

23718 W US HWY 27  
High Springs, Florida 32643



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**CITY COMMISSION MEETING  
AGENDA  
City Hall  
23718 W US HWY 27**

**NOVEMBER 17, 2016**

**6:30 PM**

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<b>CALL TO ORDER:</b>	MAYOR BYRAN D. WILLIAMS
<b>INVOCATION:</b>	PASTOR SAMMY NELSON, WITNESS OF CHRIST MINISTRY
<b>PLEDGE OF ALLEGIANCE:</b>	MAYOR BYRAN D. WILLIAMS
<b>ROLL CALL:</b>	JENNY L. PARHAM, CITY CLERK
<b>APPROVAL OF AGENDA</b>	
<b>APPROVAL OF MINUTES:</b>	OCTOBER 27, 2016 COMMISSION MEETING

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**MAYOR WILLIAMS ADJOURNS THE 2015/2016 CITY COMMISSION.**

**CITY CLERK ADMINISTERS OATH OF OFFICE TO:**

**COMMISSIONER-ELECT LINDA JONES**

**CITY MANAGER CALLS TO ORDER THE 2016/2017 CITY COMMISSION.**

**ROLL CALL OF THE 2016/2017 CITY COMMISSION.**

**COMMENTS FROM NEWLY ELECTED COMMISSIONER.**

**CITY MANAGER ACCEPT NOMINATIONS AND ELECT MAYOR.**

**MAYOR ASSUMES CHAIR.**

**MAYOR ACCEPT NOMINATIONS AND ELECT VICE-MAYOR.**

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**AGENDA  
CITY COMMISSION MEETING  
NOVEMBER 17, 2016  
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**UNFINISHED BUSINESS**

1. **CONSIDER ORDINANCE 2016-10, AN ORDINANCE REVOKING CHAPTER 2 ARTICLE III, SECTION 2-61 “PERSONNEL MANUAL ADOPTED” OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR ALL SUBSEQUENT ADOPTIONS OR AMENDMENTS OF PERSONNEL POLICIES TO BE ADOPTED BY RESOLUTION BY THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION**
  - A. MAYOR OPENS PUBLIC HEARING FOR PUBLIC INPUT.
  - B. MAYOR CLOSES PUBLIC HEARING.
  - C. DISCUSSION AND CONSIDERATION IN PASSING OF ORDINANCE 2016-10 ON SECOND READING.

**CITIZEN REQUESTS AND COMMENTS – FOR ISSUES NOT ON AGENDA (PLEASE STATE NAME FOR THE RECORD – LIMIT COMMENTS TO 5 MINUTES)**

**NEW BUSINESS**

1. **APPOINT CHAIR AND VICE-CHAIR TO THE CRA BOARD.**
2. **APPOINT/REAPPOINT MEMBERS TO VARIOUS CITY BOARDS AND COMMITTEES.**
3. **AUTHORIZE THE FOLLOWING PERSONNEL TO SIGN CHECKS AND INVESTMENT DOCUMENTS IN COMPLIANCE WITH SECTION 2-97 OF THE HIGH SPRINGS CODE OF ORDINANCES:**

MAYOR, VICE MAYOR, CITY MANAGER AND CITY CLERK
4. **CONSIDER REQUEST BY OLEN BARBER FOR USE OF THE CIVIC CENTER FOR THEIR MONDAY NIGHT MUSIC PROGRAM.**
5. **ORDINANCE 2016 – 09, AN ORDINANCE AMENDING CHAPTER 78 ARTICLE VI, “WATER AND SEWER SYSTEM IMPACT FEE” SECTION 78-386 AND SECTION 78-390 “PAYMENT” OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR PAYMENT OF IMPACT FEES FOR WATER AND SEWER PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION**
  - A. DISCUSSION AND CONSIDERATION IN PASSAGE OF ORDINANCE 2016-09 ON FIRST READING.

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- 6. CONSIDER ORDINANCE 2016-11, AN ORDINANCE AMENDING THE ADOPTED 2015/2016 FISCAL YEAR BUDGET OF THE CITY OF HIGH SPRINGS; PROVIDING AN EFFECTIVE DATE**

  - A. DISCUSSION AND CONSIDERATION IN PASSAGE OF ORDINANCE 2016-11 ON FIRST READING.**
  
- 7. CONSIDER RESOLUTION 2016-Z, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS AMENDING THE CITY'S FUND BALANCE POLICY TO INCREASE THE YEARLY CONTRIBUTION TO THE FUND BALANCE AND ESTABLISH A MINIMUM CASH AMOUNT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**
  
- 8. CONSIDER ORDINANCE 2016-12, AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-01, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

  - A. DISCUSSION AND CONSIDERATION IN PASSAGE OF ORDINANCE 2016-12 ON FIRST READING.**
  
- 9. CONSIDER ORDINANCE 2016-13, AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-02, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE**

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BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

A. DISCUSSION AND CONSIDERATION IN PASSAGE OF ORDINANCE 2016-13 ON FIRST READING.

- 10. CONSIDER ORDINANCE 2016-14, AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-03, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF**

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ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

A. DISCUSSION AND CONSIDERATION IN PASSAGE OF ORDINANCE 2016-14 ON FIRST READING.

- 11. CONSIDER ORDINANCE 2016-15**, AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-04, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

A. DISCUSSION AND CONSIDERATION IN PASSAGE OF ORDINANCE 2016-15 ON FIRST READING.

- 12. CONSIDER ORDINANCE 2016-16**, AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-05, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL

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PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

A. DISCUSSION AND CONSIDERATION IN PASSAGE OF ORDINANCE 2016-16 ON FIRST READING.

**13. CONSIDER ENGINEERING SERVICES AGREEMENT WITH MITTAUER & ASSOCIATES, INC. FOR PHASE A1 SEWER EXTENSION.**

**CITY ATTORNEY REPORT/UPDATE**

**CITY MANAGER REPORT/UPDATE**

**COMMENTS AND CONCERNS:**

- 1. COMMISSIONERS**
- 2. MAYOR**

**MOTION TO ADJOURN**

**PLEASE NOTE:** PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMMODATIONS TO PARTICIPATE IN CITY COMMISSION MEETINGS, SHOULD CONTACT THE OFFICE OF THE CITY CLERK, 23718 W US HWY 27, HIGH SPRINGS, FLORIDA 32643, TELEPHONE (386)454-1416.

# Minutes

23718 US HWY 27  
High Springs, Florida 32643



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CITY COMMISSION MEETING  
MINUTES  
OCTOBER 27, 2016

Mayor Byran Williams called the meeting to order at 6:30 p.m.

Invocation By Pastor Terry Hull, High Springs Church Of God

Pledge of Allegiance.

Roll Call: Mayor Byran Williams – Present  
Vice Mayor Gloria James – Present  
Commissioner Jason Evans – Present  
Commissioner Scott Jamison – Present  
Commissioner Sue Weller – Present

Staff Present: Ed Booth, City Manager  
Dralynn Swick, Administrative Assistant  
Angela Stone, Assistant City Clerk  
Scott Walker, City Attorney  
Courtney Johnson, Assistant City Attorney  
Antoine Sheppard, Police Department Lieutenant

**APPROVAL OF AGENDA:**

**Motion Commissioner Weller to approve the Agenda as presented.**

**Second Vice Mayor James.**

**Motion carried 5-0.**

**APPROVAL OF MINUTES:**

**Motion Commissioner Weller to approve the minutes of October 13, 2016 with the addition of adding the alternate meeting dates.**

**Second Commissioner Evans.**

**Motion carried 5 -0.**

**Citizen Requests and Comments**

Arlene Levine spoke of our K-9 Police Dog, Caesar, and The Humane Animal Treatment Charity setting out to purchase a K-9 Bullet Proof Vest. She stated that they turned Leda Carrera for help with fundraising. Ms. Carrera was able to get a citizen, Claire Noble, to donate the funds for the vest. She spoke of an event to be held at the Great Outdoors, Yappy Hour, on November 5<sup>th</sup> to officially present the vest to Caesar.

Leda Carrera thanked Commissioner Weller for her work on the Memorial Garden.

**CONSIDER A REQUEST BY JIM TATUM FOR A LETTER OF SUPPORT IN REFERENCE TO PHOSPHATE MINING.**

Pamela Smith, President of Our Santa Fe River, spoke of the proposed Phosphate Mining. She spoke of the dangers of phosphate mining on land and rivers. She asked for the City of High Springs to support Alachua County in opposing the phosphate mining.

Mr. Booth stated that staff recommend this.

Mark Lyons stated that Alachua County sent a letter to Union and Bradford County offering the assistance of Chris Bird, the Director of Environmental Services in Alachua County. He stated that Alachua County sent a letter of opposition to the Army Corp. of Engineers, DEP, and Suwannee River Water Management.

Vice Mayor James left 6:46 p.m. and returned at 6:49 p.m.

**Motion Commissioner Evans authorizing staff to write a letter of opposition to phosphate mining and operation as filed by the company in Union and Bradford County.**

**Second Commissioner Jamison.**

**Motion carried 5-0.**

Laverne Hodge thanked the Our Santa Fe River organization. She spoke of phosphate mining pollution.

Commissioner Evans left at 6:57 p.m. returned at 6:59 p.m.

Becky Parker thanked the commission for voting to write a letter of opposition.

**CONSIDER ORDINANCE 2016-10, AN ORDINANCE REVOKING CHAPTER 2 ARTICLE III, SECTION 2-61 "PERSONNEL MANUAL ADOPTED" OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR ALL SUBSEQUENT ADOPTIONS OR AMENDMENTS OF PERSONNEL POLICIES TO BE ADOPTED BY RESOLUTION BY THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION.**

**Attorney Walker read Ordinance 2016-10 by title only.**

**Motion Commissioner Weller to approve Ordinance 2016-10 as read by title only on first reading.**

**Second Commissioner Evans.**

**Roll Call:**

**Vice Mayor James- yes**  
**Commissioner Jamison- yes**  
**Commissioner Weller- yes**  
**Mayor Williams- yes**  
**Commissioner Evans- yes**

**Motion carried 5-0.**

**PRESENTATION BY CITY MANAGER ON DEVELOPMENT OF WETLANDS.**

Mr. Booth gave a presentation on developing wetlands at the sewer plant vs. having a spray field. Spoke of grant funds available that we would like to apply for through Suwannee River Management to create a wetlands and put in ponds. He states that as we expand our sewer plant we will already have this in place and not need to expand our spray fields.

**CITY ATTORNEY REPORT/UPDATE**

Attorney Walker stated that Attorney Johnson will be giving the Annual Ethics Training on November 15th here in the Commission Chambers.

