

City of Crystal River



Agenda Packet
for
Regular Council Meeting
Monday, February 26th, 2018
7:00 p.m.



Agenda
Crystal River City Council
Regular Council Meeting
Monday, February 26th, 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
George G. Angeliadis, 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 Brown
- C. Pledge of Allegiance.....Mayor Farley
- D. Recognition of Elected Officials in Attendance.....Mayor Farley

2. ADOPTION OF AGENDA

3. PRESENTATIONS

- A. CCSO Quarterly Report.....Captain Ryan Glaze

4. UNFINISHED BUSINESS

5. APPROVAL OF CONSENT AGENDA

- A. Motion to approve minutes from the Regular City Council meeting held February 12, 2018
- B. Monthly departmental reports for the month of January

6. PUBLIC INPUT

(Time Limit of Three Minutes)

7. PUBLIC HEARING

- A. Consideration of adoption of Ordinance No. 18-O-02 providing for a small scale amendment to the future land use map (FLUE) of the comprehensive plan reclassifying 3.67 acres (MOL) of property owned by Ag-Pro Real Estate Investments, LLC from High Density Residential (HDR) land use to Highway Commercial Land Use (HC) on Final Reading

QUASI-JUDICIAL

- 1. Read Ordinance by title Only for Final Reading
- 2. Disclosure of Ex-Parte Communications
- 3. Swearing-In of all persons who wish to Testify
- 4. Testimony by Staff
- 5. Presentation by Applicant / Presentation by Affected Parties / Questions by City Council
- 6. Hold Public Hearing
- 7. Motion to Adopt Ordinance No. 18-O-02 on Final Reading

- B. Consideration of approval of Ordinance No. 18-O-03 amending the official zoning map of the City of Crystal River changing zoning on properties owned by Ag-Pro Real Estate Investments, LLC from High Density Residential 9R3) to High Intensity Commercial (CH) on Final Reading

QUASI-JUDICIAL

- 1. Read Ordinance by title Only for Final Reading
- 2. Disclosure of Ex-Parte Communications
- 3. Swearing-In of all persons who wish to Testify
- 4. Testimony by Staff
- 5. Presentation by Applicant / Presentation by Affected Parties / Questions by City Council
- 6. Hold Public Hearing
- 7. Motion to Adopt Ordinance No. 18-O-03 on Final Reading

8. CITY ATTORNEY

9. CITY MANAGER

- A. Motion to approve Three Party Escrow Agreement with FDOT
- B. Motion to authorize City Manager to negotiate with Academy of Environmental Science (AES) on a new lease agreement based on City Council direction

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*
- 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

