

**AGENDA FOR REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
INVERNESS, FLORIDA, CITY HALL, 212 WEST MAIN STREET
September 2, 2014 - 5:30 PM**

NOTICE TO THE 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).

Accommodation for the disabled (hearing or visually impaired, etc.) may be arranged with advance notice of seven (7) days before the scheduled meeting, by dialing (352) 726-2611 weekdays from 8 AM to 4 PM.

ENCLOSURES*

1) INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

2) PLEASE SILENCE ELECTRONIC DEVICES

3) ACCEPTANCE OF AGENDA

4) PUBLIC HEARINGS

4 - 8 a) Land Acquisition Ordinance (2nd Reading)*

9 - 34 b) Flood Map Ordinance (2nd Reading)

5) OPEN PUBLIC MEETING

The public is invited to express opinion on any item for this meeting or pending action at a future meeting of City Council.

6) PRE-SCHEDULED PUBLIC APPEARANCES

a) Sheriff's Department - 6 mo. Crime Stats

7) MAYOR'S LOCAL ACHIEVEMENT AWARDS

8) CITY ATTORNEY REPORT

9) CONSENT AGENDA

35 a) Bill Listing *
Recommendation - Approval

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- 36 - b) Council Minutes - August 19th, 2014 *
40 Recommendation - Approval
- 41 - c) Proclamation - "Child Passenger Safety Week"*
42 Recommendation - Approval
- 43 - d) Repurchase of Cemetery Lot - Lot 323, SW Addition
44 Recommendation - Approval

10) CITY MANAGER'S REPORT Correspondence/Reports/Recommendations

- 45 - a) Christmas Parade - Road Closure Approval*
51
- 52 - b) Sheriff's Office - School Traffic Control Agreement*
59
- 60 - c) Law Enforcement Services Agreement 2014/15*
67
- 68 - d) SS Solutions Agreement*
69
- 70 e) City Manager Agreement*
- f) 9 Point Inter-Local Agreement (verbal)
- Land Swap
 - AmericaGas
 - Business Park

11) COUNCIL/MAYOR SUBJECTS

12) NON-SCHEDULED PUBLIC COMMENT

13) ADJOURNMENT

a)

DATES TO REMEMBER

-
Budget Adoption Public Hearings

Thursday, September 4th, 2014 @ 5:01pm

Thursday, September 18th, 2014 @ 5:01pm

**AGENDA FOR REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
INVERNESS, FLORIDA, CITY HALL, 212 WEST MAIN STREET**

September 2, 2014 - 5:30 PM

Inverness Government Center Council Chambers

Inverness Farmers Market

Saturday, September 6th, 2014 from 9:00am - 1:00pm

Inverness Government Center City Square

9/11 Memorial/Ceremony/Walk

Liberty Park Memorial 10:00am

9/11 Exhibit 12:00 noon-7:00pm; Council Chambers

Ceremony and Freedom Walk -5:30pm

Inverness City Council Regular Meeting

Tuesday, September 16th, 2014 at 5:30pm

Inverness Government Center

Agenda Memorandum – *City of Inverness*

August 27, 2014

TO: Elected Officials

FROM: City Manager (Prepared by Eric Williams)

SUBJECT: Public Hearing / Land Procurement Ordinance – (Second Reading)

CC: City Clerk

Enclosure: Land Procurement Ordinance 2014-705
Proof of Publication

At the prior meeting, the City Attorney presented the enclosed Ordinance governing Land Procurement by the City, and explained the merits, legal considerations, and benefit of a locally structured policy for the purchase of real property. A Public Hearing has been duly advertised and the matter is ready to proceed toward adoption on the second reading.

Recommended Action -

It is recommended that Council

1. Motion, second and vote read the Ordinance by title
 - a. City Clerk reads Ordinance title
2. Open the Public Hearing
 - a. Those for; Those against
3. Close the Public Hearing to deliberate
4. To proceed, motion and second to adopt the Ordinance on the second and final reading by roll-call

If you wish to discuss this, please contact me at your convenience.


Frank DiGiovanni

ORDINANCE NO. 2014 - 705

AN ORDINANCE OF THE CITY OF INVERNESS, FLORIDA, PROVIDING FOR PROCEDURES FOR THE ACQUISITION OF REAL PROPERTY BY THE CITY FOR MUNICIPAL PURPOSES; PROVIDING FOR THE POWERS OF THE CITY MANAGER; PROVIDING FOR APPROVALS BY THE CITY COUNCIL; PROVIDING FOR APPRAISALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council wishes to adopt by Ordinance the procedures it uses for the acquisition of real estate necessary for Municipal purposes; and,

WHEREAS, the City wishes to adopt an alternative purchasing procedure separate and apart from Section 166.045, whereby the actions of the City in acquiring real property will be transparent and open to the public.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Inverness, Florida, as follows:

Section 1. The Code of Ordinances of the City of Inverness are hereby amended to include a new Section 5.22, entitled "Purchase of Real Property", which shall read as follows:

"Section 5.22. Purchase of Real Property.

- (a) It is the intent of the City Council that all future land acquisitions be made by the following procedures set forth in this section unless the City Manager determines to use the procedures set forth in Florida Statute 166.045. The procedures set forth below shall not apply to land acquisitions utilizing the powers of eminent domain as provided in Chapters 73 and 74 and Section 166.401, et. seq., Florida Statutes, or other general or special law.
- (b) When the City seeks to acquire real property, the City Manager is hereby empowered to obtain an option contract with the Seller of the desired lands. For purposes of this section, the term "option contract"

means a proposed agreement by the municipality to purchase a piece of property subject to approval of the City Council at a regular or special called public meeting. When the value of the real property exceeds \$50,000.00 in value but is not in excess of \$200,000.00, the City Manager shall obtain a cost market analysis prior to presenting the contract to the City Council. Said cost market analysis may be utilized by the City Council in determining the advisability of purchasing the real property under consideration. For parcels of land to be acquired which exceed \$200,000.00, the City Council shall obtain at least one appraisal prepared by a member of an appraisal organization which has been approved by the Governor and Cabinet pursuant to F.A.C. Rule 18-1.007 or be a state certified general appraiser as defined in Florida Statute Section 475.611.

Section 2. SEVERABILITY

If any article or portion of this ordinance is found to be invalid, unlawful or unconstitutional, all other articles of this ordinance shall remain valid and enforceable.

Section 3. INCLUSION IN THE CODE OF ORDINANCES

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Inverness as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code of Ordinances.

Section 4. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its adoption.

Upon motion duly made and carried on first reading, the foregoing ordinance was approved on the 19th day of August, 2014.

Upon motion duly made and carried on second reading, the foregoing ordinance was adopted on the _____ day of _____, 2014.

CITY OF INVERNESS, FLORIDA

By: _____
KEN HINKLE, President

ROBERT PLAISTED, Mayor

ATTEST:

DEBORAH DAVIS, City Clerk

Approved as to form and content:

LARRY M. HAAG, City Attorney

Proof of Publication

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

STATE OF FLORIDA
COUNTY OF CITRUS

Before the undersigned authority personally appeared

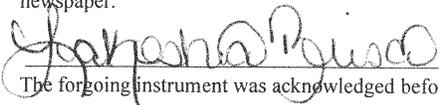
**Theresa J. Savery and/or LaKeshia Brisco
and/or Mary Ann Naczi and/or Kelley
Kriznar**

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

857-0822 FRCRN City of Inverness PUBLIC NOTICE
PUBLIC NOTICE OF PROPOSED ENACTMENT
NOTICE is hereby given by the City Council of the City of
Inverness, Florida that pursuant to Chapter 166.041 of the
laws of Florida a Public Notice be given by the City

Court, was published in said newspaper in the issues of
August 22nd, 2014.

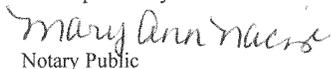
Affiant further says that the Citrus County Chronicle is a Newspaper published at Crystal River in said Citrus County, Florida, and that the said newspaper has heretofore been continuously published in Citrus County, Marion County and Levy County, Florida, each week and has been entered as second class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


The foregoing instrument was acknowledged before me

This 22nd day of Aug, 2014

By: Theresa J. Savery and/or LaKeshia
Brisco and/or Mary Ann Naczi and/or
Kelley Kriznar

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


Notary Public



857-0822 FRCRN
City of Inverness
PUBLIC NOTICE
PUBLIC NOTICE OF PROPOSED ENACTMENT

NOTICE is hereby given by the City Council of the City of Inverness, Florida that pursuant to Chapter 166.041 of the laws of Florida a Public Notice be given by the City Council of the City of Inverness that an ordinance entitled:

ORDINANCE NO. 2014 - 705
AN ORDINANCE OF THE CITY OF INVERNESS, FLORIDA, PROVIDING FOR PROCEDURES FOR THE ACQUISITION OF REAL PROPERTY BY THE CITY FOR MUNICIPAL PURPOSES; PROVIDING FOR THE POWERS OF THE CITY MANAGER; PROVIDING FOR APPROVALS BY THE CITY COUNCIL; PROVIDING FOR APPRAISALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND, PROVIDING FOR AN EFFECTIVE DATE.

will be considered for final reading and adoption by the City Council. All interested parties may appear at the meeting and be heard with respect to the proposed Ordinance at 5:31 PM, **September 2, 2014.**

Copy of the proposed ordinance will be on file with and available for inspection by the public in the office of the City Clerk in the City Hall, 212 W. Main Street, Inverness, Florida, between the hours of 8:30 AM and 4:30 PM, Monday through Friday of each week.

Be advised that if any person or persons may wish to appeal a decision of the City Council of the City of Inverness, Florida, made at this meeting, a record of the proceedings will be needed by such person or persons and a verbatim record may be needed.

This Notice is issued under my hand as the President of the City Council of the City of Inverness this **19th day of August, 2014.**

Attest: /s/ Deborah Davis, City Clerk /s/ Ken Hinkle, President of City Council
Published in the **CITRUS COUNTY CHRONICLE**, Friday, August 22, 2014.

Agenda Memorandum – *City of Inverness*

August 27, 2014

TO: Elected Officials

FROM: City Manager (Prepared by Eric Williams)

SUBJECT: Public Hearing / Floodplain Management Ordinance – (Second Reading)

CC: City Clerk

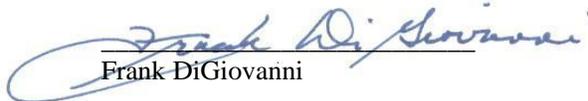
Enclosure: Floodplain Management Ordinance 2014- 704
Proof of Publication

As you are aware the State has mandated that all local government floodplain management ordinances be standardized to their new model floodplain ordinance. Accordingly, at the last meeting an Ordinance to modify the existing Floodplain Management Ordinance was adopted on the first reading. A Public Hearing has been advertised for this evening to position Council to adopt the measure on the second reading. (Note: The new Ordinance adopts the new Flood Insurance Rate Map panels, provides consistency with the Florida Building Code, and maintains consistency with the standardized floodplain ordinance.)

Recommended Action -

1. Motion, second and vote to read the Ordinance by title
 - a. City Clerk reads Ordinance title
2. Open the Public Hearing
 - a. Those for; Those against
3. Close the Public Hearing to deliberate
4. To proceed, motion and second to adopt the Ordinance on the second and final reading by roll-call

If you wish to discuss this further, please contact me at your convenience.


Frank DiGiovanni

ORDINANCE NO. 2014 - 704

AN ORDINANCE OF THE CITY OF INVERNESS AMENDING THE CODE OF ORDINANCES FOR THE CITY BY TOTAL REPEAL AND REPLACEMENT OF PART II CHAPTER 9.5 FLOOD DAMAGE PREVENTION; PROVIDE FOR ADOPTION OF FLOOD HAZARD MAPS THAT ARE EFFECTIVE SEPTEMBER 26, 2014; PROVIDE FOR THE DESIGNATION OF A FLOODPLAIN ADMINISTRATOR; PROVIDE FOR ADOPTION PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS AND OTHER PURPOSES; PROVIDE FOR APPLICABILITY; PROVIDE FOR REPEALER; PROVIDE FOR SEVERABILITY; PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of Inverness and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the City of Inverness was accepted for participation in the National Flood Insurance Program on May 17, 1982 and the City Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the Florida Building Code; and

WHEREAS, section 553.73(5), Florida Statutes, allows adoption of local administrative amendments to the *Florida Building Code* to implement the National Flood Insurance Program; and

WHEREAS, the City Council has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the *Florida Building Code*.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Inverness, Florida that the following floodplain management regulations are hereby adopted.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

This ordinance specifically repeals and replaces the following regulation(s): of the City of Inverness Code of Ordinances Part II Chapter 9,5 – Flood Damage Prevention

ARTICLE 1. ADMINISTRATION

Sec.9.5-1. General.

(a) *Title.* These regulations shall be known as the *Floodplain Management Ordinance* of the City of Inverness , hereinafter referred to as “this ordinance.”

(b) *Scope:* The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

(c) *Intent:* The purposes of this ordinance and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- (1) Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- (2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
- (3) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- (4) Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- (5) Minimize damage to public and private facilities and utilities;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- (7) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- (8) Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

(d) *Coordination with the Florida Building Code:* This ordinance is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building Code*.

9(e) *Warning:* The degree of flood protection required by this ordinance and the *Florida Building Code*, as amended by this community, is considered the minimum reasonable for regulatory

purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

(f) *Disclaimer of Liability*: This ordinance shall not create liability on the part of City Council of the City of Inverness or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

Sec. 9.5-2. Applicability.

(a) *General*. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(b) *Areas to which this ordinance applies*. This ordinance shall apply to all flood hazard areas within the City of Inverness, as established in Section 9.5-2(c) of this ordinance.

(c) *Basis for establishing flood hazard areas*. The Flood Insurance Study for Citrus County, Florida and Incorporated areas dated September 26, 2014 and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Community Development Department, City of Inverness 212 W. Main Street, Inverness, FL

(1) *Submission of additional data to establish flood hazard areas*. To establish flood hazard areas and base flood elevations, pursuant to Section 9.5-5 of this ordinance the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

a. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the Florida Building Code.

(1) b. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

(d) *Other laws*. The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

(e) *Abrogation and greater restrictions*. This ordinance supersedes any ordinance in effect for

management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the *Florida Building Code*. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.

- (f) *Interpretation.* In the interpretation and application of this ordinance, all provisions shall be:
- (1) Considered as minimum requirements;
 - (2) Liberally construed in favor of the governing body; and
 - (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 9.5-3. Duties and powers of the floodplain administrator.

(a) *Designation.* The Community Development Director is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

(b) *General.* The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Section 9.5-7 of this ordinance.

(c) *Applications and permits.* The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

- (1) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
- (2) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
- (3) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
- (4) Provide available flood elevation and flood hazard information;
- (5) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
- (6) Review applications to determine whether proposed development will be reasonably safe from flooding;
- (7) Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with

this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and

- (8) Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.
- (d) *Substantial improvement and substantial determinations.* For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:
 - (1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
 - (2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
 - (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
 - (4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this ordinance is required.
- (e) *Modifications of the strict application of the requirements of the Florida Building Code.* The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 9.5-7 of this ordinance.
- (f) *Notices and orders.* The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.
- (g) *Inspections.* The Floodplain Administrator shall make the required inspections as specified in Section 9.5-6 of this ordinance for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.
- (h) *Other duties of the Floodplain Administrator.* The Floodplain Administrator shall have other duties, including but not limited to:

- (1) Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 9.5-3(d) of this ordinance;
- (2) Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
- (3) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
- (4) Review required design certifications and documentation of elevations specified by this ordinance and the Florida Building Code and this ordinance to determine that such certifications and documentations are complete; and
- (5) Notify the Federal Emergency Management Agency when the corporate boundaries of the City of Inverness are modified.