Attorney Walker stated Attorney Johnson is working on the Impact Fee Ordinance.

Attorney Walker stated that they have been receiving more annexation applications. He states the Attorney Johnson and Mr. Booth are working on these new annexations. He spoke of their office still working on problem annexations from the past.

Attorney Walker stated that his office is getting the deeds ready for the properties the City sold.

Attorney Walker spoke of the complaint by a citizen regarding the fumes from the Gas Station, brought up at the last meeting. He stated that they are trying to get the appropriate parties to come out and look at this.

Attorney Walker stated there was a suit filed by George Will against the City and the Mayor has been served, this suit has to do with a property the city foreclosed on. They are claiming that they were not appropriately noticed. He states that the insurance company has been notified, but not sure if it will be covered by the insurance company.

**CITY MANAGER REPORT/UPDATE**

He states that a few of the annexation requests will turn into subdivisions.

He presented a letter with a glowing inspection of our sewer plant.

He spoke of the new Hydrogen Peroxide System at the Water Plant going into effect Monday.

He spoke of the Mill Creek Sink Hole and spoke of a request from Stacy Greco, Alachua County Environmental Protection. The County was requesting a letter of support to purchase property in the City of Alachua. He stated that he contacted the City of Alachua and they were unaware of this. He advised the County they needed to be in touch with the City of Alachua before we could consider doing a letter of support.

He advised that the County will be resurfacing CR 236 and will start this project soon.

He advised that on November 5<sup>th</sup> there will be the food give away at the Civic Center.

**COMMENTS AND CONCERNS:**

**COMMISSIONERS:**

Commissioner Evans- Nothing at this time.

Commissioner Jamison- Nothing at this time.

Commissioner Weller- Nothing at this time.

Vice Mayor James- Nothing at this time.

**MAYOR:**

Reminded of the Food Give Away November 5<sup>th</sup> at the Civic Center 9:30 a.m. to 12:30 p.m..

**Motion Commissioner Weller to adjourn.**

**Mayor Williams adjourned the meeting at 7:34 p.m.**

# Unfinished Business

**#1**



## Commission Agenda Item Request Form

***MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING***

**MEETING DATE: NOVEMBER 17, 2016**

**SUBJECT: AN ORDINANCE REVOKING CHAPTER 2 ARTICLE III, SECTION 2-61 "PERSONNEL MANUAL ADOPTED" OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR ALL SUBSEQUENT ADOPTIONS OR AMENDMENTS OF PERSONNEL POLICIES TO BE ADOPTED BY RESOLUTION BY THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION**

**AGENDA SECTION: UNFINISHED BUSINESS**

**DEPARTMENT: HUMAN RESOURCES**

**PREPARED BY: CITY CLERK**

**RECOMMENDED ACTION:**

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### **Summary**

THE CITY COMMISSION WILL CONSIDER ORDINANCE 2016-10 ON SECOND AND FINAL READING. THIS ORDINANCE ALLOWS FOR AMENDMENTS TO BE MADE TO THE PERSONNEL POLICY BY RESOLUTION. THIS ORDINANCE WAS READ AND ADOPTED ON FIRST READING AT THE OCTOBER 27, 2016 MEETING.

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**ATTACHMENTS: ORDINANCE 2016-10**

**REVIEWED BY CITY MANAGER:** \_\_\_\_\_

ORDINANCE 2016-10

AN ORDINANCE REVOKING CHAPTER 2 ARTICLE III, SECTION 2-61 "PERSONNEL MANUAL ADOPTED" OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR ALL SUBSEQUENT ADOPTIONS OR AMENDMENTS OF PERSONNEL POLICIES TO BE ADOPTED BY RESOLUTION BY THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION

**WHEREAS**, Chapter 2, Article III, Section 2-61 of the High Springs Code of Ordinances adopted the City's personnel policy via Ordinance 98-35; and

**WHEREAS**, the City Commission has subsequently adopted amendments to the personnel policy via ordinance, but such adoption has not been reflected in the Code of Ordinances; and

**WHEREAS**, the City Commission desires to revoke Section 2-61 and authorize subsequent amendments to the personnel policy to be adopted via Resolution by affirmative vote of the City Commission; and

**WHEREAS**, after proper notice and public hearing, the City Commission has determined that it is prudent to amend the High Springs Code of Ordinances relating to the personnel policy; and

**WHEREAS**, the City Commission of the City of High Springs has determined that it is desirable to revoke Chapter 2, Article III, Section 2-61 of the High Springs Code of Ordinances as that policy is not the most recent personnel policy adopted by the City Commission, and to allow for subsequent adoptions of changes to be via resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS:

**Section 1:** Chapter 2, Article III, Section 2-61 of the High Springs Code of Ordinances entitled "Personnel Policy adopted" is hereby amended to read as follows (words ~~struck through~~ have been deleted, and words underlined have been added):

~~Sec. 2-61. Personnel manual adopted.~~

~~The city personnel policy and procedure manual (Ver. 11-98) as attached to Ord. No. 98-35, and incorporated in this section by reference, is adopted.~~

Sec. 2-61 Personnel manual

The city shall adopt a personnel policy or manual to govern the city's employees. Such

policy or manual may be adopted or amended as necessary by the city commission via resolution after recommendation from the city manager and the personnel director.

**Section 2:** Henceforth, any subsequent amendments or modifications of the City's personnel policy may be adopted by resolution of the City Commission after recommendation by the City Manager and Personnel Director.

**Section 3:** EFFECTIVE DATE. This Ordinance shall take effect upon its passage at second and final reading.

**Section 4:** INCLUSION IN THE CODE, SCRIVENER'S ERROR. It is the intention of the City Commission of the City of High Springs, Florida, and it is hereby provided that the provisions of this Ordinance shall become and made part of the Code of Ordinances of the City of High Springs, Florida; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Manager or designee without public hearing, by filing a corrected or re-codified copy of the same with the City.

**Section 5:** CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6:** SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

First reading was held on the 27th day of October, 2016.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of High Springs, Florida, at a regular meeting, this 17th day of November, 2016.

**BY THE MAYOR OF THE CITY OF HIGH SPRINGS, FLORIDA**

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TBD , Mayor

ATTEST, BY THE CLERK OF THE  
CITY COMMISSION OF THE CITY OF  
HIGH SPRINGS, FLORIDA:

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Jenny L. Parham, City Clerk

APPROVED AS TO FORM AND  
LEGALITY:

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S. Scott Walker, City Attorney

# **New Business**

**#1**



## Commission Agenda Item Request Form

***MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING***

**MEETING DATE: NOVEMBER 17, 2016**

**SUBJECT: APPOINT CHAIR AND VICE-CHAIR TO THE CRA BOARD.**

**AGENDA SECTION: NEW BUSINESS**

**DEPARTMENT: CRA**

**PREPARED BY: CITY CLERK**

**RECOMMENDED ACTION:**

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### **Summary**

EACH YEAR A CHAIR AND VICE-CHAIR IS APPOINTED TO THE CRA BOARD. CURRENTLY, JASON EVANS SERVES AS CHAIR AND SCOTT JAMISON AS VICE-CHAIR.

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**ATTACHMENTS: NONE**

**REVIEWED BY CITY MANAGER:** \_\_\_\_\_

# **New Business**

## **#2**



## Commission Agenda Item Request Form

***MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING***

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**MEETING DATE: NOVEMBER 17, 2016**

**SUBJECT: APPOINT/REAPPOINT MEMBERS TO VARIOUS CITY BOARDS AND COMMITTEES.**

**AGENDA SECTION: NEW BUSINESS**

**DEPARTMENT: CITY CLERK**

**PREPARED BY: JENNY L. PARHAM**

**RECOMMENDED ACTION:**

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### Summary

EACH YEAR AFTER THE SEATING OF THE NEW CITY COMMISSION, THE CITY COMMISSION CONSIDERS THE APPOINTMENT OF INDIVIDUALS TO VACANT AND EXPIRED SEATS ON THE CITY'S BOARDS AND COMMITTEES. ALL BOARDS AND COMMITTEES HAVE STAGGERED TERMS SO NOT TO LOSE A MAJORITY AT ONE TIME.

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**ATTACHMENTS: LIST OF VACANT BOARD/COMMITTEE POSITIONS**

**REVIEWED BY CITY MANAGER:** \_\_\_\_\_

HIGH SPRINGS, FLORIDA  
BIOGRAPHICAL RESUME

Application for appointment to Parks and Recreation Advisory Board  
Board or Committee  
Date November Year 2016

NAME Daniel "Erik" Wise  
(Please Print) First M. Last

ADDRESS 27226 NW 203rd PL  
(Appointment may require City residency)

CITY High Springs, Florida, ZIP 32643

EMAIL: erik@offthegridracing.com  
TELEPHONE: HOME \_\_\_\_\_ CELL 352/317-4980  
OCCUPATION Director of Public Works  
PLACE OF EMPLOYMENT Town of Bronson  
EDUCATION B.S. Public Administration  
How long a resident of High Springs area 8 months

Civic and professional accomplishments or honors  
Numerous river clean-ups in Alachua and surrounding counties.  
Volunteer work at local schools for bike safety and job training.

Membership in organizations or societies (include participation in previous boards and committees)  
Employee Advisory Committee - County of Volusia 2010-14,  
Toast Masters - 2012-14 ; RUSA - long distance touring on bicycle - 08-12.  
SRivers Volleyball Association - Official

What contributions do you feel you could make if you were selected to this Board?  
I participate in many outdoor recreational activities, I have  
competed in numerous sporting events as well as hosted and designed  
them. I also have over 14 years of public government experiences.

Some of the boards and committees appointed by the City Commission are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law. According to the State of Florida, Commission on Ethics, persons appointed to this board/committee will need to fill out a Financial Disclosure Statement. Would you be willing to file the required financial statement? YES  NO . If you have any questions about this law, please call City Hall at (386) 454-1416.

If you have any additional information, such as a resume, please attach.



# DANIEL ERIK WISE

27226 NW 203<sup>rd</sup> PL ♦ High Springs, FL 32643

352-317-4980 (cell)

erik@offthegridracing.com

## PROFILE SUMMARY

Accomplished **Utility Administration** candidate with an exemplary academic background and over a decade of progressive industry experience; proven leader & contributor who quickly becomes an asset to any top organization.

- ◆ Effective communication ability & noteworthy analytical skills; consistently meets deadlines with superior results.
- ◆ Strong ability to gain support from stakeholders across diverse groups; excellent staff training & presentation ability.
- ◆ Reputed for "leadership by example", intuitive team building, & goal-attainment tact; diplomatic negotiator.
- ◆ Versed in current industry protocols, technology, and software systems, including Microsoft Office Suite.