Sheriff's Department
Quarterly Report

2017 4th Quarter
Law Enforcement Statistic Report

~~~~~  
Citrus County Sheriff's Report for  
Months of October, November and December

Presented by:  
Captain Ryan Glaze



**CITRUS COUNTY SHERIFF'S OFFICE**  
A Nationally Accredited Law Enforcement Agency

**SHERIFF**  
**MIKE PRENDERGAST**



## City of Crystal River – Florida

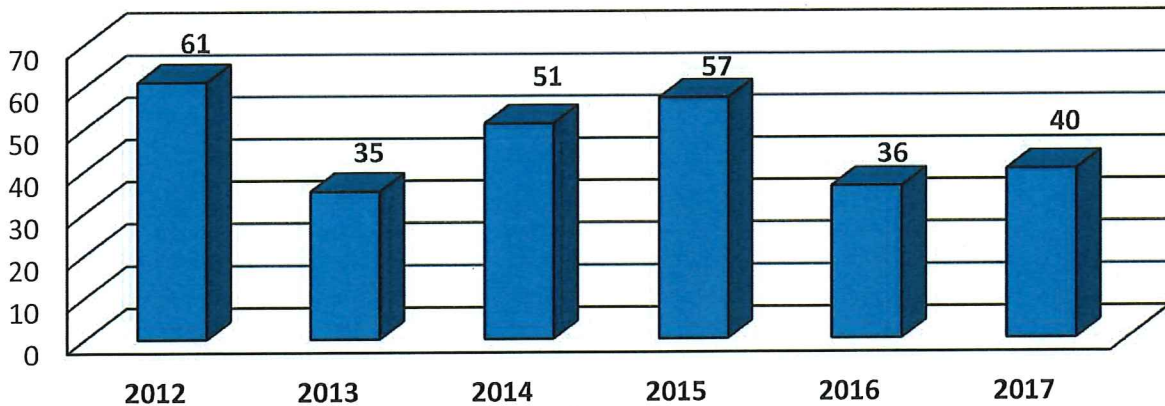
### 2017 Third Quarter Law Enforcement Crime & Statistics Report Tracked Crime Comparison Data – 4th Quarter 2017

| OFFENSE                 | 4th Quarter 2016 | 4th Quarter 2017 | PERCENTAGE OF CHANGE   |
|-------------------------|------------------|------------------|------------------------|
| HOMICIDE                | 0                | 0                | Static                 |
| ROBBERY                 | 0                | 0                | Static                 |
| SEX OFFENSE             | 0                | 0                | Static                 |
| RESIDENTIAL BURGLARY    | 3                | 1                | -66.67% Decrease       |
| COMMERCIAL BURGLARY     | 0                | 1                | 100.00% Increase       |
| VEHICLE BURGLARY        | 2                | 6                | 333.33% Increase       |
| AUTO THEFT              | 0                | 0                | Static                 |
| <b>TOTAL</b>            | <b>5</b>         | <b>8</b>         | <b>60.00% Increase</b> |
| Cases Cleared by Arrest | 0                | 2                | 200.00% Increase       |

### Tracked Crime Annual Comparison

| OFFENSE              | 2016      | 2017      | PERCENTAGE OF CHANGE   |
|----------------------|-----------|-----------|------------------------|
| HOMICIDE             | 0         | 0         | Static                 |
| ROBBERY              | 2         | 0         | -200.00% Decrease      |
| SEX OFFENSE          | 0         | 0         | Static                 |
| RESIDENTIAL BURGLARY | 11        | 8         | -27.27% Decrease       |
| COMMERCIAL BURGLARY  | 5         | 6         | 20.00% Increase        |
| VEHICLE BURGLARY     | 14        | 26        | 85.71% Increase        |
| AUTO THEFT           | 2         | 0         | -200.00% Decrease      |
| <b>TOTAL</b>         | <b>34</b> | <b>40</b> | <b>17.65% Increase</b> |

### City of Crystal River Tracked Crime Annual Comparison



Data was drawn from the Citrus County Sheriff's Office CrimeTrack database and includes the following tracked crime statistics: Robbery, burglary to residences, vehicles, commercial businesses and auto theft.

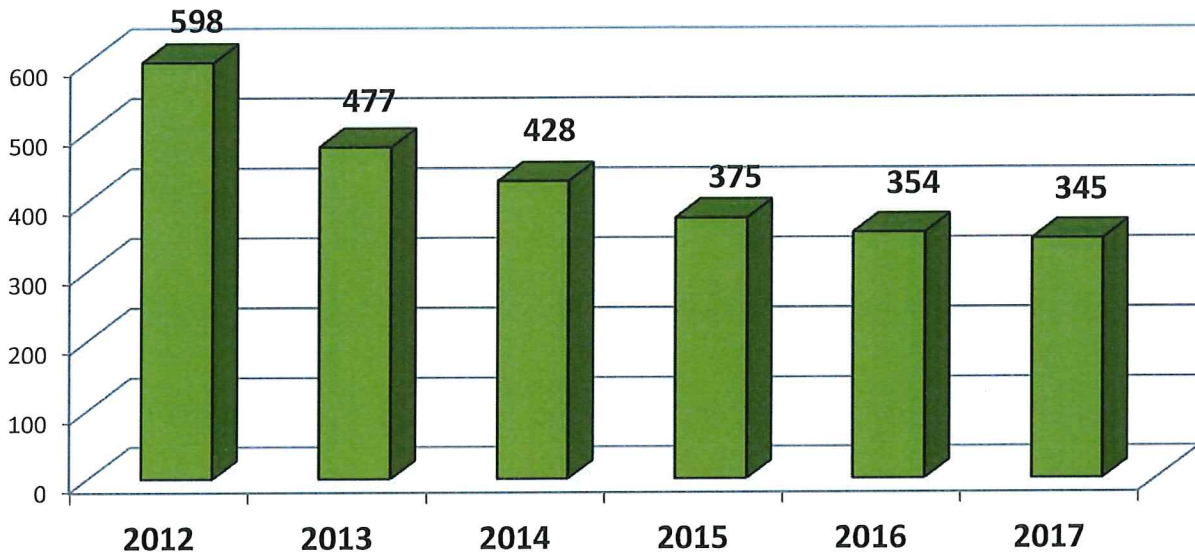
### Arrest Statistics Comparison – 4th Quarter 2017

| TYPE    | 2016 | 2017 | % of Change     |
|---------|------|------|-----------------|
| ARRESTS | 72   | 91   | 26.39% Increase |

### Arrest Statistics Annual Comparison

| Type    | 2016 | 2017 | PERCENTAGE OF CHANGE |
|---------|------|------|----------------------|
| ARRESTS | 357  | 345  | -3.36% Decrease      |

### City of Crystal River Arrest Annual Comparison



### Drug Arrests City of Crystal River 4th Quarter 2017

| <u>Arrest Address</u>                            | <u>Arrest Charge</u> | <u>Arrest Charge Statute Description</u> | <u>Date</u>         |
|--------------------------------------------------|----------------------|------------------------------------------|---------------------|
| W VENABLE ST / N SUNCOAST BLVD                   | 893.13(6)(A)         | POSSESSION OF CONTROLLED SUBSTANCE       | 10/06/2017 22:30:59 |
| 1001 NE 5TH ST                                   | 893.13(6)(A)         | POSSESSION OF CONTROLLED SUBSTANCE       | 11/09/2017 22:53:39 |
| 1001 NE 5TH ST                                   | 893.13(6)(A)         | POSSESSION OF CONTROLLED SUBSTANCE       | 11/09/2017 22:55:12 |
| 1001 NE 5TH ST                                   | 893.13(6)(B)         | Possession Cannabis (Less than 20 Grams) | 11/09/2017 22:55:12 |
| 867 NE 5TH ST                                    | 893.13(6)(B)         | Possession Cannabis (Less than 20 Grams) | 11/13/2017 02:13:51 |
| SE 8TH AVE / SE 5TH TER                          | 893.13(6)(A)         | POSSESSION OF CONTROLLED SUBSTANCE       | 11/15/2017 20:45:24 |
| 3195 CRYSTAL RIVER HIGH DR                       | 893.13(6)(B)         | Possession Cannabis (Less than 20 Grams) | 11/27/2017 10:52:01 |
| 76 NE 8TH AVE                                    | 893.13(6)(A)         | POSSESSION OF CONTROLLED SUBSTANCE       | 11/30/2017 11:30:46 |
| 1001 NE 5TH ST                                   | 893.13(6)(A)         | POSSESSION OF CONTROLLED SUBSTANCE       | 12/19/2017 05:23:50 |
| SE PARADISE POINT RD / THREE SISTERS SPRINGS TRL | 893.13(6)(B)         | Possession Cannabis (Less than 20 Grams) | 12/23/2017 00:45:58 |

### Offense Reports & Calls for Service Comparison – 4th Quarter 2017

| TYPE              | 2016 | 2017 | % of Change      |
|-------------------|------|------|------------------|
| OFFENSE REPORTS   | 174  | 153  | -12.07% Decrease |
| CALLS FOR SERVICE | 3799 | 3790 | -0.24% Decrease  |

### Offense Reports & Calls for Service Annual Comparison

| TYPE              | 2016  | 2017  | % of Change      |
|-------------------|-------|-------|------------------|
| OFFENSE REPORTS   | 743   | 647   | -12.92% Decrease |
| CALLS FOR SERVICE | 16889 | 15345 | -9.14% Decrease  |

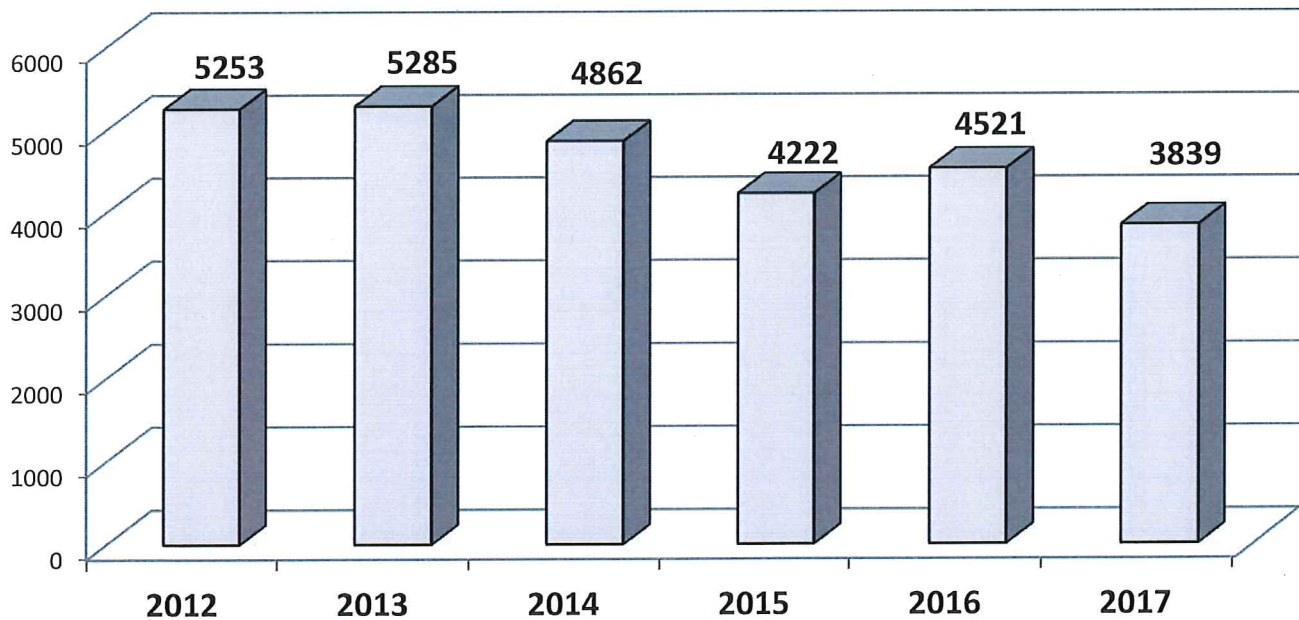
### Warnings & Citations Comparison – 4th Quarter 2017

| TYPE             | 2016 | 2017 | % of Change     |
|------------------|------|------|-----------------|
| WRITTEN WARNINGS | 900  | 1001 | 11.22% Increase |
| CITATIONS        | 122  | 149  | 21.13% Increase |

### Warnings & Citations Annual Comparison

| Type                | 2016 | 2017 | PERCENTAGE OF CHANGE |
|---------------------|------|------|----------------------|
| WARNING & CITATIONS | 4521 | 3839 | -15.09% Decrease     |

### City of Crystal River Warnings & Citations Annual Comparison





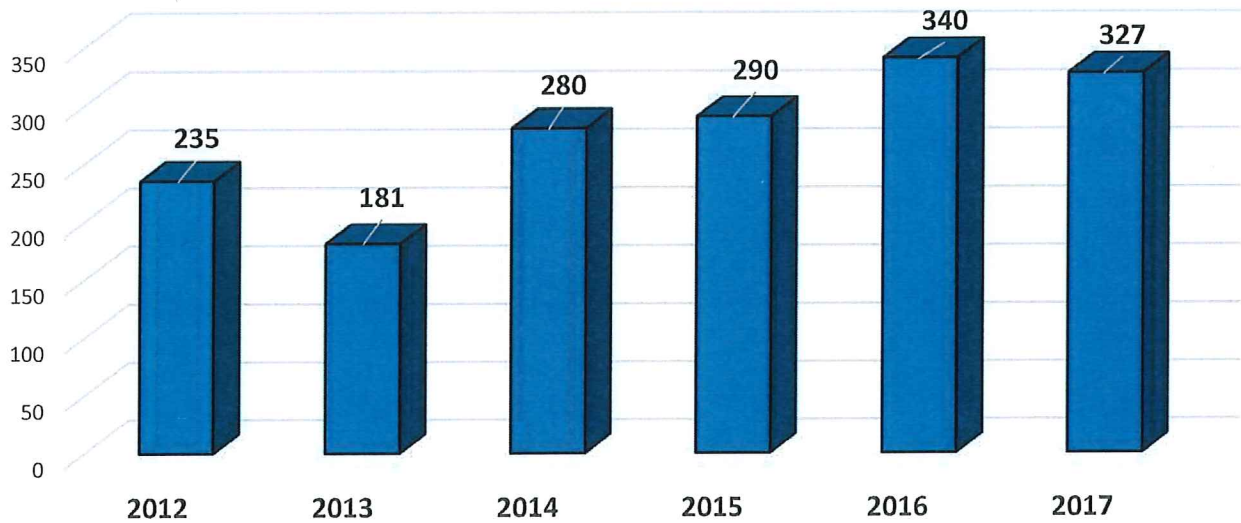
## Traffic Crash Statistics Comparison – 4th Quarter 2017

| TYPE            | 2016 | 2017 | % of Change      |
|-----------------|------|------|------------------|
| TRAFFIC CRASHES | 81   | 67   | -17.28% Decrease |

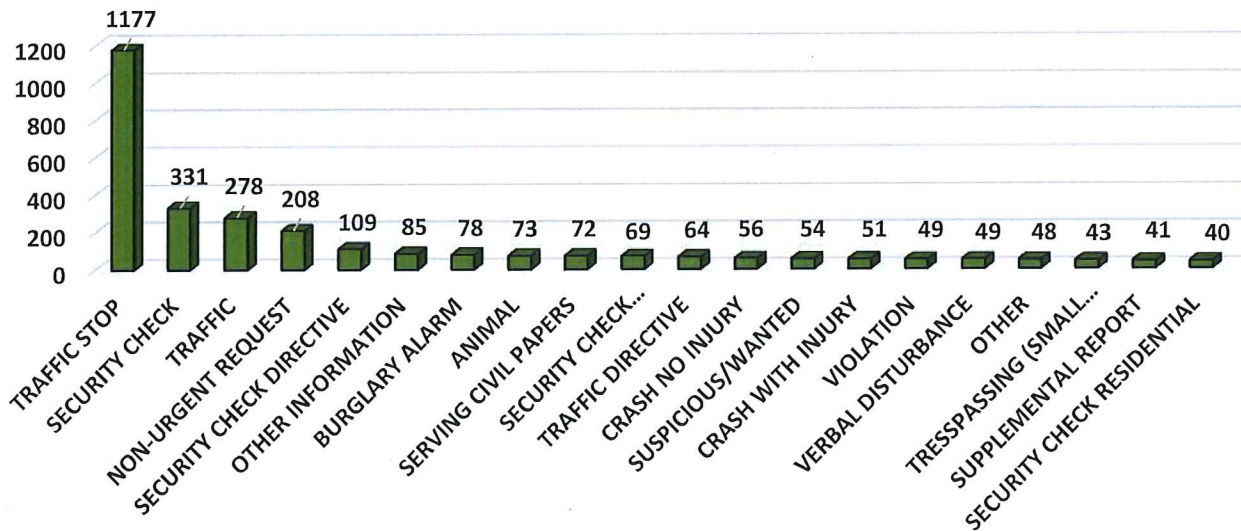
## Traffic Crash Statistics Annual Comparison

| Type            | 2016 | 2017 | PERCENTAGE OF CHANGE |
|-----------------|------|------|----------------------|
| TRAFFIC CRASHES | 340  | 327  | -3.82% Decrease      |

## City of Crystal River Crashes Annual Comparison



## Top 20 Calls for Service 4th Quarter 2017



## Calls for Service Processed by CAD (Computer Aided Dispatch)–4<sup>th</sup> Quarter 2017

|                           |     |
|---------------------------|-----|
| ABANDONED VEHICLE         | 6   |
| ABDUCTION                 | 1   |
| ADMINISTRATIVE            | 16  |
| ALARMS                    | 3   |
| ANIMAL                    | 73  |
| ASSAULT                   | 12  |
| ASSIST OTHER AGENCY       | 12  |
| ATTEMPTED SUICIDE         | 3   |
| BURGLARY                  | 4   |
| BURGLARY ALARM            | 78  |
| CONDUCT INVESTIGATION     | 12  |
| CRASH NO INJURY           | 56  |
| CRASH UNKNOWN INJURY      | 39  |
| CRASH WITH INJURY         | 51  |
| CRIMINAL MISCHIEF         | 2   |
| DAMAGE                    | 3   |
| DISTURBANCE               | 1   |
| DOMESTIC DISTURBANCE      | 3   |
| DRUGS                     | 12  |
| DUI                       | 28  |
| EVIDENCE                  | 5   |
| FAMILY VERBAL DISTURBANCE | 3   |
| FIRE                      | 7   |
| FIRE ALARM                | 10  |
| FOLLOW-UP                 | 29  |
| FOUND PERSON              | 1   |
| FOUND PROPERTY            | 8   |
| FRAUD                     | 4   |
| HARASSMENT/STALKING       | 8   |
| HAZARD                    | 31  |
| HIT & RUN NO INJURY       | 12  |
| ITEMS                     | 1   |
| LOST PROPERTY             | 6   |
| MENTAL DISORDER           | 6   |
| MISCELLANEOUS             | 37  |
| MISCELLANEOUS INCIDENT    | 11  |
| MISCHIEF                  | 2   |
| MISSING PERSON            | 5   |
| MISSING/RUNAWAY/FOUND     | 2   |
| NEGLECT                   | 3   |
| NOISE COMPLAINT           | 34  |
| NON-URGENT REQUEST        | 208 |
| NON-VIOLENT DISORDER      | 6   |

|                                  |     |
|----------------------------------|-----|
| NUISANCE                         | 17  |
| OTHER                            | 48  |
| OTHER INFORMATION                | 85  |
| PANIC/DURESS                     | 7   |
| PARKING COMPL                    | 7   |
| PAST ASSAULT                     | 4   |
| PAST ATT THEFT FROM VEH          | 1   |
| PAST BURGLARY                    | 5   |
| PAST DAMAGE/VANDALISM            | 9   |
| PAST DRUGS                       | 1   |
| PAST DUI                         | 1   |
| PAST FRAUD                       | 9   |
| PAST HARASSMENT                  | 3   |
| PAST HIT & RUN                   | 4   |
| PAST NOISE COMPLAINT             | 3   |
| PAST PERSONAL ROBBERY            | 1   |
| PAST PHYSICAL                    | 2   |
| PAST ROAD RAGE                   | 1   |
| PAST SUICIDE THREAT              | 1   |
| PAST SUSP CIRCUMSTANCE           | 7   |
| PAST SUSP PERSON                 | 1   |
| PAST SUSP VEHICLE                | 1   |
| PAST THEFT                       | 27  |
| PAST THEFT FROM VEH              | 11  |
| PAST THREAT                      | 5   |
| PAST TRAFFIC CRASH               | 4   |
| PAST TRESPASS                    | 1   |
| PAST VEHICLE THEFT               | 2   |
| PAST VERBAL                      | 2   |
| PAST VIOLATION                   | 1   |
| PAST WEAPONS                     | 1   |
| PHYSICAL DISTURBANCE             | 28  |
| PUBLIC SERVICE                   | 22  |
| ROAD RAGE                        | 2   |
| RUNAWAY                          | 3   |
| SECURITY CHECK                   | 331 |
| SECURITY CHECK COMMERCIAL        | 69  |
| SECURITY CHECK DIRECTIVE         | 109 |
| SECURITY CHECK RESIDENTIAL       | 40  |
| SERVING CIVIL PAPERS             | 72  |
| SERVING CIVIL PAPERS ENFORCEABLE | 8   |
| SEX ASSAULT                      | 2   |
| SEX OFFENDER CHECK               | 13  |

|                             |             |
|-----------------------------|-------------|
| SHOTS FIRED                 | 1           |
| SHOTS HEARD                 | 3           |
| SUICIDAL/ATTEMPT            | 3           |
| SUICIDE THREAT              | 7           |
| SUPPLEMENTAL REPORT         | 41          |
| SUSPECT                     | 5           |
| SUSPECT DETAINED            | 1           |
| SUSPICIOUS CIRCUMSTANCE     | 30          |
| SUSPICIOUS PERSON           | 22          |
| SUSPICIOUS VEHICLE          | 24          |
| SUSPICIOUS/WANTED           | 54          |
| SUSPICIOUS/WANTED PERSON    | 2           |
| THEFT/LARCENY               | 14          |
| THREATS                     | 5           |
| TRAFFIC                     | 278         |