(i) *Floodplain management records.* Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at the Community Development Department, City of Inverness 212 W. Main Street.

Sec. 9.5-4. Permits.

(a) *Permits required.* Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

(b) *Floodplain development permits or approvals.* Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development

that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

(c) *Buildings, structures and facilities exempt from the Florida Building Code.* Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this ordinance:

- (1) Railroads and ancillary facilities associated with the railroad.
- (2) Nonresidential farm buildings on farms, as provided in section 604.50, F.S.
- (3) Temporary buildings or sheds used exclusively for construction purposes.
- (4) Mobile or modular structures used as temporary offices.
- (5) Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
- (6) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- (7) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (8) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- (9) Structures identified in section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps

(d) *Application for a permit or approval.* To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

- (1) Identify and describe the development to be covered by the permit or approval.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan or construction documents as specified in Section 9.5-5 of this ordinance.
- (5) State the valuation of the proposed work.
- (6) Be signed by the applicant or the applicant's authorized agent.
- (7) Give such other data and information as required by the Floodplain Administrator.

(e) *Validity of permit or approval.* The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the Florida Building Codes, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

(f) *Expiration.* A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

(g) *Suspension or revocation.* The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

(h) *Other permits required.* Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

- (1) The Southwest Florida Water Management District; section 373.036, F.S.
- (2) Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.
- (3) Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.
- (4) Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
- (5) Federal permits and approvals.

Sec 9.5-5. Site plans and construction documents.

(a) *Information for development in flood hazard areas.* The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
- (2) Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 9.5-5(b)(2) or (3) of this ordinance.
- (3) Where the parcel on which the proposed development will take place will have more

than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 9.5-5(1) of this ordinance.

- (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures.
- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- (7) Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

(b) *Information in flood hazard areas without base flood elevations (approximate Zone A).* Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

- (1) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
 - (2) Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
 - (3) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - (a) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - (b) Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
 - (4) Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.
- (c) *Additional analyses and certifications.* As applicable to the location and nature of the

proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 9.5-5(d) of this ordinance and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
 - (2) For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
 - (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 9.5-5(d) of this ordinance.
- (d) *Submission of additional data.* When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

Sec. 9.5-6 Inspections.

(a) *General.* Development for which a floodplain development permit or approval is required shall be subject to inspection.

(1) *Development other than buildings and structures.* The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

(2) *Buildings, structures and facilities exempt from the Florida Building Code.* The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the *Florida Building Code* to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

a . *Buildings, structures and facilities exempt from the Florida Building Code,*

lowest floor inspection. Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Floodplain Administrator:

- (1) If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
- (2) If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 9.5-5(b)(3)(b) of this ordinance, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

b. *Buildings, structures and facilities exempt from the Florida Building Code, final inspection.* As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 9.5-6(a)(2)(a) of this ordinance.

(3) *Manufactured homes.* The Floodplain Administrator or Building Official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator.

Sec 9.5-7 Variances and appeals

(a) *General.* The City of Inverness Zoning Board of Adjustment shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to section 553.73(5), F.S., the Zoning Board of Adjustment shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code.

(b) *Appeals.* The Zoning Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any person aggrieved by the decision of the Zoning Board of Adjustment may appeal such decision to the Circuit Court, as provided by Florida Statutes.

(c) *Limitations on authority to grant variances.* The Zoning Board of Adjustment shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 9.5-7(g) of this ordinance, the conditions of issuance set forth in Section 9.5-7 (h) of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Zoning Board of Adjustment has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

(d) *Restrictions in floodways.* A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable

analyses and certifications required in Section 9.5-5(c) of this ordinance.

(e) *Historic buildings.* A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

(f) *Functionally dependent uses.* A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of Section 9.5-7(d), is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

(g) *Considerations for issuance of variances.* In reviewing requests for variances, the Zoning Board of Adjustment shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, this ordinance, and the following:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- (4) The importance of the services provided by the proposed development to the community;
- (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- (6) The compatibility of the proposed development with existing and anticipated development;
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

(h) *Conditions for issuance of variances.* Variances shall be issued only upon:

- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique

characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;

- (2) Determination by the Zoning Board of Adjustment that:
 - (a) Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - (b) The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - (c) The variance is the minimum necessary, considering the flood hazard, to afford relief;
- (3) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
- (4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

Sec. 9.5-8. Violations

(a) . Any development that is not within the scope of the Florida Building Code but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

(b) *Authority.* For development that is not within the scope of the Florida Building Code but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

(c) *Unlawful continuance.* Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Secs. 9.5-9. – 9.5-25 Reserved

ARTICLE II. DEFINITIONS

Sec 9.5-26. General.

- (a) *Scope.* Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section.
- (b) *Terms defined in the Florida Building Code.* Where terms are not defined in this ordinance and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in that code.
- (c) *Terms not defined.* Where terms are not defined in this ordinance or the *Florida Building Code*, such terms shall have ordinarily accepted meanings such as the context implies.

Sec 9.5-27. Definitions.

Alteration of a watercourse. A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal. A request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.

ASCE 24. A standard titled *Flood Resistant Design and Construction* that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

Base flood elevation. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 1612.2.]

Basement. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

- (1) Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
- (2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 1612.2.]

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and existing structure. Any buildings and structures for which the "start of construction" commenced before April 7, 1982. [Also defined in FBC, B, Section 1612.2.]

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before April 7, 1982.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA). The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

- (1) The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
- (2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM). The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 1612.2.]

Flood Insurance Study (FIS). The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

Floodplain Administrator. The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the Floodplain Manager).

Floodplain development permit or approval. An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

Floodway. The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 1612.2.]

Floodway encroachment analysis. An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Florida Building Code. The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure. Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings.

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or

revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

Lowest floor. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the *Florida Building Code* or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

Manufactured home. A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of

buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

New construction. For the purposes of administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, structures for which the "start of construction" commenced on or after April 7, 1982 and includes any subsequent improvements to such structures.

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after April 7, 1982.

Park trailer. A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in section 320.01, F.S.]

Recreational vehicle. A vehicle, including a park trailer, which is: [see in section 320.01, F.S.]

- (1) Built on a single chassis;
- (2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Special flood hazard area. An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 1612.2.]

Start of construction. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

Substantial damage. Damage of any origin sustained by a building or structure whereby the cost

of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 1612.2.]

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 1612.2.]

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure. [See *Instructions and Notes*]

Variance. A grant of relief from the requirements of this ordinance, or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this ordinance or the *Florida Building Code*.

Watercourse. A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

Secs. 9.5-28—9.5-35. Reserved

ARTICLE III. FLOOD RESISTANT DEVELOPMENT

Sec. 9.5-36. Buildings and structures

(a) *Design and construction of buildings, structures and facilities exempt from the Florida Building Code.* Pursuant to Section 9.5-4(c) of this ordinance, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Section 9.5-42 of this ordinance.

Sec 9.5-37. Subdivisions

(a) *Minimum requirements.* Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water

systems are located and constructed to minimize or eliminate flood damage; and

- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.
- (b) *Subdivision plats.* Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:
- (1) Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
 - (2) Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 9.5-5(b)(1) of this ordinance; and
 - (3) Compliance with the site improvement and utilities requirements of Section 9.5-38 of this ordinance.

Sec 9.5-38. Site improvements, utilities and limitations

- (a) *Minimum requirements.* All proposed new development shall be reviewed to determine that:
- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
 - (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
 - (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.
- (b) *Sanitary sewage facilities.* All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.
- (c) *Water supply facilities.* All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.
- (d) *Limitations on sites in regulatory floodways.* No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 9.5-5(c)(1) of this ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.
- (e) *Limitations on placement of fill.* Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In

addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the *Florida Building Code*.

Sec 9.5-39. Manufactured homes

(a) *General.* All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance.

(b) *Foundations.* All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of the *Florida Building Code Residential Section R322.2* and this ordinance.

(c) *Anchoring.* All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

(d) *Elevation.* Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 9.5-39(d)(1) or Section 9.5-39(d)(2) of this ordinance, as applicable.

(1) *General elevation requirement.* Unless subject to the requirements of Section 9.5-39(d)(2) of this ordinance, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential Section R322.2 (Zone A)*.

(2) *Elevation requirement for certain existing manufactured home parks and subdivisions.* Manufactured homes that are not subject to Section 9.5-39(d)(1) of this ordinance, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

- (1) Bottom of the frame of the manufactured home is at or above the elevation required in the *Florida Building Code, Residential Section R322.2 (Zone A)*; or
- (2) Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

(e) *Enclosures.* Enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential Section R322* for such enclosed areas.

(f) *Utility equipment.* Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall

comply with the requirements of the *Florida Building Code, Residential* Section R322.

Sec. 9.5-40 Recreational vehicles and park trailers

(a) *Temporary placement.* Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

- (1) Be on the site for fewer than 180 consecutive days; or
- (2) Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

(b) *Permanent placement.* Recreational vehicles and park trailers that do not meet the limitations in Section 9.5-40(a) of this ordinance for temporary placement shall meet the requirements of Section 9.5-39 of this ordinance for manufactured homes.

Sec. 9.5-41. Tanks

(a) *Underground tanks.* Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

(b) *Above-ground tanks, not elevated.* Above-ground tanks that do not meet the elevation requirements of Section 9.5-41(c) of this ordinance shall be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

(c) *Above-ground tanks, elevated.* Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

(d) *Tank inlets and vents.* Tank inlets, fill openings, outlets and vents shall be:

- (1) At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
- (2) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

Sec 9.5-42. Other development

(a) *General requirements for other development.* All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the *Florida Building Code*, shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of Section 9.5-38(d) of this ordinance if located in a regulated floodway;
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- (4) Be constructed of flood damage-resistant materials; and
- (5) Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

(b) *Fences in regulated floodways.* Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 9.5-38(d) of this ordinance.

(c) *Retaining walls, sidewalks and driveways in regulated floodways.* Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 9.5-38(d) of this ordinance.

(d) *Roads and watercourse crossings in regulated floodways.* Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 9.5-38(d) of this ordinance. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 9.5-5(c)(3) of this ordinance.

SECTION 4. Fiscal impact statement.

In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

SECTION 5. Applicability.

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Inverness. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the date of adoption of this ordinance.

SECTION 6. Repealer.

Any and all ordinances and regulations in conflict herewith are hereby repealed to the extent of any conflict. This ordinance specifically repeals and replaces the following ordinance(s) and regulation(s): City of Inverness Code of Ordinances Part II Chapter 9.5 Flood Damage

Prevention. **SECTION 7. Inclusion into the code of ordinances.**

It is the intent of the City Council that the provisions of this ordinance shall become and be made a part of the the City of Inverness Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 8. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 9. Effective date.

This ordinance shall take effect on September 26, 2014

PASSED on first reading _____.

PASSED and ADOPTED in regular session, with a quorum present and voting, by the City Council, upon second and final reading this _____ day of _____, 2014

CITY OF INVERNESS, FLORIDA

By: _____
KEN HINKLE, President

By: _____
ROBERT PLAISTED, Mayor

ATTEST:

DEBORAH DAVIS, City Clerk

Approved as to form and correctness:

City Attorney

Proof of Publication

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

STATE OF FLORIDA
COUNTY OF CITRUS

Before the undersigned authority personally appeared

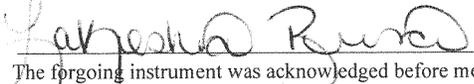
Theresa J. Savery and/or LaKeshia Brisco
and/or Mary Ann Naczi and/or Kelley
Kriznar

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

858-0822 FRCRN City of Inverness PUBLIC NOTICE PUBLIC NOTICE OF PROPOSED ENACTMENT NOTICE is hereby given by the City Council of the City of Inverness, Florida that pursuant to Chapter 166.041 of the laws of Florida a Public Notice be given by the Ci

Court, was published in said newspaper in the issues of August 22nd, 2014.

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


The forgoing instrument was acknowledged before me

This 22nd day of Aug. 2014

By: Theresa J. Savery and/or LaKeshia Brisco and/or Mary Ann Naczi and/or Kelley Kriznar

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


Notary Public



858-0822 FRCRN
City of Inverness
PUBLIC NOTICE
PUBLIC NOTICE OF PROPOSED ENACTMENT

NOTICE is hereby given by the City Council of the City of Inverness, Florida that pursuant to Chapter 166.041 of the laws of Florida a Public Notice be given by the City Council of the City of Inverness that an ordinance entitled:

ORDINANCE NO. 2014 - 704
AN ORDINANCE OF THE CITY OF INVERNESS AMENDING THE CODE OF ORDINANCES FOR THE CITY BY TOTAL REPEAL AND REPLACEMENT OF PART II CHAPTER 9.5 FLOOD DAMAGE PREVENTION; PROVIDE FOR ADOPTION OF FLOOD HAZARD MAPS THAT ARE EFFECTIVE SEPTEMBER 26, 2014; PROVIDE FOR THE DESIGNATION OF A FLOODPLAIN ADMINISTRATOR; PROVIDE FOR ADOPTION PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS AND OTHER PURPOSES; PROVIDE FOR APPLICABILITY; PROVIDE FOR REPEALER; PROVIDE FOR SEVERABILITY; PROVIDE FOR AN EFFECTIVE DATE

will be considered for final reading and adoption by the City Council. All interested parties may appear at the meeting and be heard with respect to the proposed Ordinance at 5:31 PM, September 2, 2014.

Copy of the proposed ordinance will be on file with and available for inspection by the public in the office of the City Clerk in the City Hall, 212 W. Main Street, Inverness, Florida, between the hours of 8:30 AM and 4:30 PM, Monday through Friday of each week.

Be advised that if any person or persons may wish to appeal a decision of the City Council of the City of Inverness, Florida, made at this meeting, a record of the proceedings will be needed by such person or persons and a verbatim record may be needed.

This Notice is issued under my hand as the President of the City Council of the City of Inverness this 19th day of August, 2014.

Attest: /s/ Deborah Davis, City Clerk /s/ Ken Hinkle, President of City Council
Published in the CITRUS COUNTY CHRONICLE, Friday, August 22, 2014.

