive vegetation monitoring and control program - USFWS
- Feral animal removal program - USFWS

Florida Communities Trust

- 21 Declaration of Restrictive Covenants
- Status: 4 Initiated – lack of approval from council

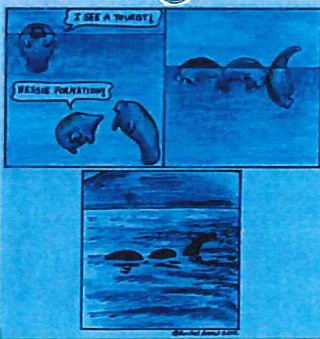
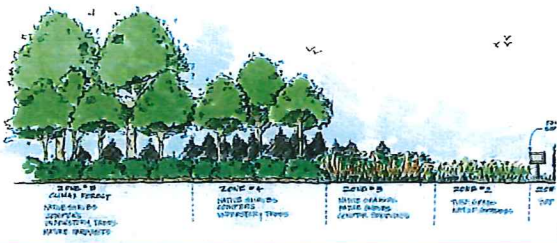
- Construct 4 recreation facilities - USFWS
 - Pavilion, boardwalk
- Access to open water shoreline - USFWS
 - Kayak landing, fishing pier
- Locate and design parking with minimal impacts - USFWS
- Upland area planted with native vegetation - USFWS



Teamwork




Questions?

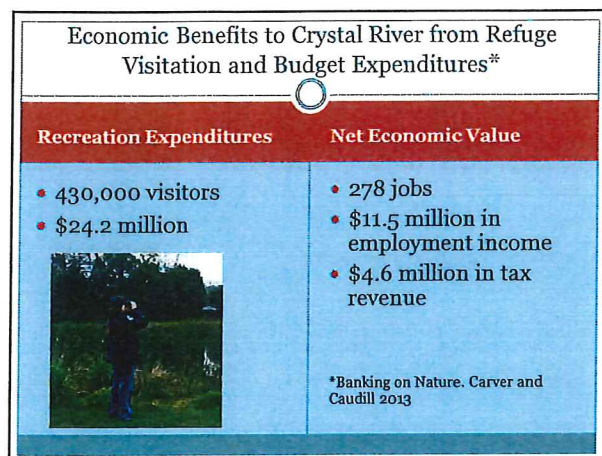



Succession Planting
 Plan includes:

- Native upland and/or wetland forest communities
- Native butterfly gardens



U.S. Fish and Wildlife Service



My name is Ed Flowers and I live in Crystal River.

A few months ago, I played my first Pickleball tournament in Lake City. It was held over a weekend and played on four courts. Players came in from TX , NC, TN, GA, and AL to participate. This brought in tourist money to local hotels, gas stations, RV parks, restaurants, local shops, etc.

Holding Pickleball tournaments in LeGrone Park would also allow players and their families to generate revenue at local businesses and tourist spots in Crystal River.

If I understand correctly, there are three (3) Pickleball court options on the table for discussion. I would like to provide my input on these options and present a 4th option to you.

Options:

1) Using the Basketball Court

- There is a high cost to level off and resurface & paint the basketball court
- Additional cost to fence around the court
- This option would provide only two Pickleball courts
- Courts would face the wrong direction East/West instead of North/South
- Basketball players would lose their court

2) New Pickleball Court Construction

- The Chronicle stated \$45,000 for one court and \$65,000 for two courts
- This option provides 1-2 designated Pickleball courts, but 4 courts would better serve the community.
- The basketball court would remain
- All 4 tennis courts would remain