| TRAFFIC CRASH               | 18          |
| TRAFFIC DIRECTIVE           | 64          |
| TRAFFIC STOP                | 1177        |
| TRAFFIC VIOLATION/COMPLAINT | 3           |
| TRESPASSING                 | 10          |
| TRESPASSING (LARGE GROUP)   | 6           |
| TRESSPASSING (SMALL GROUP)  | 43          |
| UNKNOWN 3RD PARTY           | 4           |
| URGENT REQUEST              | 28          |
| VEHICLE THEFT               | 2           |
| VERBAL DISTURBANCE          | 49          |
| VIOLATION                   | 49          |
| VIOLENT DISORDER            | 10          |
| WANTED PERSON               | 11          |
| #N/A                        | 1           |
| <b>Grand Total</b>          | <b>3790</b> |

## City of Crystal River 4th Quarter 2017 Traffic Citation Detail

| Uniform Traffic Citation Description                                              | 4 <sup>th</sup> Quarter |
|-----------------------------------------------------------------------------------|-------------------------|
| Regulated Speed by the State                                                      | 24                      |
| Violation Of Official Traffic Control Device                                      | 20                      |
| Careless Driving                                                                  | 14                      |
| Driving While License Suspended or Revoked (Unknowing)                            | 9                       |
| Expired Tag/Registration less than 6 Months                                       | 9                       |
| No proof of insurance                                                             | 8                       |
| Exceed Posted Zone Speed (Municipal Street)                                       | 7                       |
| Expired Driver's License (more than 4 months)                                     | 5                       |
| Expired Tag or Motor Vehicle Registration over 6 Months First Offense             | 5                       |
| Unlawful Speed                                                                    | 5                       |
| Operate Motor Vehicle Without using the Safety Belt                               | 4                       |
| Failure to Move Over Act                                                          | 3                       |
| Fail to Replace License within 10 Days after Residence or Mailing Address Changed | 3                       |
| Fail to maintain single lane                                                      | 3                       |
| Fail to Carry Drivers License and Exhibit on Demand                               | 3                       |
| Vehicle Turn Left in Front of Approaching Traffic                                 | 3                       |
| Inoperable Headlamps                                                              | 2                       |
| Backing Improper                                                                  | 2                       |
| Drive w/o Lights from Sunset to Sunrise (Including Twilight)                      | 2                       |
| Fail to Yield While Approach Intersection to Other Vehicle                        | 2                       |
| Failure to Stop at Stop Sign and Yield to R-O-W                                   | 2                       |
| Exceed Posted Speed Business/Residential District (County Road)                   | 2                       |
| Vehicle Makes Improper U-Turn or Disobey No U-Turn Traffic Control Device         | 1                       |
| Person Driving Any Motor Vehicle in Race/Speed Contest on Rd/Hwy                  | 1                       |
| Failure to Yield to Ped/R-O-W Traffic When Enter From Prvt/Rd/Dr/Al               | 1                       |
| Improper/or Unsafe Equipment (Fix-It)                                             | 1                       |
| Follow too closely to other vehicle                                               | 1                       |
| Driving vehicle on incorrect side of roadway                                      | 1                       |
| Driving While License Suspended or Revoked (Knowingly - 2nd Offense)              | 1                       |
| Improper lane/passing from same direction                                         | 1                       |
| Violation of Speed Limits in School Zone                                          | 1                       |
| Fail to stop at intersection with steady red light                                | 1                       |
| Attach Tag to Vehicle not Assigned to it                                          | 1                       |
| Fail to Use Due Care - Unlawful Speed (Hazardous Conditions)                      | 1                       |
| <b>Grand Total</b>                                                                | <b>149</b>              |

Data was drawn from the Citrus County Sheriff's Office CrimetrackII, PSnet and Aegis records management databases. The following reports were used; Crimetrack II Crystal River Quarterly Report Query & PSnet Inquiry (January 1 to February 20<sup>th</sup> 2012), and Aegis Data Analysis & Mapping reports: Crystal River Quarterly Citation & Warnings; Crystal River Quarterly Arrest Excel Report.

# City of Crystal River



Minutes from the  
Regular Council Meeting held  
Monday, February 12<sup>th</sup>, 2018  
@ 7:00 p.m.



Minutes of the  
Crystal River City Council  
Regular Council Meeting  
Monday, February 12<sup>th</sup>, 2017 @ 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 Gudis led the invocation.

**2. ADOPTION OF AGENDA**

**Motion to adopt the agenda was made by Council member Gudis; seconded by Council member Fitzpatrick. Motion carried 5-0.**

**3. PRESENTATIONS**

A. *Solar United Neighbors (SUN)*..... *League of Women Voters*  
Maxine Connor distributed an informational hand out and BOCC resolution supporting the SOLAR United Neighbors Co-Op. She presented on behalf of the League of Women Voters and addressed Council questions and comments regarding return on investment, existing programs and next steps. Council consensus was reached to support and promote the co-op and upcoming local meetings through the City website. She also addressed Council questions regarding what other states are doing to incentive use of solar energy.

**4. UNFINISHED BUSINESS**

**5. APPROVAL OF CONSENT AGENDA**

A. Motion to approve minutes from the Regular City Council meeting held January 22, 2018

B. Motion to approve the road closure and waiver of open container request for St. Patrick's Day on Citrus Avenue on Saturday, March 17, 2018

**Background:** [Agenda Sheet **Requested Motion: Motion to approve the road closure and waiver of open container request for St. Patrick's Day on Citrus Avenue on Saturday, March 17, 2018.**

**Summary:** The Special Events Coordinator is requesting permission to close Citrus Avenue to hold an all-day St. Patrick's Day event. The closure will be from Highway 19 to NE 5<sup>th</sup> Street and NE 5<sup>th</sup> Street from Citrus Avenue to NE 1<sup>st</sup> Avenue. This year they are proposing a waiver of open container to allow patrons to leave the restaurants and bars included in the road closure area with drinks and enjoy the festivities outside. The bars will be required to have the alcohol that leaves their premises in a special cup for the event. All alcohol sales will be from established venues only.

**Staff Recommendation:** Staff recommends approval.

End of Agenda Sheet

C. Motion to approve the Agreement for Services and Material for Municipal Election between the Citrus County Supervisor of Elections Office (SOE) and the City of Crystal River (City) at a cost of \$1,000

**Background:** [Agenda Sheet **Requested Motion: Motion to approve the Agreement for Services and Material for Municipal Election between the Citrus County Supervisor of Elections Office (SOE) and the City of Crystal River (City) at a cost of \$1,000.**

**Summary:** During election years the City contracts with the Supervisor of Elections Office to facilitate the municipal elections for the City of Crystal River. The “Agreement for Services and Material for Municipal Election” stipulates the responsibilities of each party to ensure a smooth process in providing the services and necessary materials for the 2016 Primary and General elections. The total contract amount is \$1,000, and has not increased in several years.

The Council Chamber is the designated polling place for Precinct No. 105, and will be utilized on the following dates:

Primary Election.....August 28, 2018  
General Election .....November 6, 2018

**Staff Recommendation:** Staff recommends approval.

End of Agenda Sheet]

D. Motion to approve a special event permit and waiver of open container submitted by Florida State Ducks Unlimited for their wild game cookout event

**Background:** [Agenda Sheet **Requested Motion: Motion to approve a special event permit and waiver of open container submitted by Florida State Ducks Unlimited for their wild game cookout event.**

**Summary:** The Florida State Ducks Unlimited is requesting permission to use the pavilion at Kings Bay Park for their wild game cookout on April 27, 2018 from 3:00-10:00pm. The group holds their annual conference at the Plantation and wants to expand their cookout to another waterfront area of Crystal River. The event is a family style picnic involving grills and cooking. The group is requesting a waiver of open container to be able to bring in their own alcohol for the event, there will be no sales of alcohol and a CCSO Deputy will be hired.

**Staff Recommendation:** Staff recommends approval.

End of Agenda Sheet]

E. Motion to approve the scheduling an FY 2019 Budget Workshop for Thursday, March 29, 2018 at 1:00 p.m. to be held in the Council Chambers

**Background:** [Agenda Sheet **Requested Motion: Motion to approve the scheduling an FY 2019 Budget Workshop for Thursday, March 29, 2018 at 1:00 p.m. to be held in the Council Chambers.**

**Summary:** Traditionally, Council holds their first Budget Workshop prior to the April Council meeting. All Councilmembers have been contacted and a quorum is available for this time and date.

**Staff Recommendation:** Approval of the meeting for the date listed above.

End of Agenda Sheet]

F. Motion to schedule an Executive Session to discuss labor negotiations for Thursday, June 28, 2018 at 1:00 p.m.

**Background:** [Agenda Sheet **Requested Motion: Motion to schedule an Executive Session to discuss labor negotiations for Thursday, June 28<sup>th</sup> at 1:00 p.m.**

**Summary:** Once a year prior to finalization of the budget City Council meets in executive session to discuss labor related costs and issues. Staff is working to schedule this session prior to the second FY 19 Budget Workshop. The agenda item is only to set date and time. All Council members have been contacted and a majority has indicated availability for the proposed time and date.

**Staff Recommendation:** Approval of the meeting date and time listed above. End of Agenda Sheet]

Vice Mayor Brown requested that Item 5D be pulled for discussion.