08/26/2014 08:46

|CITY OF INVERNESS

VENDOR DOCUMENT	INVOICE	VOUCHER	DESCRIPTION	DUE DATE	DUE 09/03/14
			TOTALS FOR NANCY STEIN		221.94
			TOTALS FOR MATTHEW ALCORN		100.00
			TOTALS FOR AT & T MOBILITY NATIONAL ACCOUNTS LLC		308.86
			TOTALS FOR CITY TIRE OF INVERNESS		342.98
			TOTALS FOR CRYSTAL DODGE PLYMOUTH CHRYSLER		34.80
			TOTALS FOR JAMES CURRAN		225.00
			TOTALS FOR DUKE ENERGY		4,373.00
			TOTALS FOR DUMONT COMPANY INC		342.00
			TOTALS FOR E G P INC		112.82
			TOTALS FOR GAI CONSULTANTS, INC		18,046.72
			TOTALS FOR HANSEN, ERIC R		169.80
			TOTALS FOR A.C.M.S., INC		7,208.19
			TOTALS FOR INVERNESS EQUIPMENT & REPAIR, LLC.		194.65
			TOTALS FOR LANZARONE LEISA		5.00
			TOTALS FOR PATE, MICHAEL		100.00
			TOTALS FOR SAND/LAND OF FL ENTERPRISE INC		240.00
			TOTALS FOR SANDPIPER SIGN & SCREEN PRINTING IN		880.00
			TOTALS FOR TAMPA BAY TIMES		168.00
			TOTALS FOR SUMTER ELECTRIC COOPERATIVE INC		9,308.55
			TOTALS FOR SUNSHINE STATE ONE CALL OF FLORIDA		58.93
			TOTALS FOR UNIFIRST CORPORATION		105.77
			TOTALS FOR WASTE MANAGEMENT OF CENTRAL FL		47,494.15
			TOTALS FOR WRIGHT EXPRESS		1,304.21
			REPORT TOTALS		91,345.37

** END OF REPORT - Generated by Esther Kirkland **

August 19, 2014
5:30 PM

The City Council of the City of Inverness met on the above date in Regular Session at 1 Courthouse Square (due to Early Voting), with the following members present:

President Hinkle
Vice President Hepfer
Councilwoman Bega
Councilman McBride
Councilman Ryan
Mayor Plaisted

Also present were City Manager DiGiovanni, Assistance Manager Williams, City Attorney Haag, Community Development Director Malm, and City Clerk Davis.

The Invocation was given by Councilman Ryan and the Pledge of Allegiance was led by the City Council.

ACCEPTANCE OF AGENDA

Councilwoman Hepfer motioned to accept the Agenda as presented. Seconded by Councilwoman Bega. The motioned carried.

PUBLIC HEARINGS

None

OPEN PUBLIC MEETING

None

SCHEDULED APPEARANCES

6)a) SWFWMD – Flood Maps – Mr. J.P. Marchand, P.E. Manager for the Engineering and Watershed Management Section Southwest Florida Water Management District (SWFWMD) appeared before City Council to discuss the Federal Emergency Management Agency (FEMA) flood mapping process. SWFWMD and FEMA are teaming up together to update the flood maps. Mr. Marchand advised that Original Flood Maps were adopted in 1982 and much has changed since then. The current information helps with planning and risk analysis and is able to develop solutions better. Maps were developed through a county-wide effort in 2013 and are currently in the post preliminary map phase. He spoke of Citrus County and detailed analysis of drainage and developed new floodplain information on the noted watersheds, which represented approx. 45% of the county. The new maps include new elevations, flood analyses, new topography and new land uses. He referenced detailed studies of various watersheds throughout the county. A Public outreach program was done. There is a 6 month time frame to adopt the Ordinance and the new maps will be effective in September 2014. He reviewed the Preliminary Map Changes which summarizes city change and demonstrates old to new maps. He spoke of the impact when comparing the old maps to the new maps. The maps

are a great tool for people to assess what the risk is for people's property and if there's any action that they need to take. He provided resources and tools to obtain information from the Florida Water Management District's website. The flood map viewer within the website can be used for someone to go and enter their address, and find a piece of property to see if you are in the flood zones of the detailed area. The color-coded areas on the maps will be found in the flood map viewer. He also referenced several other websites that would be useful, to include the FEMA website.

Councilman McBride questioned the City's risk and Mr. Marchand explained that the new maps are currently out, which signifies the risk area. They are not adopted, but will become effective in September. He explained that the Ordinance doesn't affect the maps, but assures that we are to stay in the Insurance Program.

Councilwoman Bega questioned if the zones names stay the same with Mr. Marchand agreeing that they stay the same.

Councilman Ryan questioned if the information regarding the websites will be published so the general public can view the map that is associated with their property. Mr. Marchand was unsure but would check into it.

City Manager DiGiovanni stated that the ordinance does not affect the maps whatsoever. The ordinance is the formal action of the governing body to keep it and the community "in the game". City Manager clarified with Mr. Marchand that the District was the driving force behind the analysis of the floodplanning and the new modeling.

MAYORS LOCAL ACHIEVEMENT AWARDS

None

CITY ATTORNEY REPORT

8)a) Property Acquisition Ordinance (1st) Reading was addressed by City Attorney Haag who explained the legal considerations and merits of a locally structured protocol for the purchasing of property. He referenced Florida Statute 166.045 regarding municipalities and acquisition of property. The City Council has always been open with everything that is done. It needs to be defined in the city code how this process should take place. City Attorney clarified the need for appraisals and how many appraisals need to be done regarding the amount of money being spent. Councilman McBride questioned what is the difference between a market analysis and appraisal. City Attorney stated a market analysis is done by a real estate broker and an appraisal is done by a certified appraiser.

Councilman McBride motioned to have the City Clerk read the Ordinance by title only. Seconded by Councilwoman Hepfer. The motion carried.

ORDINANCE NO. 2014 - 705

AN ORDINANCE OF THE CITY OF INVERNESS, FLORIDA, PROVIDING FOR PROCEDURES FOR THE ACQUISITION OF REAL PROPERTY BY THE CITY FOR MUNICIPAL PURPOSES; PROVIDING FOR THE POWERS OF THE CITY MANAGER; PROVIDING FOR APPROVALS BY THE CITY COUNCIL; PROVIDING FOR APPRAISALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND, PROVIDING FOR AN EFFECTIVE DATE.

Councilwoman Hepfer motioned to adopt the Ordinance on the first reading by roll call vote. Seconded by Councilwoman Bega. Roll call vote was as follows:

Councilman Ryan, yes; Councilwoman Bega, yes; Councilman McBride, yes; Councilwoman Hepfer, yes; President Hinkle, yes. The motion carried unanimously.

CONSENT AGENDA

Councilwoman Bega motioned to accept the Consent Agenda. Seconded by Councilwoman Hepfer. The motion carried.

- a) Bill Listing*
 - Recommendation – Approval
- b) Council Minutes – 08/05/14*
 - Recommendation – Approval

CITY MANAGER'S REPORT

10)a) Flood Map Ordinance (1st Reading) was addressed by City Manager DiGiovanni noting this was presented this evening by FEMA/SWFMD representatives. Panels have to be adopted into the City's Code of Ordinance to remain a participant within the National Flood Insurance Program (NFIP). This program provided city residents and businesses NFIP-backed Preferred Risk Policy, reduced insurance premiums. To obtain these reduced premiums, the city must also become consistent with certain portions of the 2010 revisions to the Florida Building Code (FBC), floodplain management provisions, involving construction techniques within flood hazard areas.

The state has mandated that all local government Floodplain Management Ordinances be standardized to their new model floodplain ordinance. Provided this evening is the new ordinance which has been reviewed by Attorney Haag, which adopts the new FIR< panels, provides consistency with the FBC, and is in keeping with the standardized floodplain ordinance.

Discussion:

Councilwoman Hepfer motioned to have the Clerk read Ordinance 2014-704, by title only. Seconded by Councilwoman Bega. The motion carried.

ORDINANCE NO. 2014 - 704

AN ORDINANCE OF THE CITY OF INVERNESS AMENDING THE CODE OF ORDINANCES FOR THE CITY BY TOTAL REPEAL AND REPLACEMENT OF PART II CHAPTER 9.5 FLOOD DAMAGE PREVENTION; PROVIDE FOR ADOPTION OF FLOOD HAZARD MAPS THAT ARE EFFECTIVE SEPTEMBER 26, 2014; PROVIDE FOR THE DESIGNATION OF A FLOODPLAIN ADMINISTRATOR; PROVIDE FOR ADOPTION PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS AND OTHER PURPOSES; PROVIDE FOR APPLICABILITY; PROVIDE FOR REPEALER; PROVIDE FOR SEVERABILITY; PROVIDE FOR AN EFFECTIVE DATE.

Councilman Ryan motioned to adopt Ordinance 2014-704 on the first reading by roll-call vote. Seconded by Councilwoman Hepfer. Roll call vote was as follows: Councilman Ryan, yes; Councilwoman Bega, yes; Councilman McBride, yes; Councilwoman Hepfer, yes; President Hinkle, yes. The motion carried unanimously.

City Manager DiGiovanni additionally reported on the following:

- 2014 Trim Notices and the changes proposed regarding the pending increase in the millage rate. Referencing his personal trim notice he stated he doesn't pay enough for the services he receives from the City of Inverness. He commented regarding the changes the Florida legislature has made to taxation. He spoke of the proposed modification for the City of Inverness' budget by raising the tentative millage rate by .5 mill. According to the numbers he will be paying 2 cents less this year for services from the City. He noticed that all of the other areas on the tax bill had increased.
- FLC Conference was enjoyable and rewarding. He spoke of various vendors/people he spoke with in the Exhibit Hall during the conference. He referenced one company with an exhibit regarding holiday lighting and another company dealing with streetlight banners, and a conversation with Ken Small regarding tourist taxes, who has worked for the league for 25 years. Mr. Small suggested working with the local TDC.
- 3 City consortium with the City of Inverness, the City of Crystal River and Dunnellon. He spoke of sharing resources, such as equipment and creating a consortium with purchasing as well as technological expertise area.
- Fire Services/County Commission at their last meeting approved/awarded the certificate of need for the Sheriff's office/fire department to get into first responder type services, which are parallel with Nature Coast EMS.
- COI/SS Solutions – Management Services and City of Inverness has an agreement which appears to expire Sept. 30, 2014. He suggested taking action to terminate the agreement with SS Solutions effective Sept. 30. At the next Council meeting councilmembers could vote to see how to proceed regarding city manager services, and if they determine it appropriate to authorize Council President to meet with an individual and come up with a management contract. This would be presented to City Council for consideration to be effective October 1st. This appears to be the best means of moving forward. While the contract services has worked, it may be best for city government to have a manager back in the same arrangement as in the past. This would be a City Council decision.
- Pritchard Island representatives recently sent correspondence regarding garbage collection and issues with the services. City Manager noted the franchise agreement regarding sanitation services and the future use of automated trucks. Steps were taken in the past to come up with a new reasonable and rational location to place either the totes or dumpsters for collection. In-ground collection containers are not being maintained. At some point there needs to be a reconciliation that semi-automation will be going to full automation and other condo associations in the city have all found a reasonable way to comply.

COUNCIL/MAYOR SUBJECTS

Mayor Plaisted spoke to the Sunshine Law and how open the City Council is. The FLC conference was outstanding. He mentioned Panera Bread opening, the need for a hotel, and the brick façade work in downtown.

Councilwoman Hepfer stated how she enjoyed the FLC conference and things she heard regarding big cities are just now doing what we've already done. Our city is ahead our times.

Councilwoman Bega praised the FLC conference. She referenced speaking to a couple of Crystal River city council members and how enjoyable the meeting of both cities was, and possibly another joint meeting with them. Spoke of a Letter to Editor by John Stewart. Thanks for another 4 years.

Councilman McBride spoke of the FLC Conference and the Public Records/Sunshine Law. He spoke of the importance of the two municipalities and what they mean to this county. MPO meeting was this morning and spoke of their procedures and committees.

Councilman Ryan enjoyed his first FLC Conference and the sessions on the Sunshine Law/Ethics/Technology/FBI Agent/Cloud Technology & Tweets. Congratulations to colleagues for reelection.

Council President Hinkle congratulated the reelected council members. Community has confidence in our City because it is a team effort to move the City forward. He referenced Façade Grants in other cities. He stated the need to rejoin the Heart of Florida at \$600/yr. City Election and County Elections are important for looking to the future. Spoke of the Crisis Intervention session at the conference with City of Sanford Mayor, Manager and Chief of Police. Our city is well positioned.

CITIZENS NOT ON AGENDA

Karen Esty thanked the Council for their service and for qualifying for another term. The confidence speaks volumes for being appointed to the committee on the MPO. She spoke of her thoughts on bicycle paths and relay races through Florida. She complemented the City on the way things are run.

Meeting adjourned at 6:49pm.

City Clerk

Council President

CITY OF INVERNESS

08/27/14

MEMO

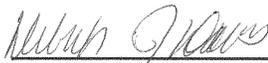
TO: Elected Officials
FROM: City Clerk
SUBJECT: Authorization for Proclamation Issuance
"Child Passenger Safety Week"
CC: City Manager
Enclosures: Draft Proclamation

The enclosed request is for the Inverness City Council to consider and authorize issuance of a Proclamation in recognizing the week of October September 14th through September 20th, 2014, as

"Child Passenger Safety Week"

Recommended Action –

If City Council supports the above listed subject, and wishes to issue a Proclamation, please motion and vote to authorize that we finalize such Proclamation to be issued by the Mayor as arranged by the Office of the City Clerk.



City Clerk

Proclamation

WHEREAS, children are our future. As parents and caregivers it is our responsibility to keep America's children safe. Last year, an estimated 123,000 children under age 13 were injured as passengers of cars, SUV, pickups and vans in traffic crashes. For children age 1 to 13, it is a leading cause of death. It is hard to overstate the toll this takes on families, but together we can help put an end to this tragedy; and

WHEREAS, today, all 50 States, the District of Columbia, and our Territories require the use of car seats for children traveling in motor vehicles. These laws were enacted because they save lives and prevent injuries. Research shows that car seats reduce the risk of fatal injury for infants by 71 percent and by 54 percent for toddlers in cars. We know that car seats help save lives and reduce injuries. We also know they are most effective when installed and used correctly. Starting now, we must work together to prevent these deaths and injuries; and

WHEREAS, that is why Inverness, Florida is committed to working closely with our partners and safety advocates at the Early Learning Coalition of the Nature Coast to help parents and other caregivers make the kind of choices that will keep kids alive and safe. Our goal is to educate parents and caregivers about best practice when traveling with children. During Child Passenger Safety Week, and throughout the year, free car seat inspections are provided at the Inverness Community Resource office and at the Early Learning Coalition. I encourage all parents and caregivers to take advantage of this service and ensure that their children are getting the very best protection and are riding in the right seat for their age and size. A twenty minute check-up could save the life of a child; and

NOW, THEREFORE, I, Robert Plaisted, Mayor of the City of Inverness, Florida, do hereby proclaim September 14 - 20, 2014 as

"CHILD PASSENGER SAFETY WEEK"

and urge everyone to help reduce injuries and the tragic loss of life by buckling up their children and themselves— every trip, every time.

ROBERT PLAISTED, MAYOR
CITY OF INVERNESS

ATTEST:

DEBORAH DAVIS, CITY CLERK

Interoffice Memorandum – *City of Inverness*

August 28th, 2014

TO: Elected Officials
FROM: City Clerk
SUBJECT: Repurchase of Cemetery Lot 323
South West Addition - Oakridge Cemetery
CC: City Manager and City Finance Director
Enclosure: Right to Burial

With reference to the following Cemetery Lot(s):

Oakridge Cemetery
Mr. Al Sukut
N & S ½ of Lot 323, Southwest Addition

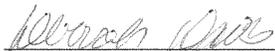
The rightful representative requests that City Council consider buying the lot for the original purchase price of \$400.

All documents have been reviewed and I find them to be in order.

Recommended Action -

It is recommended that City Council motion and vote to purchase the N & S ½ of Lot 323, of the Southwest Addition of the Oakridge Cemetery in the amount of \$400.

Upon approval of the above, all paperwork and notice to Funeral Homes will accordingly be accomplished.