## ADDITIONAL STRENGTHS

Customer Relations	Project Management	Business Development & Contracts
Public Speaking & Networking	Testing / Metrics / Data Oversight	Process Improvements

## UTILITY EXPERIENCE

TOWN OF BRONSON – PUBLIC WORKS

BRONSON, FL

### DIRECTOR OF PUBLIC WORKS [06 / 2015 – PRESENT]

- Oversees all operations for water & wastewater treatment facilities along with collection and distribution systems and compliance.
- Directs and maintains fleet vehicles and equipment.
- Coordinates all correspondence and public notifications for regulatory agencies.
- Responsible for tree crew and traffic control throughout the town.
- Inspects and oversees all contractor work for the town and its projects.
- Updated several Town Ordinances to reflect current regulations and practices.
- Assisted in town audits and inventory control.
- Implemented a valve turning and replacement program.
- Oversees maintenance and repair of all town buildings.

COUNTY OF VOLUSIA – WATER RESOURCES & UTILITIES

DeLand, FL

### Environmental Specialist III [10 / 2010 – 06 / 2015]

- Oversees Florida Department of Environmental Protection and Department of Health sampling requirements, and monitoring / testing of 27 water treatment & 12 wastewater treatment facilities (8,400+ tests annually).
- Monitors 31 production wells and 11 wells for Volusia County Leisure Service division; this includes annual water quality testing, gathering monthly drawdown information, and teaming with the County's Hydrologist.
- Directs Safety Program for Utilities Operations and Admin staff; establishes safety standards, determines training needs, organizes the assistance of other instructors as needed, and updates Utility Safety Manual.
- Analyzed major facilities & established security monitoring protocols for County utilities; serves in chain of command tasked with ensuring all appropriate regulatory agencies are notified in the appropriate timeframe.
- Reviews all analytical reports, monthly reports, and consumptive use permits for regulatory compliance; researches and establishes rules for new water and wastewater testing and monitoring requirements.
- Transitioned all compliance reporting to an electronic format which saves the company staff time and money.
- Oversees four laboratories to ensure they are submitting analytical data to the County in a timely manner and that analytical reports are accurate; also ensures timely & efficient ordering & distribution of lab supplies.
- Procures services and materials for upgrades of County water systems; coordinates special projects (e.g. total trihalomethane study for Southwest Interconnect Water System and Stage 2 Disinfection by-Product Rule).
- Presides over more than 3,000 commercial backflow records and inventory for Department of Health compliance; also maintains grease trap and industrial pretreatment program for over 200 restaurants.
- Coordinates precautionary boil water notifications with DOH and field personnel when emergency situations arise.
- Monitors essential field equipment maintenance, backup readiness, & tracking of equipment sent off for repair.

**CITY OF HIGH SPRINGS**  
**2016/2017 BOARD APPOINTMENTS-proposed**

**PLAN BOARD (3 YEAR TERM)**

**Member**

<b><u>Current</u></b>	<b><u>Expires</u></b>
<b>Thomas DePeter</b>	<b>2016</b>
John Manley	2017
Lucie Regensdorf	2017
Eyvonne Andrews	2018
Kristen Rubin	2018

APPLICATIONS RECEIVED FOR THIS POSITION FROM:

1. No Applications Received

**CODE ENFORCEMENT BOARD (3 YEAR TERM)**

**Member**

<b><u>Current</u></b>	<b><u>Expires</u></b>
<b>Nancy Linkous</b>	<b>2016</b>
<b>Barbara Miller</b>	<b>2016</b>
Terry Maltbie	2017
Rick Testa	2017
Elizabeth Pis	2017
<b>Vacant</b>	<b>2018</b>
John Durr	2018

APPLICATIONS RECEIVED FOR THIS POSITION FROM:

1. Barbara Miller – reappoint
2. Nancy Linkous - reappoint

**PARKS & RECREATION ADVISORY BOARD (3 YEAR TERM)**

**Member**

<b><u>Current</u></b>	<b><u>Expires</u></b>
<b>Linda Hewlett</b>	<b>2016</b>
<b>Linda Schaladant</b>	<b>2016</b>
Suzie Clark	2017
Richard Daughtery	2017
Ross Ambrose	2018

**Alternate**

**Current**

<b>VACANT</b>	<b>2017</b>
<b>VACANT</b>	<b>2018</b>

APPLICATIONS RECEIVED FOR THIS POSITION FROM:

1. Linda Hewlett – reappoint
2. Daniel E. Wise
3. Linda Schaladant - reappoint

# New Business

**#3**



## Commission Agenda Item Request Form

***MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING***

**MEETING DATE: NOVEMBER 17, 2016**

**SUBJECT: AUTHORIZE THE FOLLOWING PERSONNEL TO SIGN CHECKS AND INVESTMENT DOCUMENTS IN COMPLIANCE WITH SECTION 2-97 OF THE HIGH SPRINGS CODE OF ORDINANCES:**

**AGENDA SECTION: NEW BUSINESS**

**DEPARTMENT: CITY CLERK**

**PREPARED BY: JENNY L. PARHAM**

**RECOMMENDED ACTION: AUTHORIZE MAYOR, VICE MAYOR, CITY MANAGER AND CITY CLERK TO SIGN CHECKS AND INVESTMENTS DOCUMENTS PER SECTION 2 – 97.**

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### Summary

AT ITS REORGANIZATION MEETING EACH YEAR, THE CITY COMMISSION AUTHORIZES PERSONNEL TO SIGN CHECKS FOR THE CITY'S ACCOUNTS. SECTION 2-97 OF THE HIGH SPRINGS CODE OF ORDINANCES DESIGNATES THE CITY MANAGER AND THE CITY CLERK TO COUNTERSIGN ALL CHECKS. IN 2012 THE COMMISSION ADOPTED A RESOLUTION WHICH REQUIRED THE SIGNATURE OF EITHER THE MAYOR OR VICE MAYOR *AND* OF THE CITY MANAGER OR CITY CLERK ON ALL CHECKS.

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**ATTACHMENTS: SECTION 2 – 97 OF THE HIGH SPRINGS CODE OF ORDINANCES**

**REVIEWED BY CITY MANAGER: \_\_\_\_\_**

**Sec. 2-97. Signatures on checks.**

(a) All checks for the payment of money by the city shall be signed by two officers of the city as provided in this section.

(b) The city manager and the city clerk are designated as the two officers to countersign all checks for payment of money by the city.

(c) If there should be a vacancy in the position of city manager or city clerk, the mayor-commissioner is authorized to countersign all checks for payment of money by the city, together with the city manager or city clerk, whichever position shall be occupied at that time. (Ord. No. 79-19, §§ 1—3, 11-27-1979)

**Sec. 2-98. Special assessment for solid waste management.**

(a) Subject to the conditions provided in this section, the city commission consents to the inclusion of the city in the municipal service benefit unit for a non-ad-valorem special assessment for the provision of solid waste management as stated in Alachua County Resolution No. 01-04 adopted on January 9, 2001, a copy of which is attached to Ord. No. 2001-9 exhibit "A."

(b) This consent is granted subject to the following conditions:

- (1) The total assessment in both the incorporated and unincorporated areas of the county does not exceed the maximum amount to be collected from the assessment which is printed on the first class notice distributed by the county, which amount will replace the costs previously included in the tipping fee of the Southwest Landfill for the county's hazardous waste program, waste alternatives office, and partial cost of the rural collection centers, plus administration and billing costs associated with the assessment;
- (2) All residences in the mandatory collection area of the unincorporated area and incorporated areas of the county are assessed equally;
- (3) All nonresidential property in the unincorporated area and incorporated areas of the county is assessed an amount based on factors other than its location in an incorporated or unincorporated area; and
- (4) That the benefit of the programs provided for by this assessment equals or exceeds the amount assessed.

(c) This consent does not apply to assessments for collection, disposal or recycling costs other than specifically provided in this section.

(d) This consent is granted only for the assessments to be billed in November of the years 2001, 2002 and 2003, for services rendered from October 1, 2001, to September 30, 2002; October 1, 2002, to September 30, 2003; and October 1, 2003, to September 30, 2004, respectively.

(Ord. No. 2001-9, §§ 1—3, 8-23-2001)

# New Business

#4



## Commission Agenda Item Request Form

***MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING***

**MEETING DATE: NOVEMBER 17, 2016**

**SUBJECT: CONSIDER REQUEST FOR USE OF THE CIVIC CENTER BY OLEN BARBER.**

**AGENDA SECTION: NEW BUSINESS**

**DEPARTMENT:**

**PREPARED BY: CITY CLERK**

**RECOMMENDED ACTION:**

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### **Summary**

MR. BARBER HAS PREVIOUSLY BEEN GRANTED PERMISSION TO USE THE CIVIC CENTER AT NO CHARGE ON MONDAY NIGHTS FOR A SENIORS PROGRAM. MR. BARBER IS REQUESTING TO CONTINUE THE PROGRAM THROUGH NEXT YEAR.

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**ATTACHMENTS: REQUEST FROM OLEN BARBER**

**REVIEWED BY CITY MANAGER: \_\_\_\_\_**

# city Commission meeting

obarber@windstream.net

Mon 10/24/2016 9:31 AM

To: Jenny Parham <jparham@highsprings.us>;

Cc: obarber@windstream.net <obarber@windstream.net>;

Mrs. Parham I need to get on the agenda for a City Commission meeting to request to continue the Monday Night Music program. The band would like to keep the program going next year. We have had good participation this year and we keep getting more new people. Please let me know when I can get the hearing.

# **New Business**

**#5**

ORDINANCE 2016-09

AN ORDINANCE AMENDING CHAPTER 78 ARTICLE VI, "WATER AND SEWER SYSTEM IMPACT FEE" SECTION 78-386 AND SECTION 78-390 "PAYMENT" OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR PAYMENT OF IMPACT FEES FOR WATER AND SEWER PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION

**WHEREAS**, Chapter 78, Article VI, Sections 78-386 and 78-390 of the High Springs Code of Ordinances adopted the City's water and sewer system impact fee via Ordinance 2013-05 adopted on or about September 12, 2013; and

**WHEREAS**, Sections 78-386 and 78-390 require payment of the impact fees prior to any connection to the water or sewer system; and

**WHEREAS**, the City Commission desires to amend Sections 78-386 and 78-390 authorizing payment of the water and sewer impact fees prior to the issuance of a Certificate of Occupancy; and

**WHEREAS**, after proper notice and public hearing, the City Commission has determined that it is prudent to amend the High Springs Code of Ordinances relating to the payment of impact fees to alleviate the burden on developers in the City; and

**WHEREAS**, the City Commission of the City of High Springs has determined that it is desirable to amend Chapter 78, Article VI, Sections 78-386 and 78-390 of the High Springs Code of Ordinances to allow for payment of impact fees prior to Certificate of Occupancy.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS:

**Section 1:** Chapter 78, Article VI "Water and Sewer System Impact Fee", Sections 78-386 and 78-390 of the High Springs Code of Ordinances entitled "Payment" are hereby amended to read as follows (words ~~struck through~~ have been deleted, and words underlined have been added):

ARTICLE VI. - WATER AND SEWER SYSTEM IMPACT FEE  
DIVISION 1. - GENERAL

Sec. 78-381. - Definitions.