**Motion to approve the consent agenda (excluding 5D) was made by Council member Gudis; seconded by Council member Holmes. Motion carried unanimously.**

Vice Mayor Brown then discussed item 5D and expressed concerns that the motion did not specify that the event would be held until 10:00 p.m., after normal park hours.

**Motion to approve a special event permit and waiver of open container submitted by Florida State Ducks Unlimited for their wild game cookout event and allow function to remain in the park after hours until 10:00 p.m. was made by Vice Mayor Brown; seconded by Council member Gudis. Motion carried unanimously.**

Council member Holmes requested that Budget Workshop information be included in an upcoming utility bill mailing.

## **6. PUBLIC INPUT**

*(Time Limit of Three Minutes)*

**Dennis Bailey-** Bailey Electric- Expressed concerns regarding high permitting fees and lack of notice of fee increases.

Council member Gudis suggested providing notice in the newspaper. City Manager Burnell explained the public process related to adoption of ordinances and other City matters, noting the priority to remain business friendly.

## **7. PUBLIC HEARING**

- A. Consideration of approval of Ordinance No. 18-O-02 providing for a small scale amendment to the future land use map (FLUE) of the comprehensive plan reclassifying 3.67 acres (MOL) of property owned by Ag-Pro Real Estate Investments, LLC from High Density Residential (HDR) land use to Highway Commercial Land Use (HC) on First Reading and setting a public hearing for February 26, 2018

**QUASI-JUDICIAL**

**Motion to read Ordinance No. 18-O-02 by title only for First Reading was made by Vice Mayor Brown; seconded by Council member Gudis. Motion carried unanimously.**

**AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, PROVIDING FOR A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN, RECLASSIFYING 3.67 ACRES (MOL) OF PROPERTY OWNED BY AG PRO REAL ESTATE INVESTMENTS, LLC, PARCEL ID 17E18S27 43420 IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, FROM HIGH DENSITY RESIDENTIAL**



**(HDR) LAND USE TO HIGHWAY COMMERCIAL (HC) LAND USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Background: [Agenda sheet Requested Motion: Motion to approve Ordinance 18-O-02 providing for land use amendment changing 3.67 acres from High Density Residential (HDR) to Highway Commercial (HC) on first reading and setting the Final Public Hearing for February 26, 2018.

**Summary:** Ag Pro Real Estate Investments Inc. is the owners of property located at 1113 SE US Highway 19 (formerly known as H&H Motors). This property has a split land use, the front half being HC and the back portion High Density Residential. In order for Ag Pro to move forward with their development (the sale of John Deere tractors) there cannot be two land use categories.

The Planning Commission held a Public Hearing on January 18, 2017 and voted unanimously to recommend the land use change. During the Public Hearing a resident from the adjacent subdivision (Paradise Gardens) was concerned with the intensity of having a commercial development adjacent to residential and that that the residents would not be protected from intrusion of the new development. At the time we explained that Section 4.05.03 of the City's Land Development Code would require a 20' buffer that includes landscaping along with a continuous hedge or solid masonry wall at least four (4) feet high.

Staff received information since that time that a 15' right of way exists between the two developments that is owned by the City (see attached map). Buffer requirements for Public property that is adjacent to Commercial is a 15' buffer; four (4) canopy trees and four (4) understory trees but the wall is not necessary. In conclusion the total buffer will be 30' along with canopy and understory trees.

Mr. Garrett, representing Ag Pro, understands this requirement and staff will be sure it is in place prior to site plan approval.

**Staff Recommendation:** Approval

End of Agenda Sheet]

Mayor Farley called for disclosure of any conflicts of interest or ex parte communications: There were none.

The City Clerk swore in all individuals wishing to testify on the matter.

Staff Presentation: Ms. Gorman presented the staff report.

Applicant's Presentation: Dustin Garrett, representing Ag Pro addressed Council questions regarding job creation, noting that the average store employs approximately 20.

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

**Motion to approve Ordinance 18-O-02 providing for land use amendment changing 3.67 acres from High Density Residential (HDR) to Highway Commercial (HC) on first reading and setting the Final Public Hearing for February 26, 2018 was made by Council member Fitzpatrick; seconded b Council member Gudis. Motion carried unanimously.**

B. Consideration of approval of Ordinance No. 18-O-03 amending the official zoning map of the City of Crystal River changing zoning on properties owned by Ag-Pro Real Estate Investments, LLC from High Density Residential 9R3) to High Intensity Commercial (CH) on First Reading and setting a public hearing for February 26, 2018

**QUASI-JUDICIAL**

**Motion to read Ordinance No. 18-O-03 by title only for First Reading was made by Council member Fitzpatrick; seconded by Council member Holmes. Motion carried unanimously.**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA, CHANGING THE ZONING ON PROPERTIES OWNED BY AG PRO REAL ESTATE INVESTMENTS, LLC, (3.67 ACRES MOL AS DESCRIBED HEREIN AND LOCATED AS SHOWN IN EXHIBIT A), PARCEL ID 17E18S27 434200080 IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER FROM HIGH DENSITY RESIDENTIAL (R-3) TO HIGH INTENSITY COMMERCIAL (CH) AS DESCRIBED IN SECTION 3; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**Background:** [Agenda Sheet Requested Motion: Motion to approve Ordinance 18-O-03 providing for Zoning amendment changing 3.67 acres from High Density Residential (R-3) to High Intensity Commercial (CH) on first reading and setting the Final Public Hearing for February 26, 2018.

**Summary:** Ag Pro Real Estate Investments Inc. is the owners of property located at 1113 SE US Highway 19 (formerly known as H&H Motors). This property has a split land use, the front half being High Intensity Commercial (CH) and the back portion High Density Residential (R-3). In order for Ag Pro to move forward with their development (the sale of John Deere tractors) there cannot be two zoning categories.

The Planning Commission held a Public Hearing on January 18, 2017 and voted unanimously to recommend the zoning change. During the Public Hearing a resident from the adjacent subdivision (Paradise Gardens) was concerned with the some of the underbrush being removed on the property and that the residents would not be protected from the intensity of the new development. At the time we explained that Section 4.05.03 of the City's Land Development Code would require a 20' buffer with four (4) canopy trees; four (4) understory trees; a continuous hedge or solid masonry wall at least four (4) feet high with twenty-five (25) shrubs planted on the outside of the wall to be planted in a double-staggered row.

We received information since that time that a 15' right of way exists between the two developments that is owned by the City (see attached map). Buffer requirements for Public property that is adjacent to Commercial is a 15' buffer; four (4) canopy trees and four (4) understory trees but the wall is not necessary. In conclusion the total buffer will be 30' along with canopy and understory trees.

Mr. Garrett, representing Ag Pro, understands this requirement and staff will be sure it is in place prior to site plan approval.

**Staff Recommendation:** Approval

End of Agenda Sheet]

Mayor Farley called for disclosure of any conflicts of interest or ex parte communications: There were none.

The City Clerk swore in all individuals wishing to testify on the matter.

Staff Presentation: Staff report was accepted into the record.

Applicant's Presentation: There was none.

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

**Motion to approve Ordinance 18-O-03 providing for *Zoning* amendment changing 3.67 acres from High Density Residential (R-3) to High Intensity Commercial (CH) on first reading and setting the Final Public Hearing for February 26, 2018 was made by Council member Fitzpatrick; seconded by Council member Gudis. Motion carried unanimously.**

## **8. CITY ATTORNEY**

### **A. Special Assessment for Vacant Buildings**

City Attorney Jennifer Rey provided background for terminology clarification, noting that MSTU's and MSBUs are statutorily available to county governments, whereas Special Assessments are an available cost recovery mechanism to municipalities. She briefly described the process by which such a fee might be assessed (specifically for the abatement of dangerous buildings) and how that process differs from cost recovery via a lien. Vice Mayor Brown inquired about applying such a process to aesthetic-based code violations and Ms. Rey advised that legal staff can research that, as well.

## **9. CITY MANAGER**

- A. Motion to adopt Resolution No. 18-R-13 appropriating an additional \$159,337.19 for the US-19 widening utility relocation project and approve a Three Party Escrow Agreement with the FDOT and State of Florida to fund the project

**Background: [Agenda Sheet Requested Motion: Motion to adopt Resolution #18-R-13 appropriating an additional \$159,337.19 for the US-19 widening utility relocation project and approve a Three Party Escrow Agreement with the FDOT and State of Florida to fund the project.**

**Summary:** This request relates to the relocation of the city utilities that are in conflict with the US-19 widening project.

In August, 2017 Council approved a Utility Work by Highway Contractor Master Agreement (UWHCA) with the FDOT which allows for a change order approach for work performed by the highway contractor.

In November, 2017 (after this FY's budget was established) the engineering consultant advised that the cost estimate increased from the original estimate of \$214,000 to \$592,650

On December 11, 2017 DPW brought forth a request to increase the total project budget to \$625,000 (which conservatively included a 15% allowance). Council approved that request through Resolution No. 18-R-09 which appropriated an additional \$350,000

Since that time, the cost estimate has increased twice; the final cost estimate submitted to the FDOT is \$699,052.75 The only explanation DPW can provide is that GPI has experienced significant personnel changes --- we are now on our fourth Project Manager on this project.