Deborah Davis
City Clerk

Oak Ridge Cemetery
Gainesville, Florida

Deed To Cemetery Lot

Receipt Number 26267

For, and in consideration of the sum of Four Hundred Dollars hand paid, receipt of which is hereby acknowledged, the City of Gainesville, Florida, by virtue of the title vested in it has sold and granted, and hereby sells, grants and conveys to

Mr. A. I. Sukut

his/her heirs and assigns the burial rights in the following property in Oak Ridge Cemetery, to-wit:

Lot Number Lot 323, South west Addition

as per the plat thereof on file in the office of the City Clerk, City of Gainesville, Florida and recorded in the office of the Clerk of the Circuit Court, Citrus County, Florida. Said lot, crypt or mausoleum is to be used for cemetery purposes only, that is for the sole purpose of sepulcher, subject to the Rules and Regulations of said City of Gainesville and the Laws of the State of Florida applicable thereto.

The City agrees to provide Endowed Perpetual Care. The nature and extent of the care to be furnished shall be the care and maintenance, necessitated by natural growth, which can be provided at reasonable intervals with income from the perpetual care fund. The City shall maintain developed portions of the premises until such time as income from the perpetual care fund is sufficient to provide such care.

In testimony whereof the said City of Gainesville, Florida has caused this instrument to be signed by its Council President and City Clerk, and its corporate seal to be affixed this 7th day of April 19 87

Attest:

Harold Spear
City Clerk

City of Gainesville, Florida
Oak Ridge Cemetery
J. C. Kelley
Council President

Agenda Memorandum – *City of Inverness*

DATE: August 25, 2014
ISSUE: CHRISTMAS PARADE – FDOT APPROVAL – CITY CONFIRMATION
FROM: City Clerk Davis
CC: City Manager DiGiovanni
ATTACHED: Citrus Co. Chamber of Commerce Correspondence – Aug. 19th, 2014
FDOT Application for Temporary Road Closure

Reference is made to attachments:

Steps have been taken for the City of Inverness to again accommodate the Christmas Parade on Main Street (41/44) through town. The event will take place Saturday, December 13, 2014; commencing at noon. Arrangements to obtain FDOT approval follow past procedure and must be confirmed by the governing body.

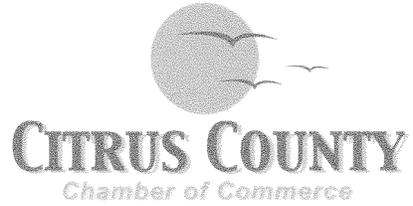
The FDOT permit submittal must include a copy of the minutes for the meeting this was discussed by City Council

Recommended Action:

To meet FDOT approval criteria to temporarily close the road, it is recommended that City Council motion, second and vote to acknowledge that the city will host and accommodate the parade on December 13th, 2014, on the FDOT 41/44 roadway through town, and accordingly support a temporary closure of the road for this purpose.



Deborah Davis



August 19, 2014

City of Inverness
Frank DiGiovanni, City Manager
212 W. Main Street
Inverness, FL 34450

Dear Frank,

Please find enclosed the road closure permit for the Inverness Christmas Parade on December 13, 2014. At your convenience, please sign where indicated and then forward to the Sheriff to have them sign. Upon completion of that, there is also an envelope enclosed for the forms to be directly mailed to the Florida Department of Transportation in Brooksville.

If you have any questions, please do not hesitate to ask. Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Inglehart". The signature is fluid and cursive, extending to the right with a long horizontal stroke.

Jeff Inglehart
Special Events Coordinator

TEMPORARY CLOSING OF STATE ROAD PERMIT

Date: 7/8/2014

Permit No. _____

Governmental Entity

Approving Local Government City of Inverness Contact Person Frank DiGiovanni
 Address 212 W. Main St., Inverness, FL 34450
 Telephone 352-726-2611 Email administration@inverness-fl.gov

Organization Requesting Special Event

Name of Organization Citrus County Chamber of Commerce Contact Person Jeff Inglehart
 Address 28 NW Highway 19, Crystal River, FL 34428
 Telephone 352-795-3149 Email jeff@citruscountychamber.com

Description of Special Event

Event Title Inverness Christmas Parade Date of Event 12/13/14
 Start Time 12:00PM End Time 2:30PM
 Event Route (attach map) SR-44, from County Bus Terminal, proceeding east to Highland Blvd.
SR44 from MP16.502 R to MP 17.626 R
 Detour Route (attach map) Traffic from US41 North and SR44 West will be detoured onto Montgomery Ave to the
Highland Blvd area to the intersection of US41 South and SR44 East (SR44 from MP 16.502 R to MP 17.626 R)

Law Enforcement Agency Responsible for Traffic Control

Name of Agency Citrus County Sheriff's Department

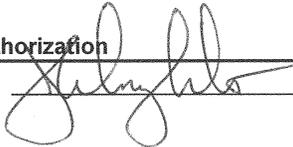
US Coast Guard Approval for Controlling Movable Bridge

Not Applicable
 Copy of USCG Approval Letter Attached
 Bridge Location _____

The Permittee will assume all risk of and indemnify, defend and save harmless the State of Florida and the FDOT from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise of this event.

The Permittee shall be responsible to maintain the portion of the state road it occupies for the duration of this event, free of litter and providing a safe environment to the public.

Signatures of Authorization

Event Coordinator <u>Jeff Inglehart</u>	Signature 	Date <u>7/8/14</u>
Law Enforcement Name/Title <u>Jeffrey J. Dawsy, Sheriff</u>	Signature _____	Date _____
Government Official Name/Title <u>Frank DiGiovanni, City Manager</u>	Signature _____	Date _____

FDOT Special Conditions

FDOT Authorization

Name/Title _____ Signature _____ Date _____

14-65.0035 Temporary Closing of State Roads Other Than Limited Access Facilities.

(1) Procedures for Temporary Closing of State Roads Other Than Limited Access Facilities. The temporary use and closing of state roads for the purpose of special events, not related to construction, reconstruction, maintenance or emergency purposes, may be accomplished as follows:

(a) A special event may be permitted by the appropriate local governmental authority.

(b) Prior to temporary closure of a state road for a special event, the local governmental authority which permits the special event must determine whether a temporary closing of the road is necessary for the event and obtain prior written approval from the Department unless excepted as defined in subsection 14-65.0025(1), F.A.C.

(c) A Request for Temporary Closing/Special Use of State Road, Form 850-040-65, 02/92, shall be submitted by the responsible official of the local governmental authority to the District Secretary, or designee, naming the sponsoring officials; stating that local law enforcement officials will manage all the details involved in administration of the event; and stating that as between the Department and the local governmental authority, to the extent permitted by Florida law, the local governmental authority will assume full responsibility for any liability claims arising from, or based on, the activities of the event.

(d) The local governmental authority shall include with this request:

1. A certified copy of an excerpt from the minutes of a duly scheduled meeting, or duly executed resolution, of the governmental authority authorizing the special event. The governmental authority may, by resolution, designate a position within that body (Mayor, City Manager, etc.) to authorize and sign for the body;

2. A marked map, indicating the temporary detours to be utilized by the public; and showing the placement of appropriate signs; stationing of any officers or flagmen; and locations of barricades and cones necessary to detour the traffic in a safe and efficient manner;

3. A description of the provisions made for the temporary rerouting of traffic; and

4. Approval from the United States Coast Guard District Commander authorizing the opening or closing of any movable bridge within the geographical limits of the event during the time period of the road closure.

(e) Prior to authorizing the temporary road closing, the Department shall review the proposed detour route to ensure that traffic volume will be handled and routed safely and efficiently.

(f) Such closing of the state road shall not be for commercial use, except that any portion of a state-maintained roadway may be used for special events and special use as defined in paragraphs 14-65.0025(2)(f) and (2)(g), F.A.C., of this rule chapter, together with such commercial activities necessarily related to such events. Nothing in this rule chapter shall be construed to authorize such special events on the interstate highway system, toll roads, or other limited access facilities.

(2) Procedures Subsequent to Approval of Request for Temporary Closing of State Roads Other Than Limited Access Facilities. The Department will return a copy of Form 850-040-65 indicating approval or disapproval to the submitting applicant. Upon receipt of a copy of Form 850-040-65, Request for Temporary Closing/Special Use of State Road, 02/92, signed by a District Secretary of the Department, or designee, the responsible official of the local governmental authority shall notify the applicant for the special event whether preparation for and execution of the special event may or may not proceed.

(3) Form to Request Temporary Closing or Special Use of State Road. Copies of Form Number 850-040-65, Request for Temporary Closing/Special Use of State Road, 02/92, is hereby incorporated by reference and made a part of this rule chapter. Copies of this form may be obtained by contacting any Department District Maintenance Office.

Specific Authority 334.044(2), 337.406(1) FS. Law Implemented 316.003, 316.006(1), 316.008, 337.406 FS. History—New 1-19-89, Amended 4-15-92, 7-1-92, 12-31-96.

14-65.0025 Scope, Definitions, and Exceptions.

This rule chapter specifies procedures for obtaining a prior written approval from the Department when necessary to conduct a special event, and the requirements for filming on a state road.

(1) Definitions.

(a) "Department" means the Florida Department of Transportation.

(b) "Commercial Activities" means displaying merchandise for sale or distribution, servicing, repairing or storing any vehicle for profit, or displaying advertising of any sort.

(c) "Limited Access Facility" means as defined in Section 334.03(13), F.S.

(d) "Local Governmental Entity" means as defined in Section 334.03(14), F.S.

(e) "Special Event" means an art festival, parade, charity drive, fair, fund drive, race, run, motorcade, or similar activities of local interest.

(f) "Filming" means the activities involved in the creation of visual media, including film, broadcast, or video production.

(g) "State Road" means as defined in Section 334.03(27), F.S.

(h) "Temporary Closing" means the stopping, detouring, or otherwise restricting traffic flow of one or more vehicle traffic lanes of a state road for a cumulative period of fifteen minutes or more.

(2) Exceptions:

For purposes of this rule chapter, special events and filming that do not require prior written approval include the following:

(a) A motorcade when no traffic lanes are closed and law enforcement personnel control traffic at each intersection;

(b) A run, walk-a-thon, or bicycle event accompanied by a police escort and when there is no detour of traffic;

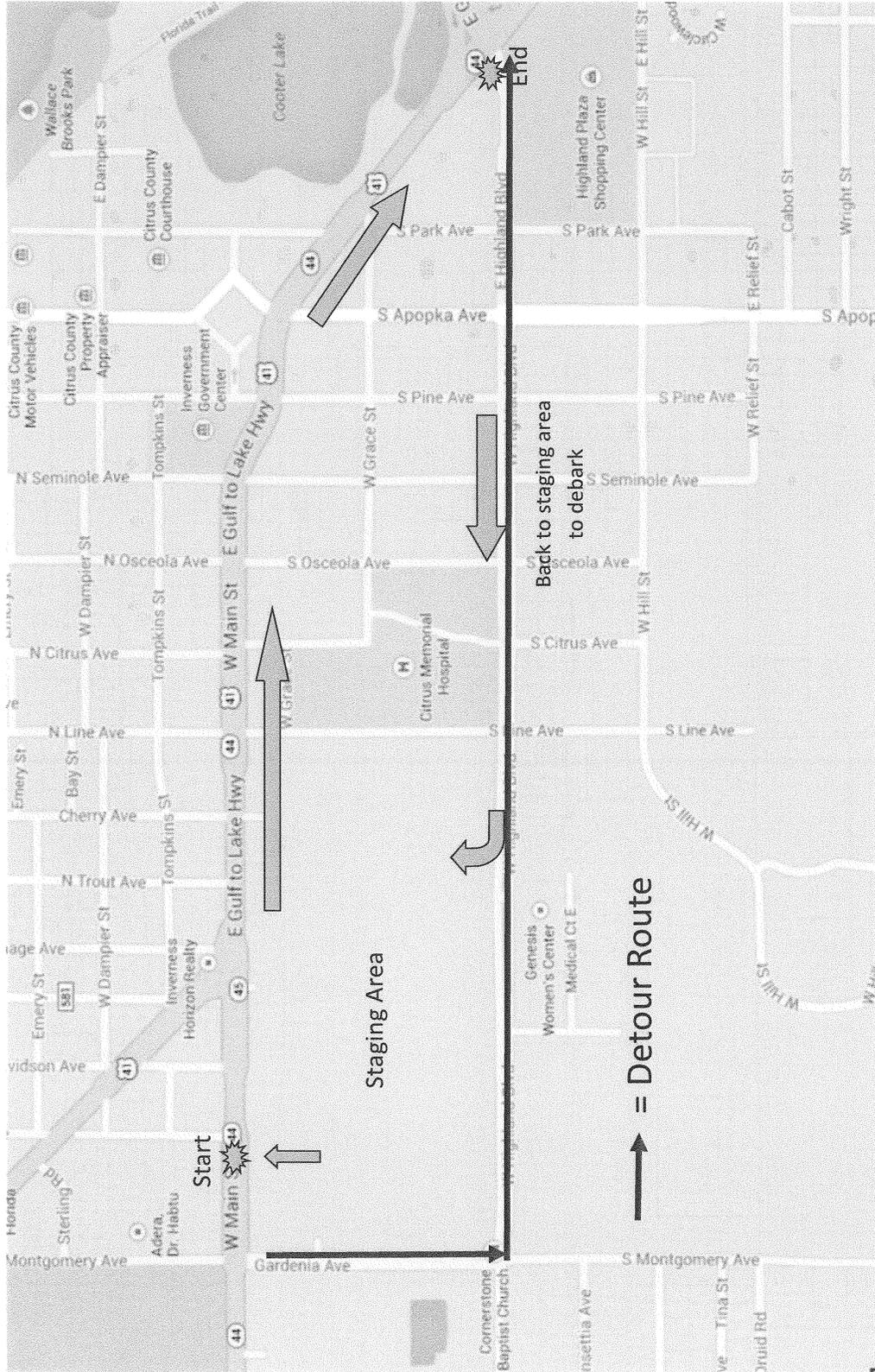
(c) A parade route which only intersects a state road and when law enforcement personnel control the traffic at those intersections;

(d) Broadcast news, or other filming, that does not require a temporary closure, obeys traffic regulations, and does not impair vehicular or pedestrian traffic.

Rulemaking Authority 334.044(2), 335.10 FS. Law Implemented 316.003, 316.006(1), 316.008, 334.03, 337.406 FS. History— New 1-19-89, Amended 4-15-92, 12-31-96, 6-25-12.