3) Temporarily Taping of ONE of the existing four Tennis Courts

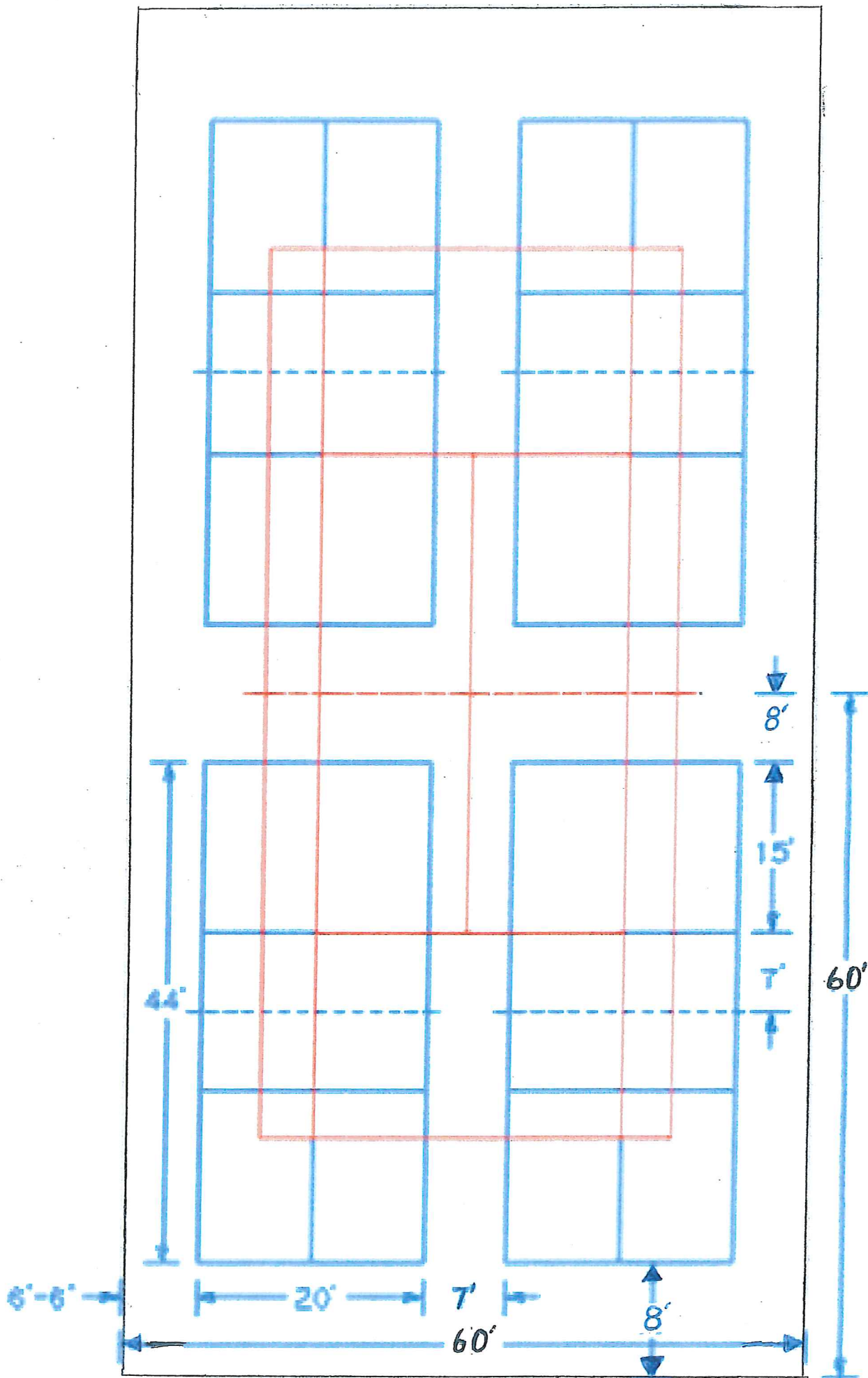
- One Pickleball court is not sufficient for the 20+ players who usually show up with Pickleball groups.
- Temporary tape deteriorates from the elements and is time consuming to clean up and replace.

4) My Option - Repaint 4 Pickleball courts in the same amount of space of ONE tennis court (see attached diagram)

- This would allow 4 designated Pickleball courts
- Would allow courts for warm-up, beginners, intermediate, and extreme players to play all at the same time
- These courts would correctly face North and South
- This option would cost UNDER \$6,500
- This would allow enough courts for tournament play (such as youth tournaments, open tournaments, and senior tournaments).
- This option would retain the basketball court
- This option would still retain three (3) tennis courts

In closing, I hope you will consider the 4 court option, which will provide the most usage of the space available at the most reasonable cost. Thank you.

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PROPOSAL/AGREEMENT

April 23rd 2018

CUSTOMER

Crystal River FL

Agreement made between Sports Surfaces LLC, hereinafter called the Contractor and Bicentennial Park hereinafter called the Customer for the conversion of (1) tennis court into (4) pickleball courts with respect to the following terms and specifications:

COURT PREPARATION:

Court Size 60' x 120'

The Contractor will pressure clean and power blow court(s) as necessary to remove loose dirt, mildew and oil.

The Contractor will patch depressions greater than 1/8" after 1 hour drying time in sunlight, grind down any ridges as necessary. Depressions are low spots that hold water on the court. Cracks will be filled with crack filler.

The Contractor will paint net posts. Tennis Net posts and tennis net will remain to serve as a divider net.

Note: court must have a minimum of 1% slope in one plane in order to guarantee removal of water.

SURFACING OF TENNIS COURT(S)

The Contractor will apply (1) Coat of Acrylic Resurfacer over entire court area to fill voids and provide smooth surface.

The Contractor will apply (2) Coats of Acrylic Color Concentrate (two-tone), To provide in depth color over court surface.

Color Choice _____

(Colors may be selected by visiting www.sportmaster.net and following the Court Designer link)

The Contractor will add lines for (4) pickleball courts in white per regulations. No tennis court lines!

The Contractor shall thoroughly and expediently clean up all drums, trash, etc. upon job completion.

FEE

The Contractor agrees to provide tools, materials, labor, supervision and insurance to complete the above work for a sum of
*******FIVE THOUSAND FIVE HUNDRED DOLLARS (\$ 5,500.00)*******