To further exacerbate the deficiency, DPW recently learned that FDOT requires an additional 10% contingency allowance and a 2% administration fee.

The new total to be deposited is \$784,337.19 which requires a budget amendment for an additional \$159,337.19. FDOT has advised the funds must be deposited in an escrow account with the Comptroller's Office by February 21, 2018.

Staff is requesting approval of the additional funds and of the Three Party Escrow Agreement through Resolution #18-R-13.

**Staff Recommendation:** Approval of the additional funds and of the Three Party Escrow Agreement through Resolution #18-R-13. End of Agenda Sheet1

City Manager Burnell provided an overview of the item. Council member Gudis inquired why FDOT was not funding the changes and Council member Holmes inquired if the firm or FDOT was requiring the project changes. Public Works Director Beau Keene confirmed that the increase is based on the FDOT Engineering Contractor's estimate. Council member Fitzpatrick expressed concerns regarding the source of the changes, the possibility of subsequent increases and impact on project if additional city funding was not approved. Vice Mayor Brown expressed concerns regarding the project cost and timeline, Mayor Farley called the project an unfunded mandate and Council member Holmes inquired if the additional cost was specifically for relocating utilities.

GPI Engineer Travis Justice confirmed that the cost was for actual construction and addressed Council questions regarding the item, clarifying that the State provides them with their designs and identifies incompatibilities with the city infrastructure, noting cost is based on area unit averages. He also noted that acceleration of project timeline and resulting expedited changes have not allowed for some of the normal approval processes based on time constraints.

City Attorney Rey discussed some of the contract language noting that utility work could get excluded from the project, however legal staff would need to research further to determine consequences of not approving additional funds.

Further Council discussion was held regarding the potential for FDOT to contribute funding for the required utility relocation during which Council member Fitzpatrick cautioned Council members that due to the competitive nature of FDOT funded projects, opposition to the request may set the community back on funding priority for FDOT projects and recommended to instead ask for assistance with the additional funds.

Further Council discussion was held regarding speaking with State legislators, funding constraints, agreement deadlines and project benefits to the city.

Mr. Justice reminded Council of the city opportunity to view bids and contractor selection, noting GPI's commitment to assist in minimizing project costs.

Ms. Rey clarified aspects of the existing FDOT agreement, noting that no amount is specified, but if the City were to default on the agreement approval deadline the contract provides for a cure period.

City Manager Burnell suggested moving forward with depositing already approved funding (\$625,000.00) into ESCROW and request FDOT for assistance with the balance, on which Council consensus was reached. Council consensus was also reached to allow staff to work with FDOT and identify tools to meet additional funding requirements.

- B. Motion to adopt Resolution No. 18-R-14 and accept a proposal from Arc Surveying & Mapping, Inc. in the amount of \$15,000.00 to perform a hydrographic survey and sediment probing for the Kings Bay Restoration - Phase 1.C project

**Background:** [\[Agenda sheet\]](#) **Requested Motion: Motion to adopt Resolution No. 18-R-14 and accept a proposal from Arc Surveying & Mapping, Inc. in the amount of \$15,000.00 to perform a hydrographic survey and sediment probing for the Kings Bay Restoration - Phase 1.C project.**

**Summary:** On August 14, 2017 and September 18, 2017 Council approved expenditures for professional engineering services to develop a bid package for the Kings Bay Restoration dredging and submerged aquatic planting project.

In order to accurately determine the volume of sediment and detritus to be removed from the canal bottoms, a pre-dredge hydrographic survey is necessary. Essentially, the process consists of engaging a professional surveyor and mapper to perform soundings which incorporate GPS to accurately relay vertical and horizontal data. The result is a bathymetric map of the canal bottoms which depicts the false bottom (top of the sediment layer) as well as the hard bottom.

The soundings are ground-truthed through manual sediment probing which involves advancing a metal pipe through the sediment layer. A plate is installed on the end of the pipe which allows the operator to “feel” the initial resistance of the soft sediment layer. The depth is recorded and the pipe is then pushed through the soft layer until resistance is met; the difference yields the thickness. The data is then imported into a module which computes sediment volumes and generates cross-sections at pre-determined intervals.

This information provides a basis for bidding --- the amount of material to be removed is quantified which allows a bidder to establish a bid unit price. Additionally, upon completion of a section, the contractor will be required to provide a post-dredge survey which, when compared to the pre-dredge survey, will provide an actual volume for payment purposes and will be used to verify the work was completed within the allowable tolerances.

For this task, DPW solicited three proposals from registered professional surveying and mapping firms with the following quotes:

|                               |             |
|-------------------------------|-------------|
| Arc Surveying & Mapping, Inc. | \$15,000.00 |
| Sea Diversified, Inc.         | \$14,430.00 |
| Land & Seas Surveying, Inc.   | \$17,550.00 |

Although the Arc Surveying and Mapping, Inc.(Arc) proposal is \$570.00 higher than the lowest quote, Arc proposes to perform cross-sectioning and sediment probing at maximum intervals of 50’ along the canals whereas the low quote offers to perform same every 100’. Staff recommends paying a little extra for an increased accuracy resulting from a doubling of the frequency of testing.

\*Project #16-11 was the first Save Crystal River project where the City agreed to act as administrator for their grant and advance SCR up to \$400,000. The advanced funds totaled \$140,047.24 leaving a remaining budget of \$259,952.76. On 9/18/17, Council approved to utilize \$27,810 of these funds for additional funding to Kimley-Horn and Associates in order to complete development of specifications and a bid package for the \$1,800,000 Kings Bay Restoration Project leaving a balance of \$232,142.76 as of 9/30/17. These funds were not rolled forward for FY18; they were allocated back to reserves. Staff will be transferring funds accordingly to reflect the appropriate accounting as per the budget amendment. Upon final approval of the \$1.8 million dollar project, a total of \$57,810.00 will now be reimbursed by the new grant.

**Staff Recommendation:** Accept a proposal from Arc Surveying & Mapping, Inc. in the amount of \$15,000.00 to perform a hydrographic survey and sediment probing for the Kings Bay Restoration - Phase 1.C project. This information will greatly improve the understanding costs to clear a canal in a measurable way. End of Agenda Sheet]

Vice Mayor Brown expressed concerns with the motion language, noting that “of” should be changed to “up to”.

**Motion to adopt Resolution No. 18-R-14 and accept a proposal from Arc Surveying & Mapping, Inc. in the amount of up to \$15,000.00 to perform a hydrographic survey and sediment probing for the Kings Bay Restoration - Phase 1.C project was made by Vice Mayor Brown; seconded by Council member Gudis. Motion carried unanimously.**

## **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*- Commended Ms. Pieters for her work.
  
- C. Council member Fitzpatrick
  - *Metropolitan Planning Organization*- Reported that Parkway 2 construction has commenced.
  
- D. Council member Gudis
  - *Tourist Development Council* – Reported ongoing efforts to revising grant funding requirements.
  - *Library Governing Advisory Board*
  - *Florida League of Cities*
  - *Citrus County Community Charitable Foundation Board*- Reported that approximately \$3.7 million was available to fund community health projects.
  
- E. Council member Holmes
  - *Keep Citrus County Beautiful*
  - *Springs Coast Steering Committee*

### **12. COMMUNICATIONS**

Vice Mayor Brown reported on communications received regarding Wawa concerns and asked for the City’s position. City manager Burnell confirmed that staff was awaiting on a response from FDOT regarding potential traffic impacts.

Mayor Farley spoke on the recent loss of John Grannan and the contributions he made in the community as a local historian. He also discussed the opioid epidemic and lack of a local treatment center, noting funding availability from the Citrus County Community Charitable Foundation for health related projects and requested that staff draft a resolution or whatever steps necessary to begin addressing the opioid crisis. Council member Gudis also commented on the need for a mental health crisis facility to handle issues,

including Baker Act commitments, noting prioritization of the issue during the 2018 Citrus County Leadership Summit and community partners that plan to focus on the issue. Mayor Farley requested confirmation of what is needed to move forward. Staff was requested to prepare two separate resolutions regarding the opioid epidemic and the need for a local mental health crisis facility.

### **13. COUNCIL MEMBER REPORTS**

- A. Mayor Farley
- B. Vice Mayor Brown- Expressed concerns with speeding on Kings Bay Drive, Three Sisters Springs Trail and Paradise Point Road, requesting consideration for traffic calming strategies.
- C. Council member Fitzpatrick- Expressed thanks for recent thoughts and prayers from the community.
- D. Council member Gudis- Spoke on a recent event held at George Washington Carver Community Center praising the facility.
- E. Council member Holmes- Spoke regarding management negotiations for Three Sisters Springs Refuge, requesting Council members to review and comment on any draft documents provided by staff or USFWS management in order to move forward with negotiations.

### **14. PUBLIC INPUT**

*(Five Minute Time Limit)*