Inverness Christmas Parade
Traffic Officers

# of Officers	Location
2	SR 44 West & Montgomery St.
1	SR 44 West & North Ella St.
1	US 41 North & Montgomery Ave.
1	SR 44 West & US 41 North
1	SR 44 West (Main) & Trout Ave.
1	Main St. & Cherry Ave.
1	Main St. & Line Ave.
1	Main St. & Citrus Ave.
1	Main St. & Osceola Ave.
1	Main St. & Seminole Ave
1	Main St. & Pine Ave.
1	Main St. & Apopka Ave.
1	Main St. & Park Ave.
2	SR 44 East / 41 South & Highland Ave
3	SR 41 South at Hill St.
1	Highland Blvd & S. Apopka Ave.
1	Highland Blvd & S. Line Ave
1	Highland Blvd & Entrance to Staging Area



2014 Christmas Parade Route

Agenda Memorandum – *City of Inverness*

August 28, 2014

TO: Elected Officials

FROM: City Manager

SUBJECT: School Crossing Guards Agreement – 10/1/14 to 9/30/15

CC: City Clerk
Finance Director

Enclosure: Correspondence from CCSO
Agreement for School Crossing Guards

The City recognizes the importance of student safety and the fact state level funding reductions caused the local School System to seek assistance at certain traffic crossings. In 2011, the City approved an agreement to provide funding for certain locations to place Crossing Guards in keeping with Florida Statues. The enclosed agreement is structured for the City of Inverness to fund Crossing Guards at a cost of \$15,708, which is allocated in the ensuing budget, and will be applied during School Year 2014-15, for students making their way (walking and/or cycling) from population centers to school facilities at the following traffic crossings:

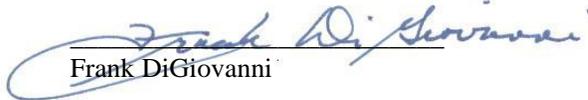
- (Hwy 41/44) Main Street & Line A venue
- Ella Avenue & Middle School Drive

Recommended Action –

Motion, second and vote to approve the Inter-Agency Agreement for School Crossing Guards for the 2014-15 School Year and authorize the Council President to execute the document.

Thank you,

If you wish to discuss this further, please contact me at your convenience.


Frank DiGiovanni



CITRUS COUNTY SHERIFF'S OFFICE

A Nationally Accredited Law Enforcement Agency

**SHERIFF
JEFFREY J. DAWSY**



May 30, 2014

Frank DiGiovanni, City Manager
City of Inverness
212 W. Main Street
Inverness, Florida 34450

Re: Agreement for School Traffic Control

Dear Frank:

Please find enclosed the 2014-2015 Agreement between the City of Inverness and the Sheriff's Office for School Traffic Control.

Please have the agreement placed on the Agenda at the next City Council Meeting for approval. Upon approval and execution of the Agreement by Council, please return a copy to my office for our records. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Buddy Grant, Commander
Undersheriff

Enclosure

1 DR. MARTIN LUTHER KING JR. AVE. - INVERNESS, FLORIDA 34450-4968 PHONE 352 - 726-4488

**2014-2015 AGREEMENT
BETWEEN
THE CITY OF INVERNESS, FLORIDA
AND
THE CITRUS COUNTY SHERIFF'S OFFICE
FOR**

SCHOOL TRAFFIC CONTROL

PREAMBLE

It is generally understood by both parties that School Traffic Control Officers will be responsible to provide for the safety of children at crossings near schools and to maintain a safe traffic flow. The absence of School Traffic Control Officers could endanger the lives of children and citizens. It is in the best interest of The City of Inverness and the Sheriff's Office to cooperatively work to maintain the highest levels of safety for children and motorists.

The program objectives will be to facilitate an orderly and safe collection, transport and discharge of students, parents and staff to and from educational centers in the City of Inverness and various locations through the county.

It is understood that for the purposes of this agreement the term "Traffic Control Officer" refers to Traffic Control Officers, School Crossing Guards or Community Service Officers.

THIS AGREEMENT, made and entered into this 1st day of July, 2014 between THE CITY OF INVERNESS, FLORIDA, (hereinafter referred to as "the City"), and THE CITRUS COUNTY SHERIFF'S OFFICE, (hereinafter referred to as the "Sheriff's Office");

WITNESSETH:

- A. The City and the Sheriff's Office desire to provide safety and traffic services to the public schools of Inverness; and
- B. A School Traffic Control Officer Program has been proposed for the public school system in Citrus County, Florida, as hereinafter described; and
- C. The City and the Sheriff's Office recognize the potential benefit of the School Traffic Control Program to the citizens and particularly the school children of Citrus County, Florida; and
- D. It is in the best interest of the City and the Sheriff's Office to establish this program;

NOW, THEREFORE, in consideration of the mutual agreement and covenants contained herein, the City and the Sheriff's Office hereby agree to the following:

ARTICLE I

ESTABLISHMENT

A School Traffic Control Program is hereby established for the public school system of Citrus County, Florida, for a 12-month period, annually commencing from the start of the official school calendar to one year later.

ARTICLE II

RIGHTS AND DUTIES OF THE SHERIFF'S OFFICE

The City will fund Traffic Control Officers (Crossing Guards) for the 2014-15 school year. The Sheriff's Office will provide School Traffic Control Officers as follows:

See Attachment A, attached hereto and incorporated herein by reference

Additional zones, as mutually agreed.

The Sheriff's Office, with input by the respective principal, will determine the number of personnel needed to successfully fill the required posts and manage the program.

Regular Duty Hours of School Traffic Control Officers

1. Each School Traffic Control Officer shall be assigned on days school is in regular session.
2. The School Traffic Control Officer shall report to the assigned sites at the times listed on Attachment A.

Duties of the School Traffic Control Officers

1. The School Traffic Control Officers will work to expeditiously guide children across thoroughfares in the safest manner possible.
2. Officers are expected to minimize the frequency of interruption to vehicular traffic.
3. When school zones become congested, assigned Officers are to use their best efforts to improve traffic flow.
4. At the crossings/intersections traveled by school buses, School Traffic Control Officers will be trained to allow buses to proceed without prolonged or unnecessary delays to other vehicles.

ARTICLE III

RIGHTS AND DUTIES OF THE CITY

The City shall cooperate and communicate with the Sheriff through the Sheriff's Office to provide appropriate services for the schools.

ARTICLE IV

FINANCING OF SCHOOL TRAFFIC CONTROL

The Sheriff's Office shall fund the School Traffic Control as follows:

Ancillary costs of all Traffic Control Officers, to include uniforms, equipment, training instruction.

The City shall fund the School Traffic Program in the sum of \$15,708.00. This sum shall be paid in equal quarterly installments no later than the 15 days following the end of the quarter then due.

ARTICLE V

EMPLOYMENT STATUS OF TRAFFIC CONTROL OFFICERS

Traffic Control Officers shall remain employees of the Sheriff's Office and shall not be deemed employees of the City of Inverness. The Officers will be under the direct supervision, control and chain of command of the Sheriff.

ARTICLE VI

APPOINTMENT OF TRAFFIC CONTROL OFFICERS

The Sheriff's Office shall be responsible for the recruitment, interviewing and evaluation of the Traffic Control Officers and personnel as assigned through that agency.

ARTICLE VII

DISMISSAL/REPLACEMENT OFFICERS

If the Principal of a school believes that a Traffic Control Officer assigned to that school is not effectively performing his/her duties or responsibilities, the Principal shall recommend to the Superintendent that said Officer be removed from the program at that school and shall state the reasons in writing. Within (30) days after receiving the recommendation from the Principal, the Superintendent, or his/her designee shall advise the Sheriff or his/her designee of said request. If the Sheriff's Office so desires, a meeting between the Principal or their respective designee shall be arranged to mediate any problem(s) that may exist. The Officer's attendance at this meeting will be optional. If the problem cannot be resolved in thirty (30) days or in the event mediation is not sought by the Sheriff's Office, then the Officer will be removed from that school site by the Sheriff and a replacement obtained.

ARTICLE VIII

TERMINATION OF AGREEMENT

This Agreement may be terminated by either party upon 30 days written notice to the other party, indicating a dissatisfaction of performance in accordance with the terms and conditions of this Agreement. In the event this Agreement is terminated, reimbursement will be made to the Citrus County Sheriff's Office for all services rendered prior to the date of termination. Termination of this Agreement may only be accomplished as provided herein.

ARTICLE IX

NOTICES

Any and all notices or any other communication required or permitted with regard to the structure and scope of this Agreement, shall be deemed to have been given when deposited in the United States Postal Service as regular mail, postage, prepaid and addressed as follows:

City Manager
City of Inverness
212 W. Main Street
Inverness, Florida 34450

Sheriff of Citrus County
Citrus County Sheriff's Office
1 Dr. Martin Luther king Jr. Ave
Inverness, Florida 34450

ARTICLE X

GOOD FAITH

The City, the Sheriff's Office, their agents and employees agree to cooperate in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiations between the immediate parties, Sheriff and City, or the Superintendent and Sheriff or their designees as deemed necessary.

ARTICLE XI

MODIFICATION

This document constitutes the full understanding of the parties and no terms, conditions, understandings or agreement purporting to modify or vary the terms of this document shall be binding unless hereafter agreed to in writing and signed by both parties.

ARTICLE XII

NON-ASSIGNMENT

This Agreement and each and every covenant herein shall not be capable of assignment unless express written consent of the City of Inverness and the Sheriff's Office is obtained.

SIGNATURES

We, the undersigned, have reviewed this Agreement for the provision of the Traffic Control Officer Program, and express our concurrence with the methodologies and goals contained. Revisions to this Agreement must be mutually approved by the Superintendent of Schools and the Sheriff of Citrus County.

City Council



Buddy Grant, Undersheriff

Date

Date

Attachment "A"
School Zones/Times

Main Street/ Line Street - Citrus High	6:30am-8:10am/8:30am-9:30am/1:50pm-4:00pm
Ella Street/Turner Camp Rd.- Inverness Middle School	7:00am-8:00am/1:50pm-2:50pm

Agenda Memorandum – *City of Inverness*

August 28, 2014

TO: Elected Officials
FROM: City Manager (Prepared by Eric Williams)
SUBJECT: Law Enforcement Service Agreement – 10/1/14 to 9/30/14
CC: City Clerk and City Finance Director
Enclosure: Correspondence from Citrus County Sheriff's Office (CCSO)
Agreement for Law Enforcement Services

Reference is made to the attached.

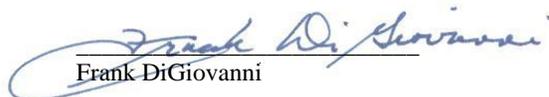
The City of Inverness continues to maintain excellent and highly effective relations with the Citrus County Sheriff's Office through an Interagency Agreement that provides a full complement of law enforcement services. Statistically, crime indicators are low and favorable. The enclosed correspondence is structured to continue the program through September 30, 2015. Program cost for next fiscal year is rated at \$747,620.00, and represents an increase of \$14,455 from the previous year. This 1.97% increase is due to the reinstatement of merit raises for CCSO personnel under this agreement.

The enclosed has been modified to return and include portions of the original contract that were removed. With Council approval, the addition of original clauses and conditions to address: seizures and forfeitures, and the returns of said confiscated funds in keeping with Florida Statutes. Modifications are presented in an abundance of caution to provide for financial accountability based on comments received during the City's last audit. By all accounts, Inverness is a highly active community in Citrus County and requires a service program to meet historical and anticipated service needs. Financially, the contract should structure payments by the City to the CCSO, to be twice per fiscal cycle, and follow the CCSO presentation of the activity report. Based on past practice we don't think this possible for the 2014-15 Fiscal Cycle, and recommend such be a consideration with adoption of the 2015-16 Law Enforcement Agreement. Not addressed or covered is the total cost of first responder services for the City, which may be a point of discussion by Council.

Recommended Action –

It is recommended that City Council motion, second and vote to support the agreement with the Citrus County Sheriff's Office for Law Enforcement Services through September 30, 2015, and authorize the Council President to execute the document. Once signed, transmittal correspondence will accompany the matter to the Sheriff's Office.

If you wish to discuss this further, please contact me at your convenience.


Frank DiGiovanni



CITRUS COUNTY SHERIFF'S OFFICE

A Nationally Accredited Law Enforcement Agency

**SHERIFF
JEFFREY J. DAWSY**



May 30, 2014

Frank DiGiovanni, City Manager
City of Inverness
212 W. Main Street
Inverness, Florida 34450

Re: Contract - Law Enforcement Services

Dear Frank:

Please allow this correspondence to serve as the Agreement to continue law enforcement services for fiscal year 2014/2015. This contract reflects a budget of \$747,620, an increase of 1.97%. This increase is due to the reinstatement of merit raises to our employees.

As always, I want to commend you and the City Council for a great working relationship as we move forward to continue to provide quality law enforcement to the residents of Inverness. Please return the signed contract to my office for our records at your earliest convenience. If you have any questions or concerns regarding the information contained herein, please do not hesitate to contact me.

Sincerely,

Buddy Grant, Commander
Undersheriff

City of Inverness
Accepted By:

Date: _____

1 DR. MARTIN LUTHER KING JR. AVE. - INVERNESS, FLORIDA 34450-4968 PHONE 352 - 726-4488

INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT SERVICES

THIS AGREEMENT is made and entered into by and between the CITY OF INVERNESS, FLORIDA, (“Inverness”), a municipal corporation of the State of Florida; JEFFREY DAWSY, as Sheriff of Citrus County, Florida, (“Sheriff”); and, CITRUS COUNTY, a political subdivision of the State of Florida.

WITNESSETH:

WHEREAS, Sections 125.0101, 166.021 and 163.01, Florida Statutes (2014) provide that a county and a municipality may contract to provide law enforcement services within a municipality’s boundaries; and

WHEREAS, Inverness is a municipality within the boundaries of Citrus County, Florida; and

WHEREAS, Inverness is desirous of providing a high level of competent law enforcement services in conjunction and in harmony with its fiscal policies of sound economic management; and

WHEREAS, Inverness has requested that the Sheriff furnish law enforcement services within Inverness; and

WHEREAS, Inverness desires that the Sheriff furnish law enforcement services on a full-time basis and duly performs any and all necessary and appropriate functions, actions, and responsibilities of a police and law enforcement agency for Inverness; and

WHEREAS, the Inverness City Council has determined that the most efficient way to fulfill; its desire to provide police protection in a responsible manner for the term beginning _____ and ending _____ is by contracting with the Sheriff; and

WHEREAS, the Sheriff has indicated his desire and willingness to accept and fulfill the responsibilities hereinbefore mentioned; and

WHEREAS, this Agreement for the provision of law enforcement services is not intended by the parties nor shall it be interpreted to be a transfer, consolidation or merger within the meaning of those terms for constitutional or statutory purposes or for any other purpose whatsoever and it is the intent of the parties that this Agreement shall at all times be interpreted and administered consistent with the parties’ intent that no transfer, consolidation or merger shall be accomplished by the terms of this Agreement in any respect whatsoever and the parties shall administer this Agreement to that end; and

WHEREAS, this Agreement between Inverness and the Sheriff requires the concurrence of the Board of County Commissioners of Citrus County, and said Board of County Commissioners approves and supports the plan and program set out in this Agreement;

NOW, THEREFORE, in consideration of the mutual promises contained herein and given by each party to the other, the parties hereto do covenant and agree as follows:

1. RECITALS

The recitals included above form an integral part of this Agreement and are hereby incorporated herein.

2. MUNICIPAL POLICE POWERS

By appropriate Resolution, Inverness City Council shall vest within the Sheriff and within each deputy sheriff, to the extent allowed by applicable law, Inverness' policy powers to the extent necessary or desirable to perform the law enforcement services herein during the contract period. Both parties recognizing that Inverness retains the right to resume responsibilities to provide law enforcement services within Inverness at the expiration of this Agreement. Inverness similarly retains the right to control the law enforcement services provided under this Agreement.

3. INTERAGENCY COORDINATION

The Sheriff shall, to the extent feasible, coordinate law enforcement functions, including special event functions, individual's complaints and unanticipated events requiring law enforcement involvement with Inverness' City Manager. The Sheriff or Sheriff's designee will attend regular City Council meetings and staff meetings when requested consistent with Inverness' right to control and supervise the law enforcement services provided pursuant to this Agreement.