When used in this article, the following terms shall have the following meanings, unless the context clearly indicates otherwise:

Affordable housing shall mean a dwelling unit which is offered for sale or rent to low-income persons or very-low-income persons and which monthly rent or monthly mortgage payments, including taxes, insurance and utilities, do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross income for low-income persons and very-low-income persons.

Alternative sewer system impact fee shall mean any alternative sewer system fee calculated by an applicant and approved by the city manager pursuant to section 78-388 hereof.

Alternative sewer system impact fee study shall mean a study prepared by an applicant and submitted to the city manager pursuant to section 78-388 hereof.

Alternative water system impact fee shall mean any alternative water system fee calculated by an applicant and approved by the city manager pursuant to section 78-392 hereof.

Alternative water system impact fee study" shall mean a study prepared by an applicant and submitted to the city manager pursuant to section 78-388 hereof.

Apartment shall mean a rental dwelling unit located within the same building as other dwelling units.

Applicant shall mean the person who applies for a water and/or sewer connection to the city's water and/or sewer system.

Building shall mean any structure, either temporary or permanent, built for the support, shelter or enclosure of persons, chattels or property of any kind, or any other improvement, use, or structure which creates or increases the potential demand on the sewer utility system or water utility system operated by the city. This term shall include trailers, mobile homes, or any vehicle serving in any way the function of a building. This term shall not include temporary construction sheds or trailers erected to assist in construction and maintained during the term of a building permit.

Capital construction costs shall mean all or any portion of the expenses that are properly attributable to the acquisition, design, construction, installation, and reconstruction (including demolition, environmental mitigation and relocation) of improvements to the sewer system or water system under generally accepted accounting principles; and including reimbursement to the city for any funds advanced for capital construction costs and interest on any interfund or intrafund loan for such purposes.

City shall mean the City of High Springs, Florida. Where the context requires, the term "city" shall also be deemed to the city manager as designated by the city commission.

City attorney shall mean the person appointed by the city commission to serve as its counsel or the designee of such person.

City commission shall mean the City Commission of the City of High Springs, Florida.

City manager shall mean the person, persons or the corporation appointed by the city commission to supervise the administration, operations and acquisitions of the sewer system and water system or the designee of such person.

Condominium shall mean a dwelling unit that has at least one other similar unit within the same building structure. The term "condominium" includes all fee-simple or similarly titled multi-unit structures, including townhouses and duplexes.

Development shall mean a single-family, multi-family, commercial, industrial, mixed-use, institutional, etc. project that has multiple units and/or a use that is different, exceeds, and/or modifies the ERC definition as defined herein. Calculation of development impact fees will utilize the ERC basis based on their aggregated demand as calculated based on the provisions within section 78-385(c) and/or section 78-389(c).

Dwelling unit shall mean a building, or a portion thereof, which is designed for residential occupancy, consisting of one or more rooms which are arranged, designed or used as living quarters for one family only.

Economic base development shall mean a new or expanding business engaged in warehouse development, manufacturing, distribution, technology research and development or retail that has a positive economic and fiscal impact on the city and creates employment in the city as determined by the city manager and approved by the city commission.

Encumbered shall mean moneys committed by contract or purchase order in a manner that obligates the city to expend the encumbered amount upon delivery of goods, the rendering of services or the conveyance of real property interests by a vendor, supplier, contractor or owner.

ERC or equivalent residential connection shall mean the equivalent of the average water and sewer usage requirements of a single-family residential customer. The city's average water usage is 225 gallons per day (gpd) per ERC. The city's average sewer usage is 135 gpd/ERC.

Impact fees shall mean collectively the sewer system impact fee and water system impact fee. This term shall be synonymous with the term "impact fee" and "reserve capacity charge" as used in this or prior policies or tariffs relating to the subject matter addressed by this article, but does not include the fees or charges imposed by the city as reimbursement for the costs of physical connection to the sewer system or the water system or costs associated with a specific development's connection (i.e. pipeline extensions, trunk line connections, etc.) to the sewer system and/or water system.

Impact fee improvements shall mean those improvements that form the basis for the impact fee calculations in the study adopted pursuant to section 78-384, or such other capital improvements designed to provide needed water and/or sewer system capacity to service new growth within the service area.

Low-income persons shall mean one or more natural persons, the total adjusted gross household income of which does not exceed 80 percent of the median adjusted gross income for households within the Gainesville, Florida, metropolitan statistical area as reported by the U.S. Department of Housing and Urban Development or its governmental successor in function.

Mobile home shall mean a structure transportable in one or more sections, which structure is eight body feet or more in width and over 35 feet in length, and which structure is built on an integral chassis and designed to be used as a dwelling unit when connected to the required

utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

Multi-family shall mean a building or a portion of a building, regardless of ownership, containing more than one dwelling unit designed for occupancy by a single family, which units are not customarily offered for rent for one day, and shall include apartments, townhouses, and condominiums.

Owner shall mean the person holding legal title to the real property for which impact fees are paid.

Person shall mean an individual a corporation, a partnership, an incorporated association, trust or any other entity.

Qualifying jobs shall mean:

- (a) New full time jobs (positions could not have existed during the two years prior to the date of application for an economic base development exemption);
- (b) Each new job must be guaranteed to remain in existence for four years from the date of construction completion; and
- (c) Each new job must pay in excess of the annual gross median income for households within the Gainesville, Florida, metropolitan statistical area as reported by the U.S. Department of Housing and Urban Development or its governmental successor in function.

Sewer system shall mean the wastewater or sewer utility system directly or indirectly connected to treatment facilities operated by the city.

Water system shall mean the water utility system directly or indirectly connected to treatment facilities operated by the city.

Residential means multi-family dwelling units, mobile homes and single-family detached houses.

Residential construction shall mean land development designed or intended to permit more dwelling units than the existing use or non-use of land contains.

Service area shall mean that area served by the city's water system and sewer system within Alachua County, Florida.

Sewer system impact development shall mean development upon lands within the area served by facilities owned and operated by the city which shall be subjected to the payment of sewer system impact fees under this article or its predecessor in function upon the first occurrence of any of the following:

- (a) Whenever any existing building or structure, which has not previously paid sewer system impact fees under this article or its predecessor in function, connects to the sewer system; or

- (b) Whenever any existing building or structure or applicable improvement which is connected to an interim sewer system is connected, either directly or indirectly, to the sewer system; or
- (c) Whenever a person alters an existing building, structure or applicable improvement already connected to the sewer system, where such alteration increases the potential demand on the sewer system.

Sewer system impact fee shall mean the fee imposed by the city pursuant to section 78-385 of this article.

Single-family detached house shall mean a dwelling unit on an individual lot, including detached houses on lots less than 50 feet wide, such as zero lot line homes and manufactured homes.

Very-low-income persons shall mean one or more natural persons, the total adjusted gross household income of which does not exceed 50 percent of the median adjusted gross income for households within the Gainesville, Florida, metropolitan statistical area as reported by the U.S. Department of Housing and Urban Development or its governmental successor in function.

Water system impact development shall mean development upon lands within the area served by facilities owned and operated by the city which shall be subjected to the payment of water system impact fees under this article or its predecessor in function upon the first occurrence of any of the following:

- (a) Whenever any existing building or structure, which has not previously paid water system impact fees under this article or its predecessor in function, connects to the water system; or
- (b) Whenever any existing building or structure or applicable improvement which is connected to an interim water system is connected, either directly or indirectly, to the water system; or
- (c) Whenever a person alters an existing building, structure or applicable improvement already connected to the water system, where such alteration increases the potential demand on the water system.

Water system impact fee shall mean the fee imposed by the city pursuant to section 78-389 of this article.

Sec. 78-382. - Rules for construction.

For the purposes of administration and enforcement of this article, unless otherwise stated in this article, the following rules of construction shall apply:

- (a) In case of any difference of meaning or implication between the text of this article and any caption, illustration, appendix, summary table or illustrative table, the text shall control.
- (b) The word "shall" is always mandatory and not discretionary and the word "may" is permissive.

- (c) Words used in the present tense shall include the future; and words used in the singular shall include the plural and the plural the singular, unless the context clearly indicates the contrary; use of the masculine gender shall include the feminine gender.
- (d) The phrase "used for" includes "arranged for," "designed for," "maintained for," or "occupied for."
- (e) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction shall be interpreted as follows:
  - (1) "And" indicates that all the connected terms, conditions, provisions or events apply in combination.
  - (2) "Or" indicates that the connected terms, conditions, provisions or events may apply singly or in any combination.
  - (3) "Either ... or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
- (f) The word "includes" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- (g) The terms "growth," "growth necessitated improvements," "future growth" and the like shall refer, and be construed as referring to sewer system impact development or water system impact development either occurring or connecting, either directly or indirectly, to the sewer system or water system subsequent to the effective date of this article.
- (h) All time periods contained within this article shall be calculated on a calendar day basis, including Sundays and legal holidays. In the event the due date falls on a Sunday or legal holiday, the due date shall run until the end of the next day that is neither a Sunday nor legal holiday.

**Sec. 78-383. - Findings.**

It is hereby ascertained, determined and declared that:

- (a) Pursuant to Article VIII, section 2(b), Florida Constitution, and F.S. §§ 166.021 and 166.041, the city commission has all powers of local self-government to perform municipal functions, except when prohibited by law, and such power may be exercised by the enactment of legislation in the form of city ordinances.
- (b) Water and/or sewer system improvements and/or expansion necessitated by the growth contemplated within the service area will require capital expenditures, and/or reimbursement of the city's existing investment into the sewer and/or water system, to accommodate the utility needs of such growth and maintain the standards of service adopted by the city.
- (c) Demands represented by sewer system impact development and water system impact development should contribute its fair share to the cost of improvements, whether past, present, or future, and additions to the sewer system and water system which are

required to accommodate the use of the sewer system and water system by such demand.