**Dr. Civilich-Save Crystal River-** Spoke on item 9B, thought to have been tabled, and stating that the approved survey has already been conducted and permits have been obtained. She provided Council with an overview of the various project phases and their current statuses, expressed concerns regarding the proposed methodology and encouraged Council to consider the plantings not muck removal.

**Jack Huegel-743 SE 1<sup>st</sup> Court-** 3SSR- decision- Spoke regarding upcoming management decisions for the Three Sisters Springs property, asked Council members to view the draft USFWS proposal as a technical document and expressed concerns with the language including references to compliance with grant rather than covenants and management plan, as well as construction of an onsite education center.

**Tom Gotterup-Friends of the Crystal River National Wildlife Refuge-** Thanked Council member Holmes for his comments and discussed recommendations from the Three Sisters Springs Community Working Group, noting the issue of size has been a past point of concern and requesting respect of the Friends group.

**Dee Atkins-3851 N. Nokomis Point-** Expressed concerns with the lack of progress made over the past ten years in Three Sisters Springs management negotiations, and lack of trust for USFWS to follow through.

### **15. ADJOURNMENT**

Mayor Farley adjourned the meeting at 9:00 p.m.

# City of Crystal River



MONTHLY DEPARTMENTAL  
Report Summary  
JANUARY 2018





## Departmental Monthly Reports Summary

**FINANCE DEPARTMENT:** No report Submitted.

**CLERK'S OFFICE:**

During the month of January Clerk's office staff attended and prepared minutes for 4 meetings, handled 13 public records requests, handled 0 cemetery plot transfers, prepared and filed 1 liens, prepared and filed 8 release of liens, and prepared 5 agendas and 7 agenda items, performed 21 notarizations, and the Clerk's office facilitated 1 bid openings. Clerk's office staff published advertising and notices of meetings, ordinances and workshops. staff facilitated legal and IT requests, managed cellphone account, FEMA reporting, printer and postage reports, implemented and set up the Golf Cart registry, handled golf cart registrations, and produced 2018 election packets.

**FIRE DEPARTMENT:**

CRFD responded to 38 calls during the month of January, with 8 calls being canceled. There were 29 calls in city 7 of which were canceled, 9 outside of city calls 1 of which was canceled. Total water usage for the period was approximately 22,250 gallons.

**PLANNING & DEVELOPMENT SERVICES:** Planning commission met on January 18<sup>th</sup> and recommended the approval of the Ag Pro land use and zoning. Staff is moving forward on two abatement case: 1) Gulf Port Plaza a residential structure in Woodland Estates.

**PERMITTING & INSPECTIONS:**

During the month of January there were 32 permits issued for a total of \$8,118.54. There were a total of 75 inspections which 71 were building inspections, and 4 were a final fire inspection and 0 fire plan reviews

**PUBLIC WORKS:**

**Parks:** Construction on the Hunter Springs overflow parking lot is wrapping up.

**Personnel:** A maintenance II worker was released and interviews have begun to fill the position.

**Facilities:** Staff is prepared and advertised the RFQ for the architectural services for a feasibility study for a new City Hall.

**Public Water:** All non-reporting water meters were replaced, US Water initiated a fire hydrant repair program and 85% of fire hydrant repaint is complete.

**Public Sewer:** Installation of the OmniSite lift station callout devices was complete, rehab of lift station #34 discharge manifold began, and began rehab of the waste water treatment plant's lift station.

**Solid waste:** In the normal averages.

**CRA:** Work on the Riverwalk landward section is nearing completion and staff prepared exhibits for the CRA split rail beautification project.

**Roads:** The FY17 road resurfacing project was completed.

**Drainage:** Nothing new report.7

**Grant Projects:** Nothing new to report.

**SPECIAL EVENTS:** No Report submitted.

**WATERFRONTS AND COMMUNITY SERVICES:**

**Three Sisters Springs:** The BBC filmed at the board walk as a part of the Planet Earth 2 series. Over 9,000 visitors toured the springs during the month of January.

**Business Licensing:** There were three new businesses to the City in January.

**Code Enforcement:** Code enforcement opened 25 cases and prepared 13 for hearing. 6 cases went to hearing and 7 were resolved prior to going to hearing.

**Park Rangers:** A homeless man was stabbed in the head near the gazebo in Little Springs Park, the homeless are utilizing the gazebo and pavilions as sleeping quarters and even camping in the parks. The homeless are also sleeping in the bathrooms and the concession stand at Legrone Park.

**Water Patrol:** Water patrol staff continued monitoring the city waters, reporting potential violations to appropriate authorities. Staff assisted USFWS Law Enforcement with an unauthorized drone at Three Sisters.

5B

# City of Crystal River



## DEPARTMENTAL MONTHLY REPORTS

January 2018

**CRYSTAL RIVER CITY COUNCIL**  
**Agenda Item Summary**

Meeting Date: February 26, 2018

Agenda Item Number: 7A

**Requested Motion: Motion to adopt Ordinance No. 18-O-02 providing for *land use* amendment changing 3.67 acres from High Density Residential (HDR) to Highway Commercial (HC) on Final Reading.**

**Summary:**

Ag Pro Real Estate Investments Inc. is the owners of property located at 1113 SE US Highway 19 (formerly known as H&H Motors). This property has a split land use, the front half being HC and the back portion High Density Residential. In order for Ag Pro to move forward with their development (the sale of John Deere tractors) there cannot be two land use categories.

The Planning Commission held a Public Hearing on January 18, 2017 and voted unanimously to recommend the land use change. During the Public Hearing a resident from the adjacent subdivision (Paradise Gardens) was concerned with the intensity of having a commercial development adjacent to residential and that that the residents would not be protected from intrusion of the new development. At the time we explained that Section 4.05.03 of the City's Land Development Code would require a 20' buffer that includes landscaping along with a continuous hedge or solid masonry wall at least four (4) feet high.

Staff received information since that time that a 15' right of way exists between the two developments that is owned by the City (see attached map). Buffer requirements for Public property that is adjacent to Commercial is a 15' buffer; four (4) canopy trees and four (4) understory trees but the wall is not necessary. In conclusion the total buffer will be 30' along with canopy and understory trees.

Mr. Garrett, representing Ag Pro, understands this requirement and staff will be sure it is in place prior to site plan approval.

**Staff Recommendation:** Approval

**Funding Information:**

Project Cost:

Funding Source:

Amount Available:

**Finance Department Approval:** \_\_\_\_\_

**Approvals:**

  
Originating Department

  
City Manager

\_\_\_\_\_  
City Attorney (if applicable)

**Attachments:** Staff Report  
Ordinance No. 18-O-02

**Council Action:**

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Deferred \_\_\_\_\_ Other \_\_\_\_\_



**Ag Pro – 1113 SE US Highway 19  
Proposed Land Use Change & Zoning Change  
PZ17-0029 (Land Use)  
PZ17-0027 (Zoning)  
Staff Report and Recommendation  
February 7, 2018**



**I. Project Description:**

***1113 SE US Highway 19***

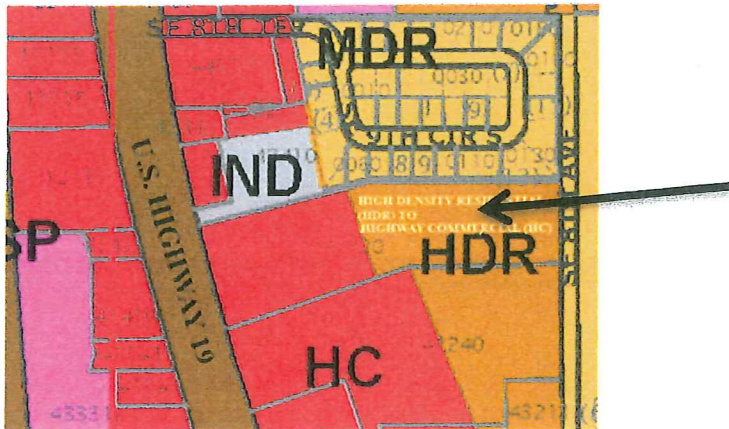
***Petitioner & Property Owner:***

Ag Pro Real Estate Investments Inc.  
19595 US Hwy 84  
Boston, GA 31626

***Request:***

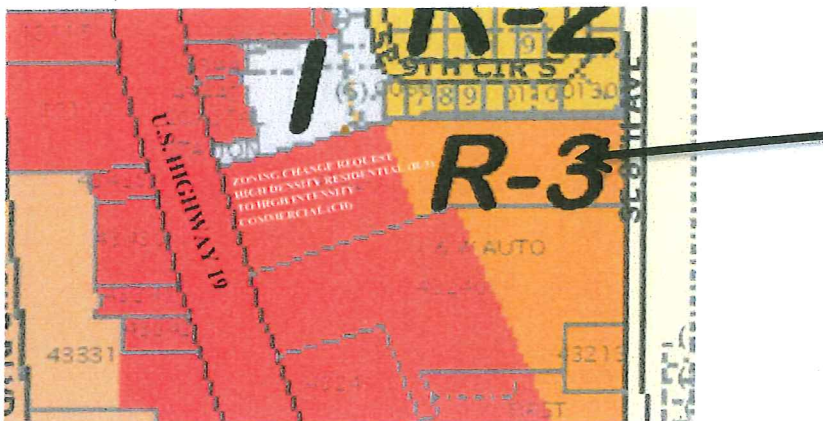
***Land Use:*** To amend the Future Land Use Map reclassifying 3.67 acres (MOL) from *High Density Residential* (HDR – 12 du/acre) to *Highway Commercial* (HC)

FLUM CHANGE REQUEST



**Zoning:** To amend the Zoning Map for 3.67 acres (MOL) from R-3 (High Density Residential) to High Intensity Commercial (CH).

ZONING CHANGE REQUEST



II. **Site Data:**

**Existing Use:**

Vacant Commercial

**Proposed Use:**

Retail

**Parcel Alt Key:** 1089514

**Parcel Size -** 3.67 acres (MOL)

**For Surrounding Land Uses**

North – Residential Subdivision  
With 15’ buffer dedicated to the City of Crystal River  
As part of the Paradise Gardens Plat (see atth)

South – Vacant Residential (Split Zoning)

East – Commercial

West - Crystal River Village MH Park



**Proposed Use:**

**Commercial Retail**

**III. Applicable Comprehensive Plan Provisions:**

**GOAL 2: Crystal River will be a balanced and well planned community.**

**Future land Use Element: OBJECTIVE 2.1 Provide for reasonable use of property while protecting, conserving, and maintaining the natural resources and systems identified in this and other elements of this Plan.**

**Staff Analysis:**

Currently this property has split zoning with large amounts of impervious surfaces and no stormwater facilities. The proposed development will reduce the amount of impervious surfaces, create stormwater retention, and provide natural buffers to the property to the north and south. In addition, the existing structure has been vacant for many years and the building is below the required base flood elevation. This land use and zoning will be correcting a legal non-conformancy with the split zoning and bring the site to meet the standards set forth in the land development code and FEMA.

**ORDINANCE 18-O-02**

**AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, PROVIDING FOR A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN, RECLASSIFYING 3.67 ACRES (MOL) OF PROPERTY OWNED BY AG PRO REAL ESTATE INVESTMENTS, LLC, PARCEL ID 17E18S27 43420 IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, FROM HIGH DENSITY RESIDENTIAL (HDR) LAND USE TO HIGHWAY COMMERCIAL (HC) LAND USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Crystal River, Florida recognizes the need to plan for orderly growth and development; and

**WHEREAS**, a small-scale amendment may be adopted only under the conditions set forth in Chapter 163, Florida Statutes, and other provisions of State and local law; and

**WHEREAS**, the proposed small-scale amendment was advertised as required by the Florida Statutes, the Crystal River Land Development Code, and notice posted on the affected property; and

**WHEREAS**, Ag Pro Real Estate Investments, LLC., owner, are requesting an amendment to the Future Land Use Element of the City's Comprehensive Plan, changing 3.67 acres (MOL) from High Density Residential (HDR) Land Use To Highway Commercial (HC) (see attached Exhibit A); and

**WHEREAS**, in accordance with the law, the proposed amendment was required to be reviewed by the City's Local Planning Agency at a duly advertised meeting, scheduled on *January 18, 2018*, and the Local Planning Agency has determined such application to be consistent with the Comprehensive Plan and appropriate to the future land uses within the City; and

**WHEREAS**, the City Council of the City of Crystal River, Florida has determined that amending the City's Future Land Use Map is consistent with the goals, objectives and policies of the Comprehensive Plan; and

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