4. STAFFING LEVELS/COMMUNITY RESOURCE OFFICER

- a. The Sheriff agrees to provide all necessary and appropriate law enforcement services in and for Inverness by providing ten (10) deputies with patrol automobiles for twenty-four (24) consecutive hours each day to serve as law enforcement officers within Inverness. Said deputies shall be provided within Inverness on the basis of two (2) deputies at all times. In addition it is understood by the parties that the Sheriff will additionally provide for parking enforcement specialist, supervision of deputies, interactive community service to communicate law enforcement activities to City businesses and residents, school crossing guards, school traffic regulation, school bus traffic regulation, school security services, investigative services and public relations. Deputies assigned within Inverness will not patrol unincorporated areas of the County except when rendering mutual aid assistance to insure public safety in extraordinary circumstances consistent with past practices and mutual aid agreements.
- b. The Sheriff will also provide one community resource officer within Inverness. This officer will perform interactive and proactive patrols as do other community resource officers in accordance with existing practices which may include but are not limited to; making contacts with both citizens and businesses to solve community crime problems, meeting with individuals to explain crime prevention techniques, and utilizing business cards and voice mail to ensure citizen contact regarding public safety concerns.
- c. The Sheriff shall make all services of the Sheriff's Office available to Inverness during the term of this Agreement. These services include but are not necessarily limited to; marine patrol, K-9, helicopter patrol, crime watch assistance, report writing, record retention, Emergency Management operations dispatch operations, media interaction, and community service programs. The Sheriff will conduct periodic speed monitoring of Inverness' vehicle traffic. Any specific problems with marine infractions that are reported to the Sheriff will be handled as a law enforcement complaint.

5. CONSIDERATION

Inverness shall pay to the Citrus County Board of County Commissioners, as payment in full for services herein agreed to be performed by the Sheriff, the sum of _____ for the term October 1, 2014 through September 30, 2015, being paid monthly in the amount of _____. Monthly payments shall be payable on the first day of each month.

6. LAWS ENFORCED

The Sheriff shall discharge his responsibility under this Agreement by the enforcement of all state laws, county ordinances applicable within Inverness and Inverness municipal ordinances. The Sheriff shall bring appropriate charges for violations of all laws and ordinances.

7. FINES AND FORFEITURES

- a. Law Enforcement Education Funds. All law enforcement education funds levied and collected by the Clerk of the Court for Citrus County, Florida and designated for use by Inverness pursuant to Section 943.25, Florida Statutes, shall be assigned by Inverness to Sheriff for payment directly from the Clerk of the Court for Citrus County, Florida. Sheriff shall use these funds for the law enforcement education purposes authorized in said statute within or for the benefit of Inverness. The Sheriff will advise the City Manager on a quarterly basis of the collections and expenditures from this fund.
- b. Fines. Inverness shall remain entitled to all fines and forfeitures to which Inverness would ordinarily be entitled pursuant to Section 316.660, Florida Statutes and to proceeds and forfeitures arising under the sale or disposition of unclaimed property or from the enforcement of the Inverness Code of Ordinances.
- c. Seized Funds. On the effective date of this Agreement, Inverness shall sell, assign, transfer and convey all of Inverness's right, title and interest in and to any funds maintained by or on behalf of Inverness. Sheriff agrees that any currency or other assets seized pursuant to Chapter 932, Florida Statutes within Inverness and subsequently forfeited to Sheriff shall be deposited into the Sheriff's Law Enforcement Trust Fund and shall be designated for use by Sheriff within or for the benefit of Inverness in accordance with the statute. The Sheriff shall advise the City Manager on a quarterly basis of collections and from this fund.
- d. Grant Funds and Miscellaneous Revenues. The Sheriff shall cooperate with Inverness and, to the extent allowable by law, act as the law enforcement agent on behalf of Inverness in the continued application, maintenance, and accounting of grants and entitlements as well as aggressively pursuing additional grant program funds as they become available. Inverness will make these funds available to Sheriff to carryout the intent of the grant program as approved by the granting agency and Inverness. It is understood by both parties that all revenues currently received by Inverness as a result of law enforcement activities shall continue to be received by Inverness as previously mentioned herein or as may be added in the future.
- e. Return of Unused Funds. All funds initially received by Sheriff from Inverness as well as funds received directly by Sheriff after the commencement of the Agreement under the provisions of this paragraph 7, shall be accounted for and reported to Inverness annually to include the details of all revenues received and all expenditures made. In the event of termination of the Agreement all unused funds shall be returned to Inverness within 30 days from the date of termination.

8. PERFORMANCE REPORTS AND CRIME REPORTING

The Sheriff shall maintain performance reports and statistical records regarding police activity within Inverness and shall provide such to Inverness so that Inverness may review Sheriff's performance under this Agreement, these records will include, but will not necessarily be limited to, the number of calls for service, offense reports, arrests, alarm responses, location and nature of calls, response times, number and type of citations and number and type of accidents. The Sheriff will provide these performance reports and statistical records to Inverness at least once each quarter.

9. HIRING DECISIONS

The Sheriff shall be responsible for the hiring, training, assignment, discipline and dismissal of all law enforcement personnel performing services under this Agreement as such individuals are Sheriff's employees.

10. PERSONAL PROPERTY-EXCEPT VEHICLES

It is specifically intended by the parties that certain personal property owned by Inverness was transferred to Sheriff for the Sheriff's use in benefit of Inverness during the term of this Agreement. The parties anticipate that Sheriff will use such property during the term of this Agreement and that such property or replacements of equivalent utility thereto will be returned to Inverness at the conclusion of this Agreement in substantially similar condition as when transferred to Sheriff, with reasonable wear and tear excepted. While Sheriff has use and possession of such property which has been transferred in good and working condition, Sheriff agrees to maintain such property in good and work order and will perform customary preventative and required maintenance on such property. Sheriff will maintain a fixed asset ledger with identifiable numbers for such property during Sheriff's use of such. If Sheriff determines that Sheriff does not need such property, Sheriff may sell such property and apply the proceeds thereof to such other property as is needed for the benefit of Inverness or shall apply the proceeds to directly reduce Inverness' consideration required herein.

11. VEHICLES

At the conclusion of this Agreement, Sheriff will return vehicles or equivalent replacements thereto to Inverness. Sheriff will additionally transfer any vehicles purchases or leases by Sheriff during the term of this Agreement with funds generated from this Agreement to Inverness. Any remaining lease payments, for vehicles procured by Sheriff for the benefit of Inverness pursuant to this Agreement, will be assumed by Inverness until such leases are satisfied.

12. UNIFORMS and VEHICLE MARKINGS

The Sheriff shall have the authority to designate the uniform dress of the Deputy Sheriffs performing law enforcement services under this Agreement and the marking of patrol units; however, the Sheriff agrees to place the Inverness Insignia, on all of Sheriff's marked patrol vehicles.

13. INDEMNIFICATION AND HOLD HARMLESS

The Sheriff shall be legally responsible for the actions of Sheriff's law enforcement personnel performing services under this Agreement. Lawsuits and claims that may be filed from time to time shall be handled by the Sheriff in accordance with normal procedures and the Sheriff shall hold Inverness harmless from any and all manner of actions, causes of actions, suits, judgments, executions, claims and demands of any kind whatsoever, in law or in equity, which may result from or arise out of Sheriff's use of Inverness property or the intentional or negligent acts of the Sheriff. Sheriff's Deputies and Sheriff's employees; and the Sheriff shall indemnify Inverness from any and all damages, judgments, claims, costs, expenses, including reasonable attorney's fees, which Inverness

might suffer in connection with or as a result of the intentional or negligent acts and the alleged intentional or alleged negligent acts of the Sheriff, Sheriff Deputies and Sheriff's employees. Inverness agrees to hold the Sheriff harmless from any and all manner of actions, causes of action, suits, judgments, executions claims and demands of any kind whatsoever, in law or in equity, which may result from or arise out of the constitutionality of ordinances enacted by Inverness and enforced by the Sheriff or from acts or omissions attributable to Inverness that occurred prior to the execution of this Agreement, and Inverness agrees to indemnify the Sheriff for any and all damages, judgments, claims, costs, expenses, including reasonable attorney's fees, which the Sheriff might suffer in connection or as a result of the constitutionality of Ordinances enacted by Inverness and enforced by the Sheriff or from acts or omissions attributable to Inverness that occurred prior to the execution of this Agreement. The Sheriff does not assume any existing or contingent liabilities regarding liability of Inverness unless specifically listed above. By agreeing to the provisions of this paragraph 13, the parties hereto do not in any way waive or limit their entitlements of sovereign immunity.

14. REVENUE SOURCES

The parties agree that this Agreement does not constitute a general indebtedness of Inverness within the meaning of any constitutional, statutory, or charter provision or limitation and it is expressly agreed by the parties that neither the Sheriff nor Citrus County will ever have the right to require or compel the exercise of ad valorem taxing power of Inverness or taxation of any real or personal property therein for the payment of any monetary obligations due under the terms of this Agreement and it is further agreed between the parties that this Agreement and any funds called for to be paid hereunder shall not constitute a lien upon any real or personal property of Inverness, or any part thereof, and that the obligation for monetary payments called for to be made hereunder shall be deemed to exist for less than a year at any point in time and shall be entirely subject to the legislative budgetary discretion of Inverness and Citrus County.

15. NOTICES

The parties hereto are represented as follows:

- a. CITRUS COUNTY: County Attorney, Citrus County Courthouse, 110 North Apopka Avenue, Inverness, FL 34450.
- b. CITY OF INVERNESS: Larry Haag,
- c. CITRUS COUNTY SHERIFF: Undersheriff "Buddy" Grant

16. TERM

This Agreement shall take effect on October 1, 2014 at 12:01 a.m. and continue in effect thereafter through September 30, 2015, unless hereafter extended upon such terms and conditions as the parties hereto may later agree. Either party may terminate this Agreement upon a ninety (90) day prior written notice to the other party.

17. BOCC JOINDER

The Citrus County Board of County Commissioners hereby joins in the execution of this Agreement to indicate its concurrence with the terms and provisions hereof and its support for the plan set out herein. Said Board agrees to amend the Citrus County Sheriff's Office budget, after payments of the referenced amounts herein by Inverness, to provide the funds necessary to accomplish the purposes of this Agreement and agrees to cooperate in every way reasonably possible to insure that the purposes stated herein are fulfilled.

18. NO UNINTENDED BENEFICIARIES

In no event shall this Agreement confer upon any third person, corporation or entity the right to any cause of action or damages against any party hereto.

19. SCOPE OF AGREEMENT

This document reflects the full and complete understanding of the parties, supersedes any other agreements entered into by and between the parties hereto and may be modified or amended only by a written document signed by all of the parties hereto.

IN WITNESS WHEREOF, the parties to this Agreement have caused the same to be signed by their duly authorize representatives this ____ day of _____, 2014.

CITY OF INVERNESS:

ATTEST:

By: _____
Ken Hinkle, President

Deborah Davis, City Clerk

Approved as to form & content:

City Attorney, Larry Haag

CITRUS COUNTY, FLORIDA:

ATTEST:

By: _____
, President of BOCC

Approved as to form & content:

Citrus County Attorney

SHERIFF OF CITRUS COUNTY, FLORIDA

ATTEST:

By: _____
Jeff Dawsy, Sheriff

Approved as to form & content:

Sheriff's Attorney

Agenda Memorandum – *City of Inverness*

DATE: August 29, 2014
ISSUE: SS Solutions – Employee Staffing Agreement
FROM: City Clerk
CC: City Manager

ATTACHED: SS Solutions Termination Letter

The City of Inverness entered into an agreement with SS Solutions Staffing of St. Augustine, since September 30th, 2013. The agreement will expire September 30, 2014, unless renewed. Contract services have worked well this past year, but it may be best for city government to option the position of City Manager to the original arrangement as in previous years.

The agreement will naturally terminate, but we think a formal vote would be the appropriate action to terminate the agreement with SS Solutions effective Sept. 30, 2014. With this action it would be immediately important to proceed to move forward with development of a (new) contract for the City Manager position that would become effective October 1, 2014.

The new agreement may be presented for Council to consider and ratify at the meeting on September 19, 2014.

Recommended Action –

Termination of the SS Solutions Agreement: motion, second and vote to terminate the SS Solutions Staffing Agreement for City Manager Services, effective September 30, 2014.



Deborah Davis, City Clerk



City of Inverness

Administration Office

212 W. Main Street
Inverness, Florida 34450-4149
Administration@Inverness-FL.gov

(352) 726-2611

Fax (352) 726-0607

August 19th, 2014

Mr. Rick Burke
S. S. Solutions
Staffing of St. Augustine
2730 US 1 South
Suite B
St. Augustine, FL 32086

Dear Mr. Burke:

The agreement between the City of Inverness and SS Solutions has been an extremely positive experience. Conditions and events change and create the need for us to send this correspondence. Accordingly, please accept this letter to serve as notice to terminate the agreement and contract for City Manager Services, effective September 30th, 2014. This shall remain our intent unless you hear or are notified from us otherwise.

Per the current Agreement the Purchase Order will terminate effective September 30, 2014.

The services of SS Solutions have been excellent, and it's been a pleasure working with you during the past year. We look forward to doing business with you in the future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deborah Davis".

Deborah Davis
City Clerk

Agenda Memorandum – *City of Inverness*

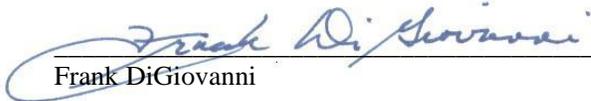
DATE: August 29, 2014
ISSUE: City Manager Service Agreement beyond September 30, 2014
FROM: City Manager
CC: City Clerk
ATTACHED: N/A

With termination of the City Manager Service Agreement with SS Solutions, Council will need to make a determination of the best manner to proceed in the interests of the City at large. While change is always an option, if the decision is to maintain the current relationship, a newly constructed agreement may be ready for presentation at the next meeting.

The presentation will not be one-sided and encourage comment and collaboration of Elected Representatives following an explanation of details. A seamless transition can occur with ratification of an agreement on September 19th.