- (d) Implementation of a sewer system impact fee to require new development(s) to contribute its fair share of sewer system costs is an integral and vital element of the city's operation and management of the sewer system.
- (e) Implementation of a water system impact fee to require new development(s) to contribute its fair share of water system costs is an integral and vital element of the city's operation and management of the water system.
- (f) Capital planning is an evolving process, and the impact fee study for the sewer system and water system constitutes a projection of anticipated need for each system, based upon present knowledge and judgment. Therefore, in recognition of changing growth patterns, and the dynamic nature of population growth, it is the intent of the city commission that the level of service for the sewer system and water system and the associated impact fees imposed be reviewed and adjusted periodically, pursuant to section 78-398, to insure that the impact fees are imposed equitably and lawfully, based upon actual and anticipated growth at the time of their imposition.
- (g) The imposition of the sewer system impact fee is to provide a source of revenue to reimburse the consumption of existing facility capacity or to fund the construction and improvement of the sewer system necessitated by growth.
- (h) The imposition of the water system impact fee is to provide a source of revenue to reimburse the consumption of existing facility capacity or to fund the construction and improvement of the water system necessitated by growth.
- (i) The presence of the sewer system enhances and benefits the health, safety and general welfare of properties within the city's service area.
- (j) The presence of the water system enhances and benefits the health, safety and general welfare of properties within the city's service area.
- (k) Any revenue derived from the sewer system impact fee shall be utilized only to reimburse the consumption of existing capacity and facilities or for the acquisition of improvements and additions to the sewer system which are necessitated by sewer system impact development either occurring or connecting to the sewer system subsequent to the effective date of this article.
- (l) Any revenue derived from the water system impact fee shall be utilized only to offset the consumption of existing capacity and facilities or for the acquisition of improvements and additions to the water system which are necessitated by water system impact development either occurring or connecting to the water system subsequent to the effective date of this article.
- (m) Neither the sewer system impact fees nor the water system impact fees are designed to include the physical costs of connection to either the sewer system or water system and all physical connection costs shall be paid separately. This shall also include any additional pipelines, connections, pump stations, etc. required to connect a building

and/or development to the sewer system and/or water system. It shall be the responsibility of the owner and/or developer of the specific connection (i.e. building or development) to design, permit, and construct that connection upon review and approval by the city. The city may enter into separate developer agreements, as required, to address specific development and/or connection needs.

- (n) The purpose of this article is to define the cost, rational, and method of payment for the sewer system and water system impact fees which are required to accommodate growth. This article shall not be construed to permit the collection of impact fees in excess of the amount reasonably anticipated to offset the demand on the sewer system or the water system generated by such growth.

Sec. 78-384. - Adoption of amended impact fee study.

The city commission hereby adopts and incorporates by reference the study entitled "Amended Impact Fee Study for the City of High Springs" dated as of July, 2013, reviewed and approved by Mittauer & Associates (in reference to Project No. 1105-01-1), particularly the assumptions, conclusions and findings in such study. The "Impact Fee Study for the City of High Springs" study is attached as Appendix A. [A copy can be found in the city offices.]

DIVISION 2. - SEWER SYSTEM IMPACT FEES

Sec. 78-385. - Imposition.

- (a) All sewer system impact development occurring within the city's service area shall pay a sewer system impact fee of \$2,120.00 per ERC.
- (b) The sewer system impact fee shall be paid in addition to all other fees, charges and assessments due for the connection to the sewer system and is intended to provide funds only for the consumption of existing facility capacity or for growth necessitated improvements and additions to the sewer system.
- (c) In the event a connection is not a single-family home (i.e. ERC) as defined in the sewer impact fees above, the city shall determine the appropriate sewer system impact fee based upon the estimated wastewater production in gallons per day for the type of building or development use as calculated utilizing the Florida Department of Health Rule 64E-6, Florida Administrative Code (F.A.C.) Table 1.

Sec. 78-386. - Payment.

- (a) Except as otherwise provided in this article, prior to any connection to the sewer system, all applicants or owners, as the case may be, shall pay the sewer system impact fee as set forth in section 78-385 directly to the city. Upon written notice to the City, applicants or owners, as the case may be, may pay the sewer impact fee after connection but prior to the issuance of a Certificate of Occupancy. However, no Certificate of Occupancy shall be issued without payment of the impact fee. If an applicant or owner elects to pay subsequent to connection, such payment is due within 180 days of connection, regardless of the issuance of the Certificate of Occupancy. If the applicant or owner fails to pay the sewer system impact fee within 180 days of connection, the applicant or owner shall pay to the City a penalty fee of ten (ten) percent of the sewer impact fee.

- (b) The obligation for payment of the sewer system impact fee and the benefits derived therefrom shall run with the land.
- (c) The terms of any installment payment plan relating to the sewer system impact fee shall be established pursuant to a subsequent resolution of the city.

Sec. 78-387. - Use of monies.

- (a) The city commission hereby confirms the establishment of a separate trust account for the sewer system impact fees, which shall be maintained separate and apart from all other accounts of the city. All such sewer system impact fees shall be deposited into such trust account immediately upon receipt.
- (b) The monies deposited into the sewer system impact fee trust account shall be used solely for the purposes of reimbursement for the consumption of existing facility capacity by growth or providing growth necessitated capital improvements and additions to the sewer system, including, but not limited to:
  - (1) Design or construction plan preparation;
  - (2) Construction management and inspection;
  - (3) Capital construction costs;
  - (4) Reimbursement of excess developer contribution credit pursuant to section 78-397; and
  - (5) Payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the city to provide funds to construct or acquire growth impacted capital improvements to the sewer system.
- (c) Funds on deposit in the sewer system impact fee trust account shall not be used for any expenditure that would be classified as a maintenance or repair expense.
- (d) The monies deposited into the sewer system impact fee trust account shall be used solely for reimbursement for the consumption of existing facility capacity by sewer system impact development or to provide improvements and additions to the sewer system required by growth, generated by sewer system impact development.
- (e) Any funds on deposit which are not immediately necessary for expenditure shall be invested by the city. All income derived from such investments shall be deposited in the sewer system impact fee trust account and used as provided herein.

Sec. 78-388. - Alternative sewer system impact fee.

- (a) In the event an applicant believes that the impact to the sewer system caused by the building and/or development is less than the impact established in the impact fee study and the fees provided in section 78-385 hereof, such applicant may, prior to physical connection to the sewer system, file an alternative sewer system impact fee study with the city. The city manager shall review the alternative calculations and make a determination within 60 days of submittal as to whether such calculations comply with the requirements of this section.
- (b) For purposes of any alternative sewer system impact fee calculation, the building and/or development shall be presumed to have the maximum impact on the sewer system.

- (c) The alternative sewer system impact fee calculation shall be based on data, information or assumptions contained in this article and the impact fee study or independent sources, provided that:
  - (1) The independent source is a generally accepted standard source of planning information and cost impact analysis performed pursuant to a generally accepted methodology of planning and cost impact analysis which is consistent with the impact fee study; or
  - (2) The independent source is a local study supported by a data base adequate for the conclusions contained in such study performed pursuant to a generally accepted methodology of planning and cost impact analysis which is consistent with the impact fee study.
- (d) If the city manager determines that the data, information and assumptions utilized by the applicant comply with the requirements of this section and that the calculation of the alternative sewer system impact fee was by a generally accepted methodology that is consistent with the impact fee study, then the alternative sewer system impact fee shall be paid in lieu of the fees adopted in section 78-385 hereof.
- (e) If the city manager determines that the data, information and assumptions utilized by the applicant to compute an alternative sewer system impact fee do not comply with the requirements of this section, then the city manager shall provide to the applicant by certified mail, return receipt requested, written notification of the rejection and the reasons therefore.

### DIVISION 3. - WATER SYSTEM CAPACITY IMPACT FEES

#### Sec. 78-389. - Imposition.

- (a) All water system impact development occurring within the city's service area shall pay a water system impact fee of \$250.00 per ERC.
- (b) The water system impact fee shall be paid in addition to all other fees, charges and assessments due for the connection to the water system and is intended to provide funds only for the consumption of existing facility capacity or for growth necessitated improvements and additions to the water system.
- (c) In the event a connection is not a single-family home (i.e. ERC) as defined in the water system impact fees above, the city shall determine the appropriate water impact fee based upon the estimated water production in gallons per day for the type of building or development use as calculated utilizing the Florida Department of Health Rule 64E-6, Florida Administrative Code (F.A.C.) Table 1.

#### Sec. 78-390. - Payment.

- (a) Except as otherwise provided in this article, prior to any connection to the water system, all applicants or owners, as the case may be, shall pay the water system impact fee as set forth in section 78-389 directly to the city. Upon written notice to the City, applicants or owners, as the case may be, may pay the water impact fee after connection but prior to the issuance of a Certificate of Occupancy. However, no Certificate of Occupancy shall be issued without payment of the impact fee. If an applicant or owner elects to pay subsequent to connection, such payment is due within 180 days of connection, regardless of the issuance

of the Certificate of Occupancy. If the applicant or owner fails to pay the water system impact fee within 180 days of connection, the applicant or owner shall pay to the City a penalty fee of ten (ten) percent of the sewer impact fee.

- (b) The obligation for payment of the water system impact fee and the benefits derived therefrom shall run with the land.
- (c) The terms of any installment payment plan relating to the water system impact fee shall be established pursuant to a subsequent resolution of the city.

Sec. 78-391. - Use of monies.

- (a) The city commission hereby confirms the establishment of a separate trust account for the water system impact fees, which shall be maintained separate and apart from all other accounts of the city. All such water system impact fees shall be deposited into such trust account immediately upon receipt.
- (b) The monies deposited into the water system impact fee trust account shall be used solely for the purposes of reimbursement for the consumption of existing facility capacity by growth or providing growth necessitated capital improvements and additions to the water system, including, but not limited to:
  - (1) Design or construction plan preparation;
  - (2) Construction management and inspection;
  - (3) Capital construction costs;
  - (4) Reimbursement of excess developer contribution credit pursuant to section 78-397; and
  - (5) Payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the city to provide funds to construct or acquire growth impacted capital improvements to the water system.
- (c) Funds on deposit in the water system impact fee trust account shall not be used for any expenditure that would be classified as a maintenance or repair expense.
- (d) The monies deposited into the water system impact fee trust account shall be used solely for reimbursement for the consumption of existing facility capacity by water system impact development or to provide improvements and additions to the water system required by growth, generated by water system impact development.
- (e) Any funds on deposit which are not immediately necessary for expenditure shall be invested by the city. All income derived from such investments shall be deposited in the water system impact fee trust account and used as provided herein.