**WHEREAS**, the City Council of the City of Crystal River, Florida, has determined that adoption of this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Crystal River.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA THAT THE CITY'S COMPREHENSIVE PLAN IS AMENDED AS FOLLOWS:**

**SECTION 1. PURPOSE.**

The purpose of this Ordinance is to allow a small scale amendment to the Comprehensive Plan of the City of Crystal River, Florida, for 3.67 acres (MOL) of property, owned by Ag Pro Real Estate Investments, LLC, from High Density Residential (HDR) Land Use To Highway Commercial (HC) land use for the reasons set forth in the above "**WHEREAS**" clauses, which are incorporated herein, in haec verba.

**SECTION 2. AUTHORITY.**

The City of Crystal River City Council is authorized to amend the Crystal River Comprehensive Plan 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.

The City Council of the City of Crystal River, Florida, hereby adopts and incorporates into this Ordinance the memorandum and application packet relating to the proposed amendments to the Future Land Use Map of the City of Crystal River, as if fully restated herein, in their entirety.

**SECTION 3. FUTURE LAND USE MAP AMENDED.**

The amendments to the Future Land Use Map of the Comprehensive Plan of the City of Crystal River (also shown on Exhibit "A") as set forth herein are hereby adopted:

LEGAL DESCRIPTION:

BEG AT A MONUMENT ON E LINE OF SW1/4 OF NW1/4 BEING 164.35 FT S OF NE CORNER OF SW1/4 OF NW1/4, THENCE N 89 DEG 18M W 593.19 FT, TH S 76 DEG 52M W 536.96 FT TO A MONUMENT ON THE EASTERLY R/W OF US HWY19, THENCE SOUTHERLY ALONG R/W 325 FT TO MONUMENT, THENCE N 72 DEG 11M E 594 FT TO CONCRETE MONUMENT, THENCE S 89 DEG 18M E TO E BOUNDARY OF SW ¼ OF NW 1/4, THENCE N ALONG E BOUNDARY OF SW 1/4 OF NW 1/4 ALL BEING IN THE SW ¼ OF THE NW ¼ OF SECTION 27, TOWNSHIP 18S, RANGE 17E, TO POB DESC IN OR BK 311 PG 39

**SECTION 4. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS.**

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River Comprehensive Plan of the City of Crystal River, Florida. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Comprehensive Plan in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

**SECTION 5. SEVERABILITY.**

If any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provision of the Ordinance.

**SECTION 6. EFFECTIVE DATE.**

This Ordinance shall become effective thirty-one (31) days after adoption if no challenge is filed. If this Ordinance is challenged within thirty (30) days after adoption, small scale development amendments do not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance with the law.

No development orders, development permits, or land uses dependent on the Comprehensive Plan amendments set forth in this Ordinance may be issued or commence before it has become effective.

**APPROVED** on the first reading after due public notice and public hearing the \_\_\_\_ day of \_\_\_\_\_, 2018.

**APPROVED** on the second reading after due public notice and public hearing the \_\_\_\_ day of \_\_\_\_\_, 2018.

**ATTEST:**

**CITY OF CRYSTAL RIVER**

\_\_\_\_\_  
**MIA FINK, CITY CLERK**

\_\_\_\_\_  
**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:

**VOTE OF COUNCIL:**

Brown \_\_\_\_\_

Gudis: \_\_\_\_\_

Holmes: \_\_\_\_\_

Farley \_\_\_\_\_

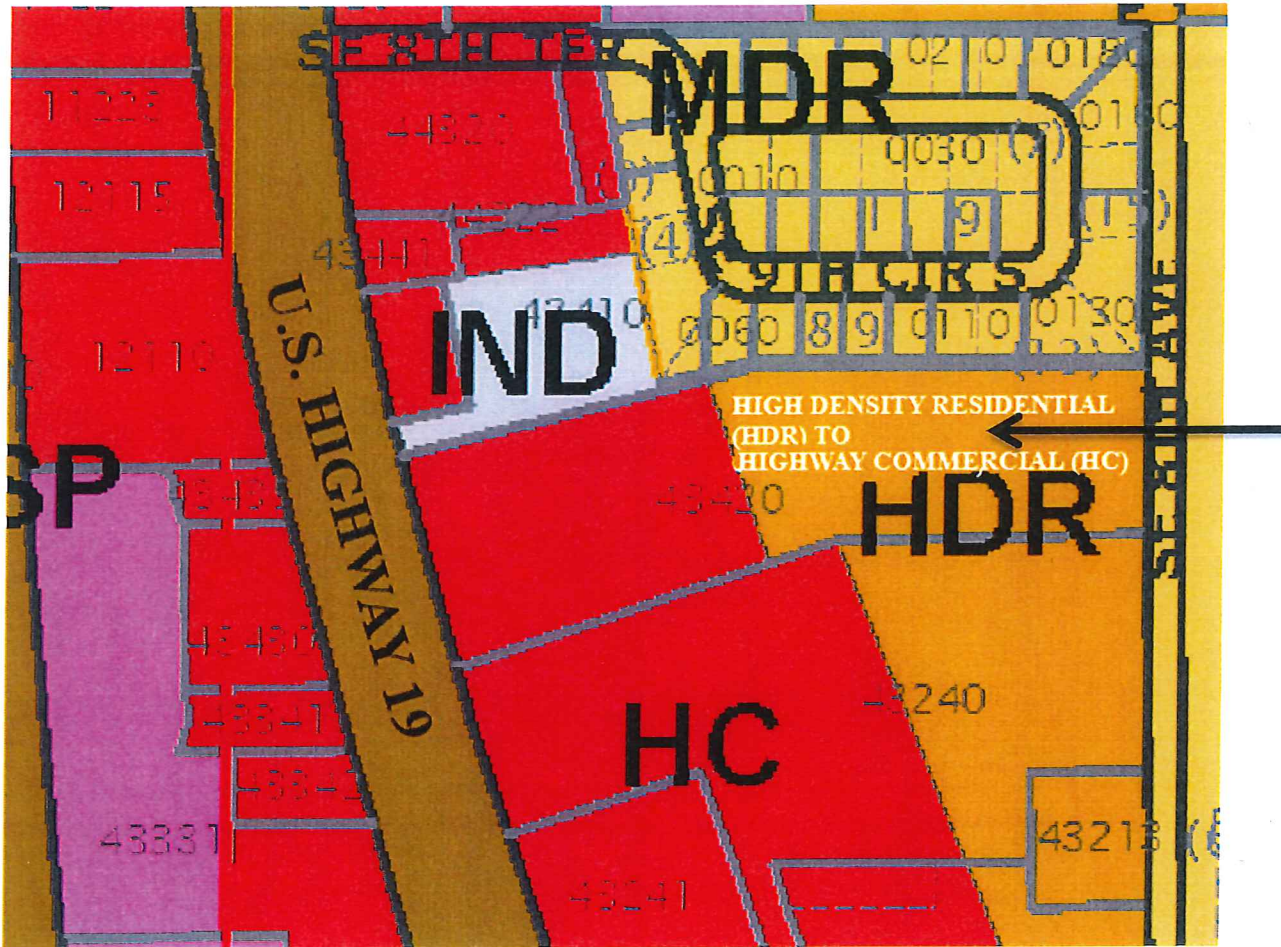
Fitzpatrick \_\_\_\_\_

\_\_\_\_\_  
George G. Angeliadis, City Attorney

EXHIBIT "A"

FROM HIGH DENSITY RESIDENTIAL (HDR) LAND USE TO HIGHWAY COMMERCIAL (HC) LAND USE

FLUM CHANGE REQUEST



**CRYSTAL RIVER CITY COUNCIL**  
**Agenda Item Summary**

Meeting Date: February 26, 2018

Agenda Item Number: 7B

**Requested Motion:** Motion to adopt Ordinance No. 18-O-03 providing for *Zoning* amendment changing 3.67 acres from High Density Residential (R-3) to High Intensity Commercial (CH) on Final Reading.

**Summary:**

Ag Pro Real Estate Investments Inc. is the owners of property located at 1113 SE US Highway 19 (formerly known as H&H Motors). This property has a split land use, the front half being High Intensity Commercial (CH) and the back portion High Density Residential (R-3). In order for Ag Pro to move forward with their development (the sale of John Deere tractors) there cannot be two zoning categories.

The Planning Commission held a Public Hearing on January 18, 2017 and voted unanimously to recommend the zoning change. During the Public Hearing a resident from the adjacent subdivision (Paradise Gardens) was concerned with the some of the underbrush being removed on the property and that the residents would not be protected from the intensity of the new development. At the time we explained that Section 4.05.03 of the City's Land Development Code would require a 20' buffer with four (4) canopy trees; four (4) understory trees; a continuous hedge or solid masonry wall at least four (4) feet high with twenty-five (25) shrubs planted on the outside of the wall to be planted in a double-staggered row.

We received information since that time that a 15' right of way exists between the two developments that is owned by the City (see attached map). Buffer requirements for Public property that is adjacent to Commercial is a 15' buffer; four (4) canopy trees and four (4) understory trees but the wall is not necessary. In conclusion the total buffer will be 30' along with canopy and understory trees.

Mr. Garrett, representing Ag Pro, understands this requirement and staff will be sure it is in place prior to site plan approval.

**Staff Recommendation:** Approval

**Funding Information:**

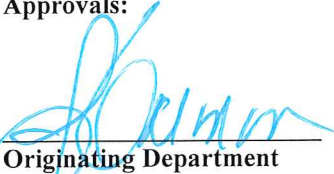
Project Cost:

Funding Source:

Amount Available:

**Finance Department Approval:** \_\_\_\_\_

**Approvals:**

  
\_\_\_\_\_  
Originating Department

  
\_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Attorney (if applicable)

**Attachments:** Ordinance No. 18-O-03

**Council Action:**

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Deferred \_\_\_\_\_ Other \_\_\_\_\_

**ORDINANCE 18-O-03**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA, CHANGING THE ZONING ON PROPERTIES OWNED BY AG PRO REAL ESTATE INVESTMENTS, LLC, (3.67 ACRES MOL AS DESCRIBED HEREIN AND LOCATED AS SHOWN IN EXHIBIT A), PARCEL ID 17E18S27 434200080 IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER FROM HIGH DENSITY RESIDENTIAL (R-3) TO HIGH INTENSITY COMMERCIAL (CH) AS DESCRIBED IN SECTION 3; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the proposed rezoning was advertised as required by the Florida Statutes, the City of Crystal River Land Development Code, and notice posted on the affected property; and

**WHEREAS**, the City of Crystal River Planning Commission held a public hearing on *January 18, 2018* to consider a request that the zoning classification be changed on a parcel of land identified as Parcel ID 17E18S27 43420 in the Official Records of the Citrus County Property Appraiser, Crystal River, Florida, as described in Section 3; and

**WHEREAS**, the City of Crystal River Planning Commission voted unanimously to recommend to the City Council that the request to amend the official zoning map be approved; and

**WHEREAS**, the City Council of the City of Crystal River, Florida, after publication of a notice of its consideration of this ordinance, held two readings of this ordinance and public hearings as required by law; and

**WHEREAS**, the City Council of the City of Crystal River, Florida, has determined that the requested change of zoning is consistent with the City of Crystal River Comprehensive Plan and Future Land Use Map, and

**WHEREAS**, the City Council of the City of Crystal River, Florida has further determined that approval of the requested zoning change is in the best interests of the health, safety and welfare of the citizens of Crystal River, Florida.

**NOW THEREFORE, BE IT ORDAINED 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 official zoning map of the City of Crystal River, Florida, for the parcel of land identified as Parcel ID 17E18S27 43420 in the Official Records of the Citrus County Property Appraiser from High Density Residential (R-3) to High Intensity Commercial (CH) for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

**SECTION 2. AUTHORITY.**

The City of Crystal River 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.

**SECTION 3. ZONING MAP AMENDMENT**

The official zoning map of the City of Crystal River, is hereby amended to change the zoning designation on the following described properties from High Density Residential (R-3) to High Intensity Commercial (CH):

**LEGAL DESCRIPTION:**

BEG AT A MONUMENT ON E LINE OF SW1/4 OF NW1/4 BEING 164.35 FT S OF NE CORNER OF SW1/4 OF NW1/4, THENCE N 89 DEG 18M W 593.19 FT, TH S 76 DEG 52M W 536.96 FT TO A MONUMENT ON THE EASTERLY R/W OF US HWY19, THENCE SOUTHERLY ALONG R/W 325 FT TO MONUMENT, THENCE N 72 DEG 11M E 594 FT TO CONCRETE MONUMENT, THENCE S 89 DEG 18M E TO E BOUNDARY OF SW ¼ OF NW 1/4, THENCE N ALONG E BOUNDARY OF SW 1/4 OF NW 1/4 ALL BEING IN THE SW ¼ OF THE NW ¼ OF SECTION 27, TOWNSHIP 18S, RANGE 17E, TO POB DESC IN OR BK 311 PG 39

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River, Florida, Official Zoning Map. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City of Crystal River, Florida, is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Official Zoning Map in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

**SECTION 5. REPEAL OF CONFLICTING ORDINANCES**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**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. EFFECTIVE DATE.**

This Ordinance shall become effective immediately upon adoption by the Crystal River City Council.

**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:**

**CITY OF CRYSTAL RIVER**

\_\_\_\_\_  
**MIA FINK, CITY CLERK**

\_\_\_\_\_  
**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:

---

George G. Angeliadis, City Attorney

VOTE OF COUNCIL:

Brown \_\_\_\_\_

Gudis: \_\_\_\_\_

Holmes: \_\_\_\_\_

Farley \_\_\_\_\_

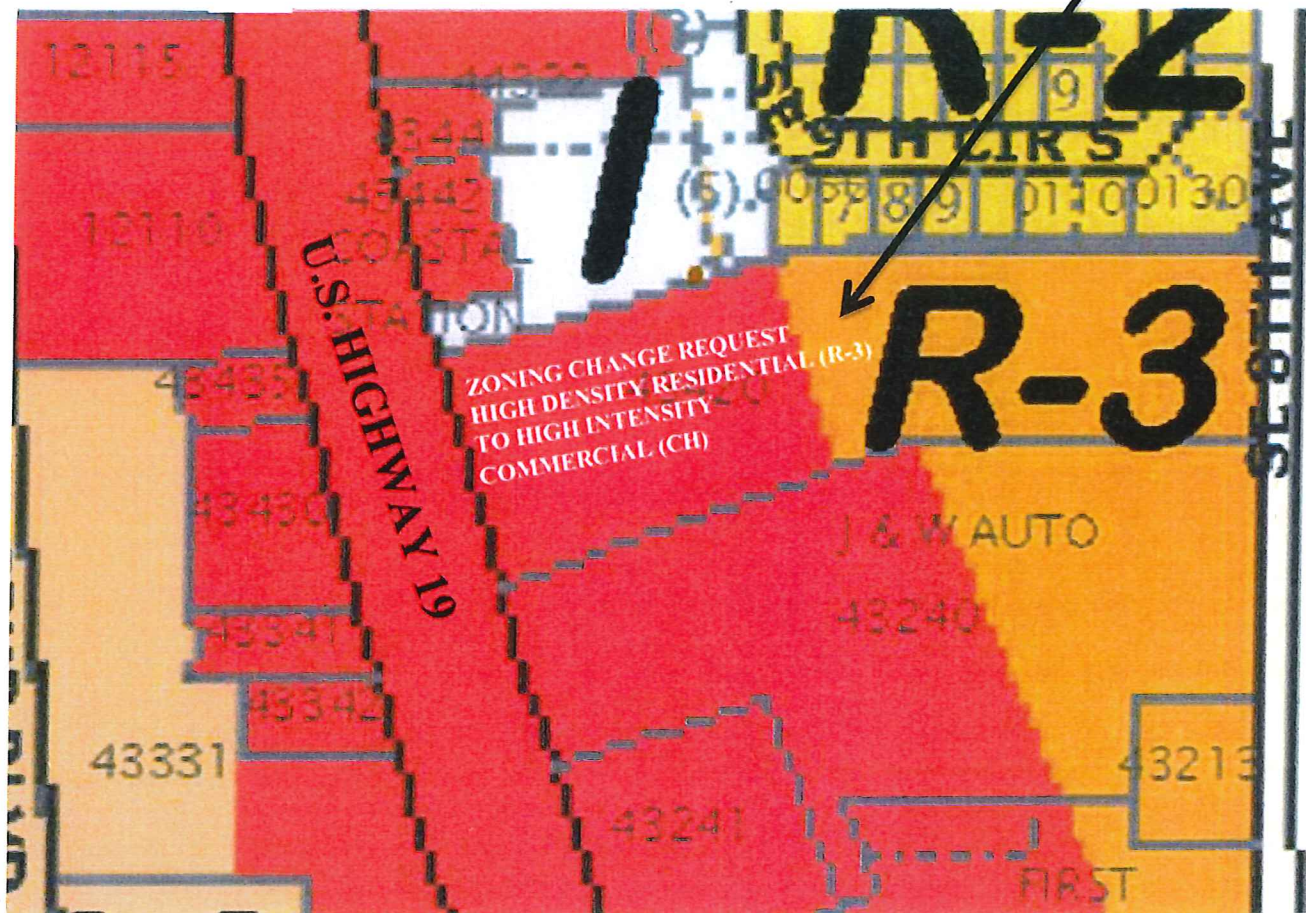
Fitzpatrick \_\_\_\_\_

EXHIBIT 'A'

Existing Zoning- High Density Residential (HDR) (3.67 Acres)

Proposed - High Intensity Commercial (CH)

ZONING CHANGE REQUEST



**CRYSTAL RIVER CITY COUNCIL**  
**Agenda Item Summary**

Meeting Date: February 26, 2018

Agenda Item Number: 9A

**Requested Motion: Motion to approve a Three Party Escrow Agreement with the FDOT and State of Florida to fund the Highway 19 Utility Relocation project.**

**Summary:** This request relates to the relocation of the city utilities that are in conflict with the US-19 widening project.

In August, 2017 Council approved a Utility Work by Highway Contractor Master Agreement (UWHCA) with the FDOT which allows for a change order approach for work performed by the highway contractor. In November, 2017 (after this FY's budget was established) the engineering consultant advised that the cost estimate increased from the original estimate of \$214,000 to \$592,650. On December 11, 2017 DPW brought forth a request to increase the total project budget to \$625,000 (which conservatively included a 15% allowance). Council approved that request through Resolution No. 18-R-09 which appropriated an additional \$350,000.