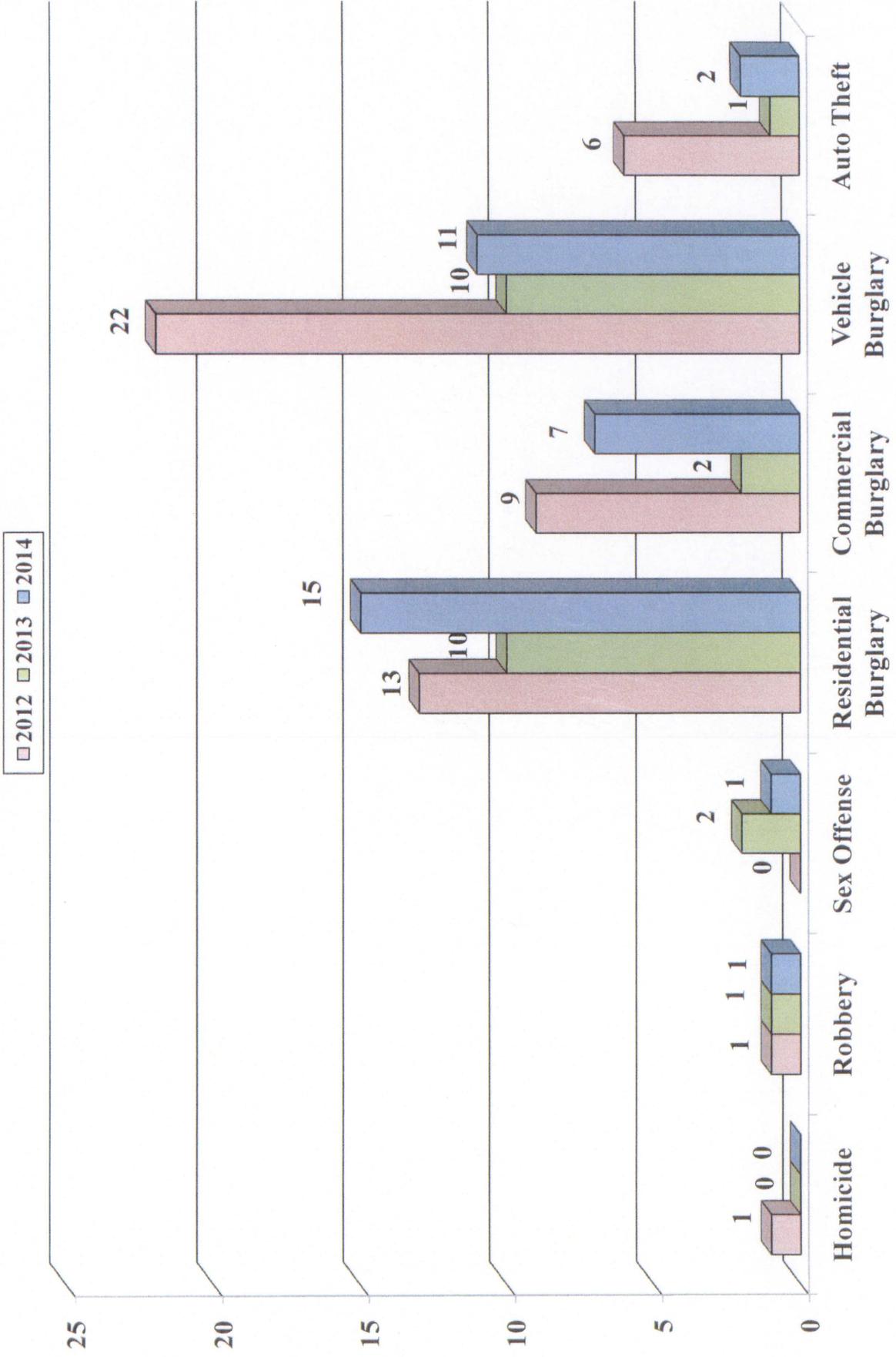
Recommended Action –

If the consensus is to maintain consistency, no action is necessary. A new agreement will be developed for presentation and consideration at next meeting. If the decision is to change course, a motion and second will be necessary to direct action and authorize staff to advertise and solicit applicants.

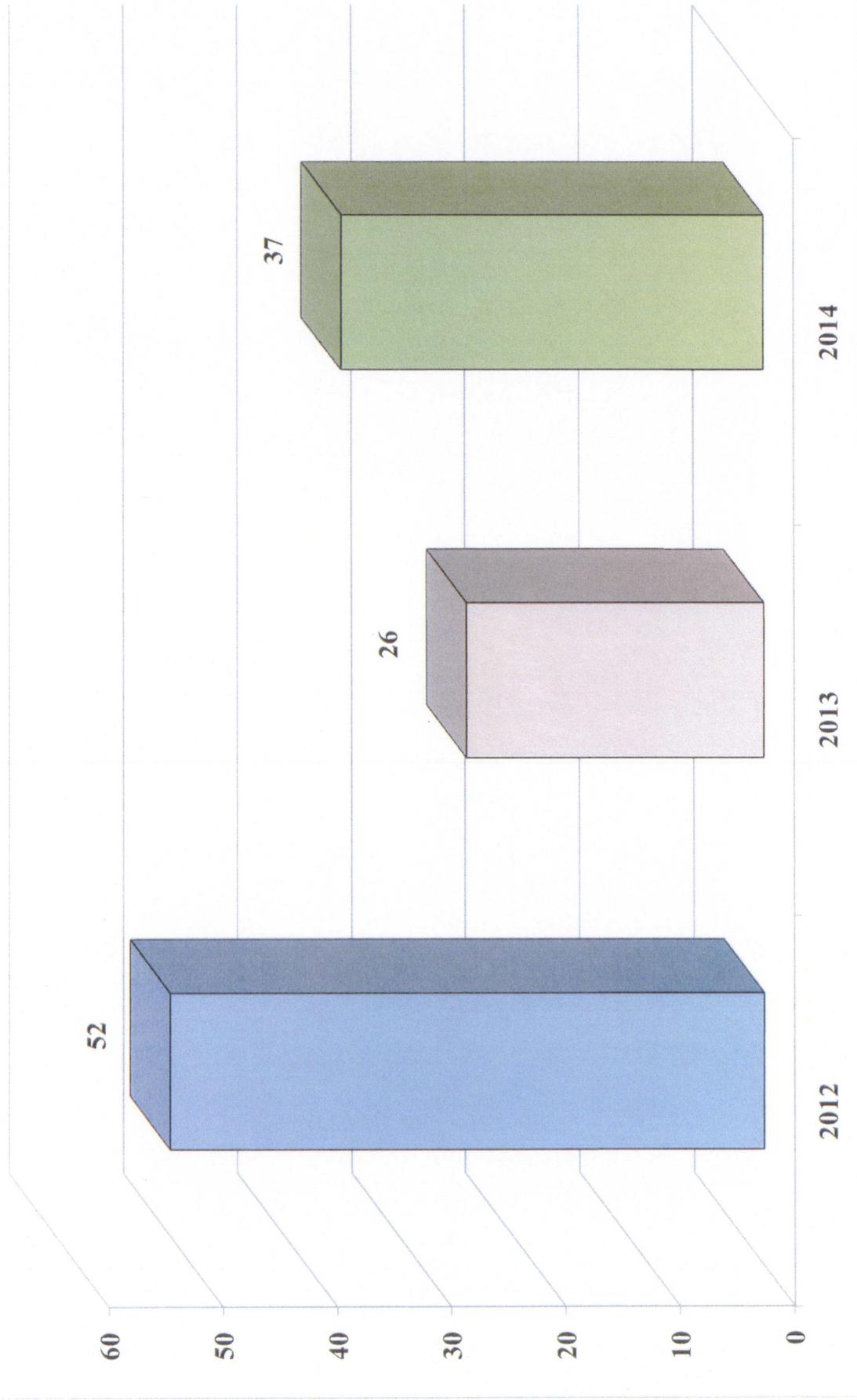

Frank DiGiovanni

Administrative Offices
212 West Main Street, Inverness Florida 34450
www.Inverness-FL.gov