Sec. 78-392. - Alternative water system impact fee.

- (a) In the event an applicant believes that the impact to the water system caused by the building and/or development is less than the impact established in the impact fee study and the fees provided in section 78-389 hereof, such applicant may, prior to physical connection to the water system, file an alternative water system impact fee study with the city. The city

manager shall review the alternative calculations and make a determination within 60 days of submittal as to whether such calculations comply with the requirements of this section.

- (b) For purposes of any alternative water system impact fee calculation, the building and/or development shall be presumed to have the maximum impact on the water system.
- (c) The alternative water system impact fee calculation shall be based on data, information or assumptions contained in this article and the impact fee study or independent sources, provided that:
  - (1) The independent source is a generally accepted standard source of planning information and cost impact analysis performed pursuant to a generally accepted methodology of planning and cost impact analysis which is consistent with the impact fee study; or
  - (2) The independent source is a local study supported by a data base adequate for the conclusions contained in such study performed pursuant to a generally accepted methodology of planning and cost impact analysis which is consistent with the impact fee study.
- (d) If the city manager determines that the data, information and assumptions utilized by the applicant comply with the requirements of this section and that the calculation of the alternative water system impact fee was by a generally accepted methodology that is consistent with the impact fee study, then the alternative water system impact fee shall be paid in lieu of the fees adopted in section 78-389 hereof.
- (e) If the city manager determines that the data, information and assumptions utilized by the applicant to compute an alternative water system impact fee do not comply with the requirements of this section, then the city manager shall provide to the applicant by certified mail, return receipt requested, written notification of the rejection and the reasons therefore.

#### DIVISION 4. - MISCELLANEOUS PROVISIONS

##### Sec. 78-393. - Refund of capacity impact fees.

- (a) The sewer system impact fees or water system impact fees collected pursuant to this article shall be returned to the then current owner of the property on behalf of which the applicable fee was paid if such fees have not been expended or encumbered prior to the end of the fiscal year immediately following the seventh anniversary of the date upon which such fees were paid and a timely petition for the refund is made. Refunds shall be made only in accordance with the following procedure:
  - (1) The then current owner shall petition the city commission for the refund prior to the end of the fiscal year immediately following the end of the fiscal year in which the date of the seventh anniversary of the date of the payment of the sewer system impact fee or water system impact fee occurs.
  - (2) The petition for refund shall be submitted to the city manager, on a form approved by the city manager, and shall contain:
    - a. A sworn statement that the petitioner is the then current legal owner of the property on behalf of which the applicable impact fee was paid;

- b. A copy of the dated receipt issued for payment of the applicable fee, or such other record as would indicate payment of the fee;
  - c. A certified copy of the latest recorded deed or other instruments evidencing title; a representation that the most recent recorded deed or other instruments evidencing title reflect the exact names of all current legal owners; a representation that the petitioner will notify the city of any changes in the status of legal ownership which occurs prior to any refund from the city;
  - d. A copy of the most recent ad valorem tax bill.
- (3) Within 90 days from the date of receipt of a petition for refund, the city manager will advise the owner and the city commission of the status of the applicable impact fee requested for refund, and if such impact fee has not been expended or encumbered within the applicable time period, then it shall be returned to the petitioner. For the purposes of this section, charges collected shall be deemed to be spent or encumbered on the basis of the first fee in shall be the fee out.
- (b) The fact that an owner receives a refund does not excuse the property from later being subjected to payment of impact fees under this article upon otherwise being characterized as sewer system impact development or water system impact development.
  - (c) Any owner entitled to a refund who fails to timely petition for a refund upon becoming eligible to do so shall be deemed to have waived any claim for a refund, and the city shall be entitled to retain and apply the impact fees as reimbursement for consumption of existing facility capacity by growth or for growth necessitated capital improvements and additions to the sewer system or water system, as applicable.
  - (d) Monies refunded in accordance with this section shall be returned with interest paid at the rate of the average net interest earned by the city in the sewer system impact fee trust account or water system impact fee trust account, as applicable.

**Sec. 78-394. - Exemptions.**

The following shall be exempted from payment of impact fees:

- (a) Alterations or expansion of an existing building, structure or improvement where no additional demand on either the sewer system or the water system is or will be created.
- (b) The construction of accessory buildings, structures or improvements which will not create an additional demand on either the sewer system or the water system.
- (c) The replacement of an existing building, structure or improvement which has been previously been subjected to a impact fee payable to the city where no additional demand is or will be created on either the sewer system or the water system.
- (d) Economic base development exemption: Any development project that qualifies as an economic base development and meets the following requirements:
  - (1) Creates 15 qualifying jobs in the city within 12 months of construction completion.

- (2) The employer has made a minimum investment or expansion of \$500,000.00 in plant and/or equipment during the calendar year in which the application for an economic base development exemption is submitted.
  - (3) The employer must provide detailed information to the city to calculate the estimated total economic impact/benefit of the economic base development to the city. The direct economic impact/benefit to the city must exceed the amount of the impact fee exemption.
  - (4) The employer must agree to maintain operations within the incorporated area of the city for a minimum of ten years.
  - (5) The employer shall provide ongoing company information to the city for monitoring purposes.
  - (6) Upon approval of the economic base development exemption request by the city commission, the employer will be required to enter into an agreement with the city guaranteeing that the qualifying jobs will be created within a specific period of time and setting forth the minimum duration of the qualifying jobs and certain other terms relating to the economic base development exemption. In the event the employer is unable to deliver the guaranteed qualifying jobs within 12 months of completion of construction or if the qualifying jobs are eliminated during the term of the agreement, the city will have the authority to recover payments of either a full or pro rated portion of the exempted impact fees.
- (e) Affordable housing exemption: Any residential construction that qualifies as affordable housing and meets the following requirements:
- (1) Any person seeking an affordable housing exemption for an owner-occupied residential construction shall file with the city manager an application for exemption prior to physical connection to either the water system or the sewer system for the proposed residential construction. The application for exemption shall contain the following:
    - a. The name and address of the owner;
    - b. The legal description of the residential construction;
    - c. The proposed selling price of the residential construction;
    - d. Evidence that the residential construction shall be occupied by low-income persons or very-low-income persons;
    - e. Evidence that the residential construction shall be occupied as the legal homestead of the owner; and
    - f. A copy of a fully executed and recordable lien upon the residential construction in the amount of the impact fees waived hereunder and that contains a due on sale clause requiring the payment of the impact fees in the event the residential construction is sold within seven years from the date of the issuance of a certificate of occupancy.

- (2) Any person seeking an affordable housing exemption for a rental residential construction located within a qualifying multi-family rental project shall file with the city manager an application for exemption prior to receiving a building permit (or certificate of occupancy if the impact fee is due at certificate of occupancy) for the proposed residential construction. The application for exemption shall contain the following:
    - a. The name and address of the owner;
    - b. The legal description of the residential construction;
    - c. The proposed rental rates;
    - d. Evidence that the residential construction shall be occupied by low-income persons or very-low-income persons; and
    - e. Evidence that the residential construction is part of a multi-family project, which is funded by a governmental affordable housing program.
  - (3) If the residential construction meets the requirements for an affordable housing exemption, the city manager shall issue an exemption. The exemption shall be presented in lieu of payment of the impact fee.
  - (4) The amount of the impact fees shall not be increased to replace any revenue lost due to the affordable housing exemption.
  - (5) In the event the residential dwelling unit fails meet the restrictions of affordable housing as provided herein within the seven-year period following the issuance of the certificate of occupancy such that the property no longer qualifies as affordable housing and is no longer occupied by low-income persons or very-low-income persons, the impact fees in effect at the time of the change in circumstances shall be due.
- (f) The city may, at its discretion, exempt impact fees for certain projects funded through state and/or federal grant/loan programs where the cost of providing treatment has been incorporated into the prevailing rate structure.

**Sec. 78-395. - Changes of size and use.**

- (a) Impact fees shall be imposed and calculated for the alteration, expansion or replacement of sewer system impact development or water system impact development which will result in a land use determined to create an additional demand on either the sewer system or the water system. Whenever any person applies to connect to either the sewer system or water system, the impact fee imposed shall be calculated on the entirety of the buildings. Where the alteration, expansion or replacement occurs on lands for which a sewer system impact fee or water system impact fee has already been paid, the impact fee imposed shall be only upon the additional demand created by the alteration, expansion or replacement.
- (b) No refund or credit shall be afforded an owner or applicant in the event of a diminution of use occurs after the sewer system impact fee or water system impact fee already paid has

been expended or encumbered. For the purposes of this section, fees collected shall be deemed to be spent or encumbered on the basis of the first fee in shall be the first fee out.

**Sec. 78-396. - Alternative collection method.**

It is not the city's intent to allow connections to the sewer and/or water system without payment of the appropriate impact fee. However, in the event the sewer system impact fee or the water system impact fee, as applicable, is not paid prior to physical connection to either the sewer system or the water system, the city shall proceed to collect the sewer system impact fee or water system impact fee, as applicable, as follows:

- (a) The city shall serve, by certified mail, return receipt requested, a notice of impact fee statement upon the owner at the address appearing on the most recent records maintained by the property appraiser of the county in which the property is located. Service shall be deemed effective on the date of the return receipt indicates the notice was received by either the applicant or the owner. The notice of impact fee statement shall contain a reasonable legal description of the property and shall advise the applicant and owner that:
  - (1) The amount due and the general purpose for which the sewer system impact fee was imposed or, as applicable, the amount due and the general purpose for which the water system impact fee was imposed;
  - (2) A hearing pursuant to section 78-396 may be requested within 30 calendar days from the effective date of service of the notice of impact fee statement, by making application to the office of the city manager.
- (b) The sewer system impact fee or water system impact fee, as applicable, shall be delinquent if, within 30 calendar days from the effective date of service of the notice of impact fee statement, neither the impact fee has been paid and received by the city nor has a review hearing been requested pursuant to section 78-398. In the event a hearing is requested pursuant to section 78-398, the unpaid impact fees shall become delinquent if not paid within 30 days from the date the city commission determines the amount of impact fees due upon the conclusion of such a hearing. Upon becoming delinquent, the sewer system impact fee or the water system impact fee, as applicable, shall be subject to interest on the unpaid amount at the statutory rate for final judgments on a calendar day basis until paid.
- (c) In the event the sewer system impact fee or water system impact fee becomes delinquent, the total amount of unpaid impact fees plus any applicable interest shall be added to the owner's monthly bill for water or sewer service, as applicable, and shall be paid as a condition of service.
- (d) At the city's discretion, any delinquent impact fees may be collected by any other method which is authorized by law, including, but not limited to, lien foreclosure proceedings.