Since that time, the cost estimate has increased; the final cost estimate submitted to the FDOT is \$699,052.75 with an additional 10% contingency allowance and a 2% administration fee for a new total of \$784,337.19. FDOT had also advised the funds must be deposited in an escrow account with the Comptroller's Office by February 21, 2018.

During the **February 12, 2018 City Council meeting** staff requested approval of Resolution #18-R-13 appropriating an additional \$159,337.19 to be deposited into ESCROW per the Three Party Escrow agreement with FDOT. Upon Council discussion a decision was made not to approve the additional funding, however Council consensus was reached to move forward with depositing already approved funding (\$625,000.00) into ESCROW and request FDOT for assistance with the balance.

Staff is requesting approval of the Three Party Escrow Agreement as required to move forward.

**Staff Recommendation:** Approval of the Three Party Escrow Agreement for deposit of already budgeted \$625,000.00 into ESCROW.

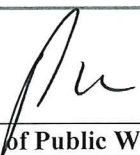
**Funding Information:**

Project Cost:

Funding Source:

Amount Available:

**Finance Department Approval:** \_\_\_\_\_

Approvals:   
\_\_\_\_\_  
Department of Public Works

  
\_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Attorney (if applicable)

**Attachment: Three Party Escrow Agreement**

**Council Action:**

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Deferred \_\_\_\_\_ Other \_\_\_\_\_

### THREE PARTY ESCROW AGREEMENT

THIS AGREEMENT is made and entered into by and between the State of Florida, Department of Transportation ("FDOT"), City of Crystal River ("Participant"), and the State of Florida, Department of Financial Services, Division of Treasury ("Escrow Agent"), and shall become effective upon the Agreement's execution by Escrow Agent.

WHEREAS, FDOT and Participant are engaged in the following project ("Project"):

Project Name: US 19 (SR 55) From W Jump Court to W Fort Island Trail  
Project #: 405822-3-56-02  
County: Citrus

WHEREAS, FDOT and Participant desire to establish an escrow account for the project.

NOW THEREFORE, in consideration of the premises and the covenants contained herein, the parties agree to the following:

1. An initial deposit will be made into an interest bearing escrow account established hereunder for the purposes of the Project. The escrow account will be opened with the Escrow Agent on behalf of FDOT upon Escrow Agent's receipt and execution of this Agreement.
2. Other deposits to the escrow account may be made during the life of this agreement.
3. Deposits will be delivered in accordance with instructions provided by the Escrow Agent to the FDOT for deposit into the escrow account. A wire transfer or ACH deposit is the preferred method of payment and should be used whenever possible.
4. FDOT's Comptroller or designee shall be the sole signatory on the escrow account with the Escrow Agent and shall have sole authority to authorize withdrawals from the account. Withdrawals will only be made to FDOT or the Participant in accordance with the instructions provided to the Escrow Agent by FDOT's Comptroller or designee.
5. Moneys in the escrow account will be invested in accordance with section 17.61, Florida Statutes. The Escrow Agent will invest the moneys expeditiously. Income is only earned on the moneys while invested. There is no guaranteed rate of return. Investments in the escrow account will be assessed a fee in accordance with Section 17.61(4)(b), Florida Statutes. All income of the investments shall accrue to the escrow account.
6. Unless instructed otherwise by FDOT, all interest accumulated in the escrow account shall remain in the account for the purposes of the Project.

7. The Escrow Agent agrees to provide written confirmation of receipt of funds to FDOT. FDOT agrees to provide a copy of such written confirmation to Participant upon request.
8. The Escrow Agent further agrees to provide quarterly reports to FDOT concerning the escrow account. FDOT agrees to provide a copy of such quarterly reports to Participant upon request.
9. The Escrow Agent shall not be liable for any error of judgment or for any act done or omitted by it in good faith, or for anything which it may in good faith do or refrain from doing in connection herewith.
10. Escrow Agent shall have no liability for any claim, cost, expense, damage or loss due to the acts or omissions of FDOT and Participant, nor from any separate agreements between FDOT and Participant and shall have no responsibility to monitor or enforce any responsibilities herein or in any separate agreements associated with this Agreement between FDOT and Participant.
11. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida.
12. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
13. This Agreement shall terminate upon disbursement by the Escrow Agent of all money held by it in the escrow account in accordance with the instructions given by FDOT's Comptroller or designee and notification from FDOT to Escrow Agent that the account is to be closed.

*The remainder of this page is blank.*

IN WITNESS WHEREOF, the parties have duly executed the Agreement on the date(s) below.

\_\_\_\_\_  
For FDOT-OOC (signature)

\_\_\_\_\_  
For PARTICIPANT (signature)

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

59-3024028  
\_\_\_\_\_  
Federal Employer I.D. Number

\_\_\_\_\_  
Federal Employer I.D. Number

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

FDOT Legal Review:

\_\_\_\_\_

\_\_\_\_\_  
For Escrow Agent (signature)

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Date

**CRYSTAL RIVER CITY COUNCIL**  
**Agenda Item Summary**

Meeting Date: February 26, 2019

Agenda Item Number: 9B

**Requested Motion:** Motion to authorize City Manager to negotiate with Academy of Environmental Science (AES) on a new lease agreement based on City Council direction.

**Summary:** The City of Crystal River took ownership of the now (AES) building and site, utilizing Florida Community Trust (FCT) funds. The state changes to secure school facilities made the site accessible to the public. FCT notified the City that public access to the property was not being met. The City working with Citrus County, Environmental Charter School and FCT developed a plan for a public access with a pier passing through wetlands to provide views of saw grass and the Salt River on the east end of the property. This site is of an unusual configuration of wetlands making any simple section of the property available for public use an impossibility. (FCT) agreed this would meet the intent of public access and valued the charter school. This was the reason for the lease period to change from \$1.00 a year to \$23,000 a year for repayment of the required improvements being paid over a five year period.

The letter attached is the first communication from Academy of Environmental Science (AES) Board of Directors on negotiating a new contract. It suggests two possible options:

Renewal of the lease for five (5) years at one (1) dollar per year as before & AES continues to responsible for repairs and updates.

Renewal of the lease for five (5) years at twenty-three thousand (23,000) dollars per year + yearly rate and the City of Crystal River will be responsible for repairs.

Staff is looking for direction on City Council desire to continue the relationship with the (AES) and if so any specific expectations within the lease agreement.

**Staff Recommendation:** Staff recommends proposed Option #1, by which the City would have no maintenance responsibilities of the building or site. Staff also recommends a semi-annual site inspection requirement by the City to assure adequate repair and maintenance is being completed.

**Funding Information:**

Project Cost: NA

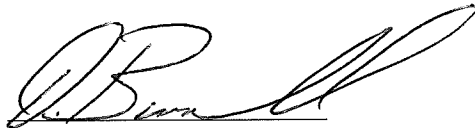
Funding Source:

Amount Available:

**Finance Department Approval:** \_\_\_\_\_

**Approvals:**

\_\_\_\_\_  
Originating Department

  
\_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Attorney (if applicable)

**Attachments:** (AES) letter 2/14/18

**Council Action:**

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Deferred \_\_\_\_\_ Other \_\_\_\_\_



## ACADEMY OF ENVIRONMENTAL SCIENCE

12695 W. Fort Island Trail  
Crystal River, FL 34429

February 14, 2018

To the City Council of Crystal River,



On behalf of the Board of Directors of the Academy of Environmental Science I would like to take this opportunity to share thoughts about the upcoming renewal rental agreement for the property located at 12695 W. Fort Island Trail.

AES was recently named one of the Top 10 Charter Schools in the State of Florida! Something we would not be able to accomplish without the City of Crystal River. We believe that AES is and should be a proud piece of the Crystal River community. I would like to offer a brief history of our responsibilities and other updates we have accomplished and met since our last renewal.

The boardwalk project has been completed and our financial reimbursement to the city has been met in the form of a yearly rent increase from \$1.00 a year to \$23,000+ yearly to payback the city for the boardwalk to meet FTC requirements. The other requirement of public access has been successful as well with astronomy nights, monthly board meetings, and open houses.

The Academy and the Board of Directors has taken exceptional care of your facility with numerous necessary updates, repairs and improvements. A concise list of those items includes: new soffits, railings, new coating for walkways on second floor, undercoating of all structures, screening in part of the downstairs. New HVAC systems throughout the entire second floor, elevator maintenance/updates and bringing dock up to current safety requirements. The total monies spent for these necessary items since our last renewal is \$323,800.00+. These have increased the appraised value of the facility to over \$500,000.

Our Board would like the City of Crystal River to consider the following two options:

Option #1. Renewal of our lease for 5 Years at \$1.00 per year as before & AES to be responsible for repairs, updates,

Option #2. Renewal of our lease for 5 Years at current \$23,000+ yearly rate & the City of Crystal River be responsible for repairs, updates, etc.

We are very proud to be in partnership with the City of Crystal River, our relationship is unique to the state of Florida, and is a shining example of how Charter schools should work with their local Municipality. We look forward to continuing our relationship and strengthening for the future.

Respectfully,

Michelle Leeper  
Chairman, Academy of Environmental Science Board of Directors