2014 Semi-Annual City of Inverness Tracked Crime Jan 1 to June

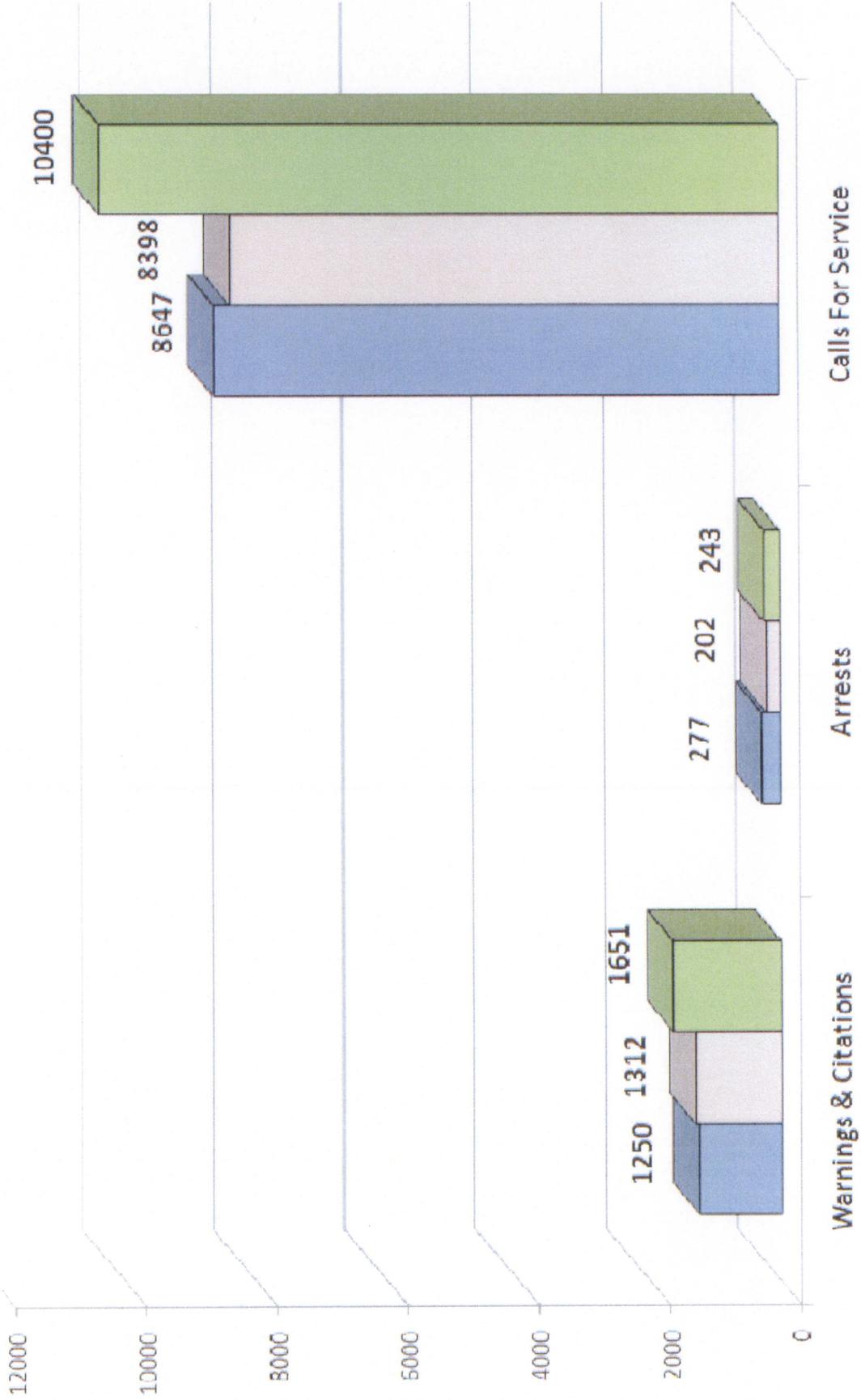


2014 Semi-Annual City of Inverness Combined Tracked Crime Jan 1 to June 30

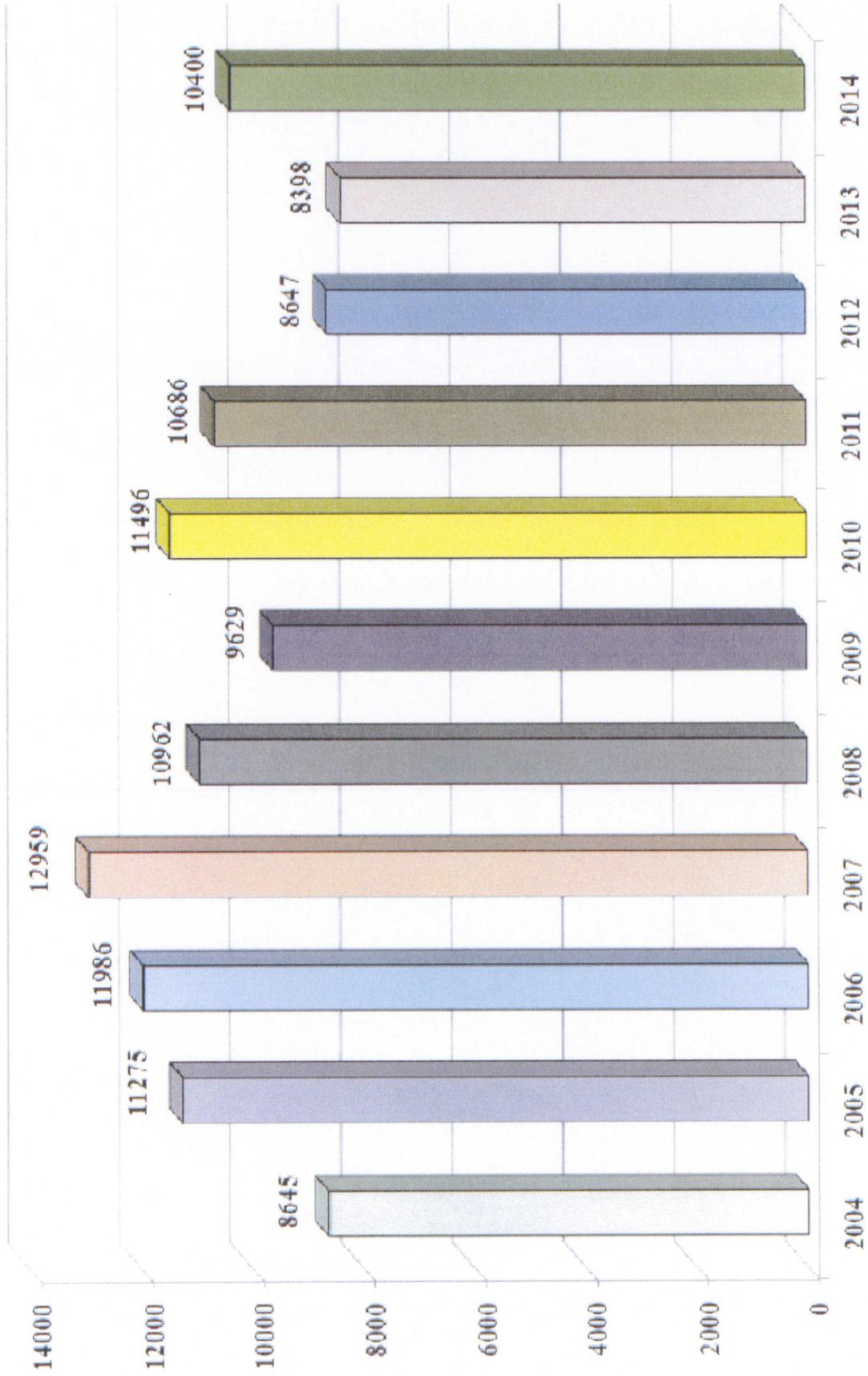


2014 Semi-Annual City of Inverness Combined Comparison Jan 1 to June 30

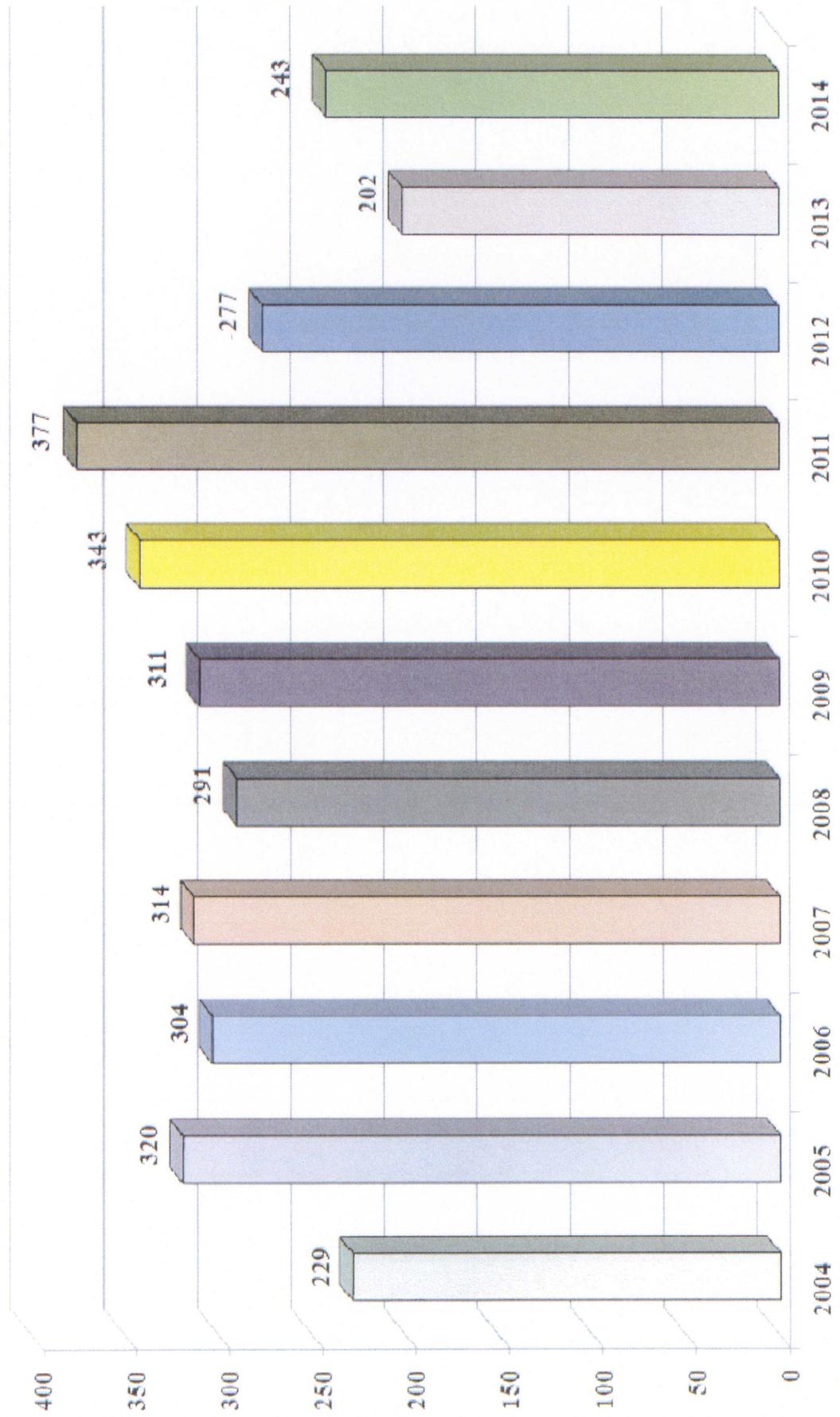
■ 2012 ■ 2013 ■ 2014



2014 Semi-Annual City of Inverness Call for Service Jan 1 to June 30



2014 Semi-Annual City of Inverness Arrest Reports Jan 1 to June 30



City of Inverness – Semi Annual Calls for Service 2014 – Top Twenty Report

2005 City of Inverness Top 20 Calls for Service	2006 City of Inverness Top 20 Calls for Service	2007 City of Inverness Top 20 Calls for Service	2008 City of Inverness Top 20 Calls for Service	2009 City of Inverness Top 20 Calls for Service
STOPPING VEHICLE 4229	STOPPING VEHICLE 4871	STOPPING VEHICLE 4875	STOPPING VEHICLE 4820	STOPPING VEHICLE 2621
SECURITY CHECK 2854	SECURITY CHECK 3140	SECURITY CHECK COMMERCIAL 3151	SECURITY CHECK 2539	SECURITY CHECK 1082
SECURITY CHECK COMMERCIAL 1886	SECURITY CHECK DIRECTIVE 2000	SECURITY CHECK 2261	TRAFFIC 1284	FOLLOW-UP 598
FOLLOW-UP 1484	SECURITY CHECK COMMERCIAL 1810	SECURITY CHECK DIRECTIVE 2211	FOLLOW-UP 1238	TRAFFIC 575
SECURITY CHECK DIRECTIVE 1217	FOLLOW-UP 1396	FOLLOW-UP 1522	SECURITY CHECK COMMERCIAL 1139	SECURITY CHECK COMMERCIAL 468
PHONE CALL 966	TRAFFIC 1100	TRAFFIC 1202	SECURITY CHECK DIRECTIVE 937	SERVING CIVIL PAPERS 308
TRAFFIC 923	SERVING CIVIL PAPERS 915	SERVING CIVIL PAPERS 809	SERVING CIVIL PAPERS 636	CITIZEN ASSIST 257
SERVING CIVIL PAPERS 792	PHONE CALL 705	MISCELLANEOUS 753	MISCELLANEOUS 511	MISCELLANEOUS 245
SECURITY CHECK RESIDENTIAL 777	ALARM 615	ALARM 516	ALARM 478	ALARM 234
MISCELLANEOUS 748	MISCELLANEOUS 545	CITIZENS ASSIST 514	CITIZENS ASSIST 458	VEHICLE CRASH (MINOR) 202
ALARM 667	CITIZENS ASSIST 505	VEHICLE CRASH (MINOR) 453	CIVIL 353	CIVIL 188
CITIZENS ASSIST 550	VEHICLE CRASH (MINOR) 455	CIVIL 412	VEHICLE CRASH (MINOR) 338	911 HANG-UP 168
VEHICLE CRASH (MINOR) 517	CAPIAS ARREST 339	SECURITY CHECK RESIDENTIAL 401	CAPIAS ARREST 308	SECURITY CHECK RESIDENTIAL 154
CAPIAS ARREST 343	SUSPICIOUS PERSON 317	RECKLESS VEHICLE 335	RECKLESS VEHICLE 296	SUSPICIOUS PERSON 152
RECKLESS VEHICLE 284	DISTURBANCE 309	SUSPICIOUS PERSON 323	SECURITY CHECK RESIDENTIAL 285	RECKLESS VEHICLE 131
TRAFFIC - DIRECTIVE 250	CIVIL 286	DISTURBANCE 285	SUSPICIOUS VEHICLE 268	SECURITY CHECK DIRECTIVE 120
DISTURBANCE 228	RECKLESS VEHICLE 266	AID OTHER AGENCY 272	SUSPICIOUS PERSON 258	SUSPICIOUS VEHICLE 118
AID OTHER AGENCY 223	AID OTHER AGENCY 241	CAPIAS ARREST 271	LARCENY 232	CAPIAS ARREST 116
LARCENY 223	SECURITY CHECK RESIDENTIAL 233	LARCENY 268	DISTURBANCE 204	DISTURBANCE/FIGHT IN 114
SUSPICIOUS PERSON 210	LARCENY 210	SUSPICIOUS VEHICLE 263	DISTURBANCE IN PROGRESS 188	DISTURBANCE 109

2010 City of Inverness Top 20 Calls for Service	2011 City of Inverness Top 20 Calls for Service	2012 City of Inverness Top 20 Calls for Service	2013 City of Inverness Top 20 Calls for Service	2014 City of Inverness Top 20 Calls for Service
STOPPING VEHICLE 3572	STOPPING VEHICLE 2889	STOPPING VEHICLE 1540	STOPPING VEHICLE 1593	STOPPING VEHICLE 1689
SECURITY CHECK COMMERCIAL 972	SECURITY CHECK POLICE 1309	SECURITY CHECK 936	OTHER 563	SECURITY CHECK 967
SECURITY CHECK 719	SUPPLEMENTAL 660	TRAFFIC 291	OTHER INFORMATION 553	TRAFFIC 803
TRAFFIC 669	PUBLIC SERVICE/LOCKOUT 561	SUPPLEMENTAL OTHER 288	NON-URGENT REQUEST 485	MISCELLANEOUS INCIDENT 673
SUPPLEMENTAL 582	TRAFFIC 539	NON-URGENT CHECK WELFARE 268	FOLLOW-UP 359	NON-URGENT REQUEST 584
FOLLOW-UP 427	SECURITY CHECK COMMERCIAL 392	SECURITY CHECK DIRECTIVE 256	SERVING CIVIL PAPERS 277	OTHER 560
SUSPICIOUS/WANTED PERSON 388	SUSPICIOUS/WANTED PERSON 341	SUSPICIOUS/WANTED PERSON 245	TRAFFIC 270	OTHER INFORMATION 459
SERVING CIVIL PAPERS 308	TRAFFIC VIOLATION 305	OTHER 230	ANIMAL 259	SERVING CIVIL PAPERS 297
WELFARE CHECK/PUBLIC SERVICE 303	TRAFFIC ACCIDENT 290	SUPPLEMENTAL REPORT 227	SECURITY CHECK 255	FOLLOW-UP 275
TRAFFIC CRASH 279	MISCELLANEOUS 262	WELFARE CHECK/PUBLIC SERVICE 210	BURGLARY 227	BURGLARY 222
TRAFFIC VIOLATION/COMPLAINT 225	CIVIL PAPERS 256	SERVING CIVIL PAPERS 209	SUPPLEMENTAL REPORT 189	ANIMAL 210
MISCELLANEOUS 202	ANIMAL 225	TRAFFIC VIOLATION/COMPLAINT 205	SUSPICIOUS/WANTED PERSON 167	VERBAL DISTURBANCE 205
ALARM CALL 193	ADMINISTRATIVE 221	SECURITY CHECK COMMERCIAL 184	MISCELLANEOUS INCIDENT 155	CRASH NO INJURY 204
NON-URGENT REQUEST 176	ALARMS 215	ALARM BURGLARY 172	VERBAL DISTURBANCE 155	SUPPLEMENTAL REPORT 203
NON-URGENT CHECK WELFARE 175	SECURITY CHECK (DIRECTIVE) 170	FOLLOW-UP 169	CRASH NO INJURY 149	SECURITY CHECK COMMERCIAL 161
LOST/STRAY/UNWANTED ANIMAL 174	THEFT/LARCENY 163	TRAFFIC CRASH NO INJURY 166	VIOLATION 104	SUSPICIOUS/WANTED PERSON 157
ASSIST OTHER AGENCIES 169	DOMESTIC DISTURBANCE 112	LOST/STRAY/UNWANTED ANIMAL 155	TRAFFIC VIOLATION/COMPLAINT 100	VIOLATION 130
SECURITY CHECK RESIDENTIAL 162	HARASSMENT/STALKING 111	MISCELLANEOUS INCIDENT 137	CRASH/UNKNOWN INJURY 98	PHYSICAL DISTURBANCE 122
SECURITY CHECK DIRECTIVE 110	C.S.T. RESPONSE 82	AID OTHER AGENCY POLICE 114	PAST THEFT 97	CRASH WITH INJURY 109
TRAFFIC HAZARD 95	DISTURBANCE/MISUSE 81	SUSPICIOUS PERSON CODE 1 108	PHYSICAL DISTURBANCE 93	TRAFFIC VIOLATION/COMPLAINT 109

2014 Semi-Annual City of Inverness Calls for Service Total		
Call Type	Police Actions	
STOPPING VEHICLE	1689	
SECURITY CHECK	967	
TRAFFIC	803	
MISCELLANEOUS INCIDENT	673	
NON-URGENT REQUEST	584	
OTHER	560	
OTHER INFORMATION	459	
SERVING CIVIL PAPERS	297	
FOLLOW-UP	275	
BURGLARY	222	
ANIMAL	210	
VERBAL DISTURBANCE	205	
CRASH NO INJURY	204	
SUPPLEMENTAL REPORT	203	
SECURITY CHECK COMMERCIAL	161	
SUSPICIOUS/WANTED PERSON	157	
VIOLATION	130	
PHYSICAL DISTURBANCE	122	
CRASH WITH INJURY	109	
TRAFFIC VIOLATION/COMPLAINT	109	
TRAFFIC CRASH	103	
SUSPICIOUS PERSON	85	
CRASH UNKNOWN INJURY	83	
TRESPASSING	82	
WELFARE CHECK/PUBLIC SERVICE	82	
WANTED PERSON	79	
THEFT/LARCENY	78	
SUSPICIOUS CIRCUMSTANCE	75	
HAZARD	75	
FIRE	71	
DRUGS	69	
SECURITY CHECK DIRECTIVE	66	

PAST THEFT	62
LOST/FOUND MESSAGE TRANSPORT	58
URGENT REQUEST	57
NOISE COMPLAINT	56
DUI	49
PAST BURGLARY	48
PAST ASSAULT	45
PAST FRAUD	44
SUSPICIOUS VEHICLE	41
FOUND PROPERTY	36
FRAUD	35
ASSAULT	32
HARASSMENT/STALKING	32
ALARM	31
NON-VIOLENT DISORDER	30
HIT & RUN NO INJURY	30
ADMINISTRATIVE	29
NUISANCE	28
THREATS	26
PAST THREAT	24
CONDUCT INVESTIGATION	22
PAST HARASSMENT	21
TRAFFIC DIRECTIVE	21
ASSIST OTHER AGENCY	20
PANIC/DURESS	20
PAST THEFT FROM VEH	20
VIOLENT DISORDER	19
SHOTS HEARD	19
MISSING PERSON	19
UNKNOWN 3RD PARTY	16
ALARMS	16
PAST SUSP CIRCUMSTANCE	16
SUICIDE THREAT	15
MENTAL DISORDER	15
DAMAGE	13

SEX OFFENDER CHECK	12
PAST VEHICLE THEFT	12
PAST PHYSICAL	11
PAST DRUGS	11
REFERRAL	10
ABUSE/NEGLECT	10
SECURITY CHECK RESIDENTIAL	9
ATTEMPTED SUICIDE	9
MISSING/RUNAWAY/FOUND	9
PAST HIT & RUN	9
KEEP THE PEACE	8
DOMESTIC DISTURBANCE	8
DISTURBANCE	8
ROAD RAGE	8
PAST TRAFFIC CRASH	8
PAST TRESPASS	8
PARKING COMPL	6
PAST ABUSE/NEGLECT	5
PAST SUSP VEHICLE	5
SUSPECT	5
VEHICLE THEFT	4
PAST VERBAL	4
EVIDENCE	4
ABANDONED VEHICLE	4
INDECENCY/LEWDNESS	4
PAST SHOTS FIRED	3
PAST ABDUCTION	3
PUBLIC SERVICE	3
PAST SUICIDE THREAT	3
HIT & RUN UNK INJURY	3
WEAPONS INCIDENT	3
HIT & RUN W/INJURY	3
ITEMS	3
SUSPECT DETAINED	3
PAST STALKING	2

FOUND PERSON	2
SHOTS FIRED	2
CST RESPONSE	2
VEHICLE	2
SEX ASSAULT	2
WEAPONS	2
ABANDONMENT	1
HOME INVASION	1
PAST THEFT ATTEMPT	1
PAST MISCHIEF	1
AOA	1
ROBBERY/CARJACKING	1
PAST ATT THEFT FROM VEH	1
RUNAWAY	1
SUDDEN DEATH	1
EXPECTED DEATH	1
PAST INDECENCY	1
PAST VIOLATION	1
MISCHIEF	1
ABDUCTION	1
TRANSPORT	1
PAST SUSP PERSON	1
Grand Total	10400

All information obtained from Aegis,