**Sec. 78-397. - Developer contribution credit.**

- (a) The city may enter into a contribution agreement (i.e. developer's agreement) with a developer which grants a credit for sewer system impact fees imposed in section 78-385 or

water system impact fees imposed in section 78-389 in exchange for certain donations of impact fee improvements, or for the construction or installation of certain impact fee improvements.

Sec. 78-398. - Review hearings.

- (a) An applicant or owner who is required to pay a sewer system impact fee pursuant to section 78-385 or a water system impact fee pursuant to section 78-389, shall have the right to request a review hearing.
- (b) Such hearing shall be limited to the review of the following:
  - (1) The application of the sewer system impact fee pursuant to section 78-385.
  - (2) The application of the water system impact fee pursuant to section 78-389.
  - (3) Denial of a developer contribution credit pursuant to section 78-397.
  - (4) Denial of an exemption pursuant to section 78-394.
  - (5) Denial of an alternative sewer system impact fee or an alternative water system impact fee.
- (c) Except as otherwise provided in this article, such hearings shall be requested by the applicant or owner within 30 days, including Sundays and legal holidays, of the date of first receipt of the following, whichever is applicable:
  - (1) Receipt of notice from the city that an impact fee is due.
  - (2) The denial of developer contribution credit.
  - (3) The denial of an impact fee exemption.

Failure to request a hearing within the time provided shall be deemed a waiver of such right.

- (d) The request for hearing shall be filed with the office of the city manager and shall contain the following:
  - (1) The name and address of the applicant and owner;
  - (2) The legal description of the property in question;
  - (3) A brief description of the improvements on the property or the connection being undertaken;
  - (4) If paid, the date the sewer system impact fee or water system impact fee, as applicable, was paid; and,
  - (5) A statement of the reasons why the applicant or owner is requesting the hearing.
- (e) Upon receipt of such request, the city manager shall schedule a hearing before the city commission at a regularly scheduled meeting or a special meeting called for the purpose of conducting the hearing and shall provide the applicant or owner with written notice of the time and place of the hearing. The hearing shall be held within 60 days of the date of the request for hearing was filed.

- (f) Such hearing shall be before the city commission and shall be conducted in a manner designed to obtain all information and evidence relevant to the request for the hearing. Formal rules of civil procedure and evidence shall not be applicable; however, the hearing shall be conducted in a fair and impartial manner with each party having an opportunity to be heard and to present information and evidence.
- (g) Any applicant or owner who requests a hearing pursuant to this section and desires an immediate connection to either the sewer system or the water system shall pay prior to or at the time the request for hearing is filed the sewer system impact fee pursuant to section 78-385 or water system impact fee pursuant to section 78-389, as applicable. Said payment shall be deemed paid under "protest" and shall not be construed as a waiver of any review rights.

**Sec. 78-399. - Review requirements.**

This article and the accompanying impact fee study shall be reviewed by the city commission at least every five years. Each review shall consider new estimates of population, cost related to the acquisition of land, buildings, capital plant and equipment necessitated by growth and adjustments to the assumptions, conclusions and findings set forth in the study adopted by section 78-384. The purpose of this review is to ensure that the sewer system impact fees and water system impact fees do not exceed the reasonably anticipated costs associated with the improvements necessary to offset the demand generated by new construction or use of the sewer system or water system. In the event the review of the ordinance required by this section alters or changes the assumptions, conclusions and findings of the impact fee study adopted by reference in section 78-384, revises or changes the sewer system or water system or alters or changes the amount of the impact fees, the impact fee study adopted by reference in section 78-384 shall be amended and updated to reflect new and demonstrable assumptions, conclusions and findings and section 78-384 shall be amended to adopt by reference such updated study.

**Sec. 78-400. - Declaration of exclusion from Administrative Procedures Act.**

Nothing contained in this article shall be construed or interpreted to include the city in any definition of agency contained in F.S. § 120.52, or to otherwise subject the city to the application of the Administrative Procedure Act, F.S. ch. 120. This declaration of intent and exclusion shall apply to all proceedings taken as a result of or pursuant to this article including specifically, but not limited to, consideration of an alternative sewer system impact fee or alternative water system impact fee calculation under section 78-394, a determination of entitlement to a impact fee exemption pursuant to section 78-395, the proposed plan for a developer contribution credit pursuant to section 78-398, or a review hearing under section 78-399.

**Sec. 78-401. - Severability.**

If any clause, section or provision of this article shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said article shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein. In the event it is held or construed by any court of competent jurisdiction that the city does not possess the power or authority to impose the sewer system impact fees or water system impact fees within any service area, or such imposition of the impact fees is declared invalid or unconstitutional for any purpose, such declaration of unconstitutionality or invalidity shall not affect the validity or

constitutionality of the imposition of the sewer system impact fees or water system impact fees in all other service areas.

Sec. 78-402. - Effective date.

This article shall take effect on September 12, 2013.

**Section 2:** EFFECTIVE DATE. This Ordinance shall take effect upon its passage at second and final reading.

**Section 3:** INCLUSION IN THE CODE, SCRIVENER'S ERROR. It is the intention of the City Commission of the City of High Springs, Florida, and it is hereby provided that the provisions of this Ordinance shall become and made part of the Code of Ordinances of the City of High Springs, Florida; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Manager or designee without public hearing, by filing a corrected or re-codified copy of the same with the City.

**Section 4:** PRESERVATION OF RIGHTS AND DUTIES. The repealing provisions of this Ordinance do not affect the rights and duties that matured, penalties that were incurred, or proceeding that were begun before the effective date of the repeal.

**Section 5:** CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6:** SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

First reading was held on the \_\_\_\_ day of \_\_\_\_\_ 2016.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of High Springs, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**BY THE MAYOR OF THE CITY OF HIGH SPRINGS, FLORIDA**

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Bryon Williams, Mayor

constitutionality of the imposition of the sewer system impact fees or water system impact fees in all other service areas.

Sec. 78-402. - Effective date.

This article shall take effect on September 12, 2013.

**Section 2:** EFFECTIVE DATE. This Ordinance shall take effect upon its passage at second and final reading.

**Section 3:** INCLUSION IN THE CODE, SCRIVENER'S ERROR. It is the intention of the City Commission of the City of High Springs, Florida, and it is hereby provided that the provisions of this Ordinance shall become and made part of the Code of Ordinances of the City of High Springs, Florida; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Manager or designee without public hearing, by filing a corrected or re-codified copy of the same with the City.

**Section 4:** PRESERVATION OF RIGHTS AND DUTIES. The repealing provisions of this Ordinance do not affect the rights and duties that matured, penalties that were incurred, or proceeding that were begun before the effective date of the repeal.

**Section 5:** CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6:** SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

First reading was held on the 17th day of November 2016.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of High Springs, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**BY THE MAYOR OF THE CITY OF HIGH SPRINGS, FLORIDA**

\_\_\_\_\_  
Mayor

*City of High Springs*  
*Ordinance 2016-09*  
*Water/Sewer Impact Fee Payment Revision*  
*Page 20 of 20*

ATTEST, BY THE CLERK OF THE  
CITY COMMISSION OF THE CITY OF  
HIGH SPRINGS, FLORIDA:

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Jenny L. Parham, City Clerk

APPROVED AS TO FORM AND  
LEGALITY:

---

S. Scott Walker, City Attorney

# **New Business**

**#6**



## Commission Agenda Item Request Form

***MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING***

**MEETING DATE: NOVEMBER 17, 2016**

**SUBJECT: CONSIDER ORDINANCE 2016-11, AN ORDINANCE AMENDING THE ADOPTED 2014/2015 FISCAL YEAR BUDGET OF THE CITY OF HIGH SPRINGS; PROVIDING AN EFFECTIVE DATE.**

**AGENDA SECTION: NEW BUSINESS**

**DEPARTMENT: CITY CLERK**

**PREPARED BY: JENNY L. PARHAM**

**RECOMMENDED ACTION: ADOPTION OF ORDINANCE 2016-11 ON FIRST READING.**

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### Summary

FINANCE STAFF HAS WORKED TO CLOSE OUT THE FY 15/16 BUDGET YEAR AND PREPARE FOR AUDIT. STATE LAW ALLOW FOR CITIES TO AMEND THEIR BUDGET SIXTY DAYS AFTER THE CLOSING OF THE FISCAL YEAR. THIS ALLOWS FOR MORE ACCURATE ACCOUNTING OF FUNDS RECEIVED AND SPENT DURING THE BUDGET YEAR. THIS ORDINANCE WILL BE PRESENTED FOR SECOND AND FINAL READING AT THE NOVEMBER 29<sup>TH</sup> MEETING.

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**ATTACHMENTS: ORDINANCE 2015-14  
BUDGET TO BE PROVIDED 11/15/16**

**REVIEWED BY CITY MANAGER: \_\_\_\_\_**

**ORDINANCE 2016-11**

**AN ORDINANCE AMENDING THE ADOPTED 2015/2016 FISCAL YEAR BUDGET OF THE CITY OF HIGH SPRINGS; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the High Springs City Commission shall, under the authority of Section 166.241(2), Florida Statutes, and Section 5.04 of the Charter of the City of High Springs, adopt an annual budget for the City of High Springs; and

**WHEREAS**, Section 166.241(4), Florida Statutes, authorizes the City Commission to amend its fiscal year budget up to 60 days following the end of the fiscal year; and

**WHEREAS**, a proposed balanced budget was presented, received, discussed, and amended in advertised public meetings; and

**WHEREAS**, the City Commission has determined the level of taxation for Fiscal Year 2015/2016 and the necessary expenditures for Fiscal Year 2015/2016 and

**WHEREAS**, the City Commission passed a balanced budget on September 21, 2015 to be effective October 1, 2015; and

**WHEREAS**, the City Commission has determined that such budget shall be amended as needed.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS:**

**Section 1.** The Budget for the City of High Springs, Florida, for the Fiscal Year October 1, 2015 through September 30, 2016, as attached hereto and incorporated herein, is hereby amended as reflected in the attached amended FY 15/16 budget.

**Section 2.** This ordinance shall take effect immediately upon passage.

First reading: November 17, 2016.

Second reading: November 29, 2016.

Date of Publication: November 10, 2015.

**CITY OF HIGH SPRINGS, FLORIDA**

**ATTEST:**

\_\_\_\_\_  
TBD, Mayor

\_\_\_\_\_  
Jenny L. Parham, City Clerk

(Municipal Seal)

# **New Business**

**#7**



## Commission Agenda Item Request Form

***MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING***

**MEETING DATE: NOVEMBER 17, 2016**

**SUBJECT: CONSIDER RESOLUTION 2016-Z, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS AMENDING THE CITY'S FUND BALANCE POLICY TO INCREASE THE YEARLY CONTRIBUTION TO THE FUND BALANCE AND ESTABLISH A MINIMUM CASH AMOUNT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**AGENDA SECTION: NEW BUSINESS**

**DEPARTMENT: CITY CLERK**

**PREPARED BY: JENNY L. PARHAM**

**RECOMMENDED ACTION:**

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### Summary

THE CITY COMMISSION WILL CONSIDER ADOPTING AMENDMENTS TO THE FUND BALANCE POLICY.

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**ATTACHMENTS: RESOLUTION 2016-Z**

**REVIEWED BY CITY MANAGER:** \_\_\_\_\_

**RESOLUTION 2016-Z**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS AMENDING THE CITY'S FUND BALANCE POLICY TO INCREASE THE YEARLY CONTRIBUTION TO THE FUND BALANCE AND ESTABLISH A MINIMUM CASH AMOUNT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of High Springs adopted a Fund Balance Policy on August 6, 2009, via Resolution 2009-Q; and

**WHEREAS**, the City Commission amended the Fund Balance Policy on September 23, 2010, via Resolution 2010-S; and

**WHEREAS**, the City Commission later repealed the Fund Balance Policy via Resolution 2011-O; and

**WHEREAS**, the City Commission adopted an amended Fund Balance Policy on September 13, 2012 via Resolution 2012-0; and

**WHEREAS**, the City Commission desires to amend the Fund Balance Policy to increase the fund balance to provide sufficient funds to the City for unforeseen and unexpected events; and

**WHEREAS**, the City Commission has determined that amending the Fund Balance Policy is in the best interest of the City of High Springs to continue to ensure sound fiscal policies are followed; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF HIGH SPRINGS, FLORIDA AS FOLLOWS:**

**SECTION ONE:** The City of High Springs Amended Fund Balance Policy is hereby adopted in entirety to read as set forth in **Exhibit A**.

**SECTION TWO:** If any word, phrase, clause, paragraph, section or provision of this Resolution or the application hereof to any person or circumstances is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the resolution which can be given without the valid or unconstitutional provisions or application, and to this end the provisions of this Resolution are declared severable.

*City of High Springs  
Resolution 2016-Z  
Amended Fund Balance Policy*

**SECTION THREE:** All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION FOUR:** This Resolution shall become effective immediately upon final adoption.

**PASSED** in regular session of the High Springs City Commission this \_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF HIGH SPRINGS**

\_\_\_\_\_  
Mayor

ATTEST, BY THE CLERK OF THE CITY  
COMMISSION OF THE CITY OF HIGH  
SPRINGS, FLORIDA:

\_\_\_\_\_  
Jenny Parham, City Clerk

(municipal seal)

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
S. Scott Walker, City Attorney

**CITY OF HIGH SPRINGS**  
**FUND BALANCE RESERVE POLICY**

**I. Purpose:**

The purpose of this Policy is to set aside reserve funds in the General Fund to address unforeseen and unexpected events or emergencies, to offset unexpected downturns in revenue, to maintain continuity of operations in adverse conditions and to ensure stable tax rates. Reserve policies are based on sound financial principals and represent prudent long term financial planning.

**II. Definitions:**

- A. General Fund: the City of High Springs operating fund which accounts for all financial resources of the City except for those accounted for in Special Revenue Funds, Enterprise Funds and other funds as designated or reserved by the City.
- B. Unassigned General Fund Balance: balances that have accumulated in the City's general fund balance that are not legally restricted, committed, or assigned for a specific purpose. Unassigned General Fund balances represent available financial resources which have not been obligated to a specific purpose.

**III. Reserve:**

The City hereby declares and commits that prior to September 30, 2017; the City shall have at least \$500,000.00 located in cash accounts or certificates of deposit available to the City in reserve funds. Commencing October 1, 2017, the City shall designate a reserve from the unassigned General Fund balance an amount equal to but not less than \$75,000.00 annually until such time as the fund balance reaches \$1,000,000.00. The purpose of the reserve is to provide sufficient funds for unforeseen and unexpected events, meet major emergencies, and to ensure the City's continued operations and tax stability. The reserve amount shall be established annually for the next fiscal year during the budgetary process for the year.

Amounts from the reserve shall not be appropriated for recurring operating expenditures. Appropriations from this reserve shall be authorized by the Commission. If appropriations are necessary, the City shall establish a budgetary plan to replenish the reserve to the required level.

Available unassigned funds in excess of the reserve requirement may be utilized and appropriated for other purposes during the budgetary process as the City Commission deems appropriate.

**IV. Contingency Appropriations:**

The City's annual budget may also include an annual contingency appropriation to meet unforeseen demand in the service delivery costs or unexpected expenditure increases after adoption of the budget. Uses of contingent funds are to be approved by the City Commission at the time needs arise.

**V. Excluded Funds:**

Other funds such as Special Revenue Funds and other reserved funds are specifically excluded from this policy as by their very nature they are restricted for specific uses. It is the desire of the Commission to maintain a fund balance in the Cemetery Reserve Fund of not less than \$100,000.00. Should the Cemetery Reserve Fund Balance fall below that \$100,000.00 the Commission shall establish a budgetary plan in the following year budget cycle to replenish the fund.

Enterprise Funds are also excluded as they are business-type funds. As a business-type fund they are intended to recover all or significantly all of their costs through user's fees and charges. Unassigned net assets in their funds do not necessarily represent resources available for appropriation as capital assets are included in net assets. The City would not necessarily be able to or want to sell capital assets in order to fund operations to its value is not available for appropriations.

# **New Business**

**# 8 - 12**



## Commission Agenda Item Request Form

***MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING***

**MEETING DATE: NOVEMBER 17, 2016**

**SUBJECT: ITEMS #8 - #12**

**AGENDA SECTION: NEW BUSINESS**

**DEPARTMENT: PDC**

**PREPARED BY: CITY CLERK**

**RECOMMENDED ACTION: ADOPTION OF ANNEXATION ORDINANCES ON FIRST READING.**

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### Summary

THE CITY COMMISSION WILL CONSIDER FIVE (5) ANNEXATION ORDINANCES ON FIRST READING. UPON ADOPTION ON FIRST READING, THE ORDINANCES WILL BE PRESENTED FOR SECOND AND FINAL READING AT THE NOVEMBER 29, 2016 COMMISSION MEETING.

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**ATTACHMENTS: ORDINANCE 2016-12 (PONZIO)  
ORDINANCE 2016-13 (P. HAWLEY)  
ORDINANCE 2016-14 (C. HAWLEY)  
ORDINANCE 2016-15 (JONES)  
ORDINANCE 2016-16 (WEITZ)**

**REVIEWED BY CITY MANAGER:** \_\_\_\_\_

ORDINANCE NO. 2016-12

AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-01, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of certain real property more particularly described herein below, has petitioned that the same be voluntarily annexed and incorporated into the boundaries of the City of High Springs, Florida, hereinafter referred to as the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to a petition, A 16-01, by Charlotte R. Ponzio, the owner of real property, as described below and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, which real property is contiguous to the existing boundaries of the City and is reasonably compact, has petitioned the City to have said real property annexed into the City.

A parcel of land lying within Section 7, Township 8 South, Range 18 East, Alachua County, Florida. Being more particularly described, as follows: Commence at the Southeast corner of the Southwest 1/4 of said Section 7; thence North 88°05'11" West 1,337.98 feet for the Point of Beginning; thence North 88°05'11" West 1,122.23 feet; thence North 00°24'27" East 209.73 feet; thence North 88°07'52" West 160.04 feet to the Easterly right-of-way line of Northwest 202nd Street; thence North 00°28'59" East 587.35 feet, along the Easterly right-of-way line of said Northwest 202nd Street; thence South 88°05'11" East 1,282.32 feet; thence South 00°28'00" West 796.95 feet to the Point of Beginning.

Containing 23.37 acres, more or less.

Section 2. The City Commission of the City of High Springs, Florida, hereinafter referred to as the City Commission, finds that the petition bears the signatures of all owners of the real property in the area proposed to be annexed.

Section 3. The City Commission finds that the real property, described in Section 1 above, presently is contiguous to the boundaries of the City that said real property meets the criteria established by Chapter 171, Florida Statutes, as amended, and that said real property should be annexed to the boundaries of the City.

Section 4. The real property, described in Section 1 above and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, is hereby annexed to the boundaries of the City, and said real property in every way is a part of the City.

Section 5. The boundaries of the City are hereby redefined to include the real property described in Section 1 hereof.

Section 6. Annexation. The real property, described in Section 1 above, shall continue to be classified as RURAL/AGRICULTURE under the land use classifications as designated on the Future Land Use Plan Map of the County Comprehensive Plan until otherwise changed or amended by appropriate ordinance of the City.

Section 7. Effective January 1, 2017, all real property lying within the boundaries of the City, as hereby redefined, shall be assessed for payment of municipal ad valorem taxes, and shall be subject to all general and special assessments.

Section 8. All persons who have been lawfully engaged in any occupation, business, trade or profession, within the area, described in Section 1 above, upon the effective date of this ordinance under a valid license or permit issued by the County and all other necessary state or federal regulatory agencies, may continue such occupation, business, trade or profession within the entire boundaries of the City, as herein defined, upon securing a valid occupational license from the City, which shall be issued upon payment of the appropriate fee, without the necessity of taking or passing any additional examination or test which otherwise is required relating to the qualification of such occupations, businesses, trades or professions.

Section 9. The City Clerk is hereby directed to file, within seven (7) days of the effective date of this ordinance, a certified copy of this ordinance with the following:

- a) Florida Department of State, Tallahassee, Florida;
- b) Florida Office of Economic and Demographic Research, Tallahassee, Florida;
- c) Clerk of the Circuit Court of the County;
- d) Chief Administrative Officer of the County;
- e) Property Appraiser of the County;
- f) Tax Collector of the County; and
- g) All public utilities authorized to conduct business within the City.

Section 10. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 11. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 12. Effective Date. This ordinance shall become effective upon adoption.

PASSED UPON FIRST READING on the 17th day of November 2016.

PASSED AND DULY ADOPTED UPON SECOND AND FINAL READING, in regular session with a quorum present and voting, by the City Commission this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

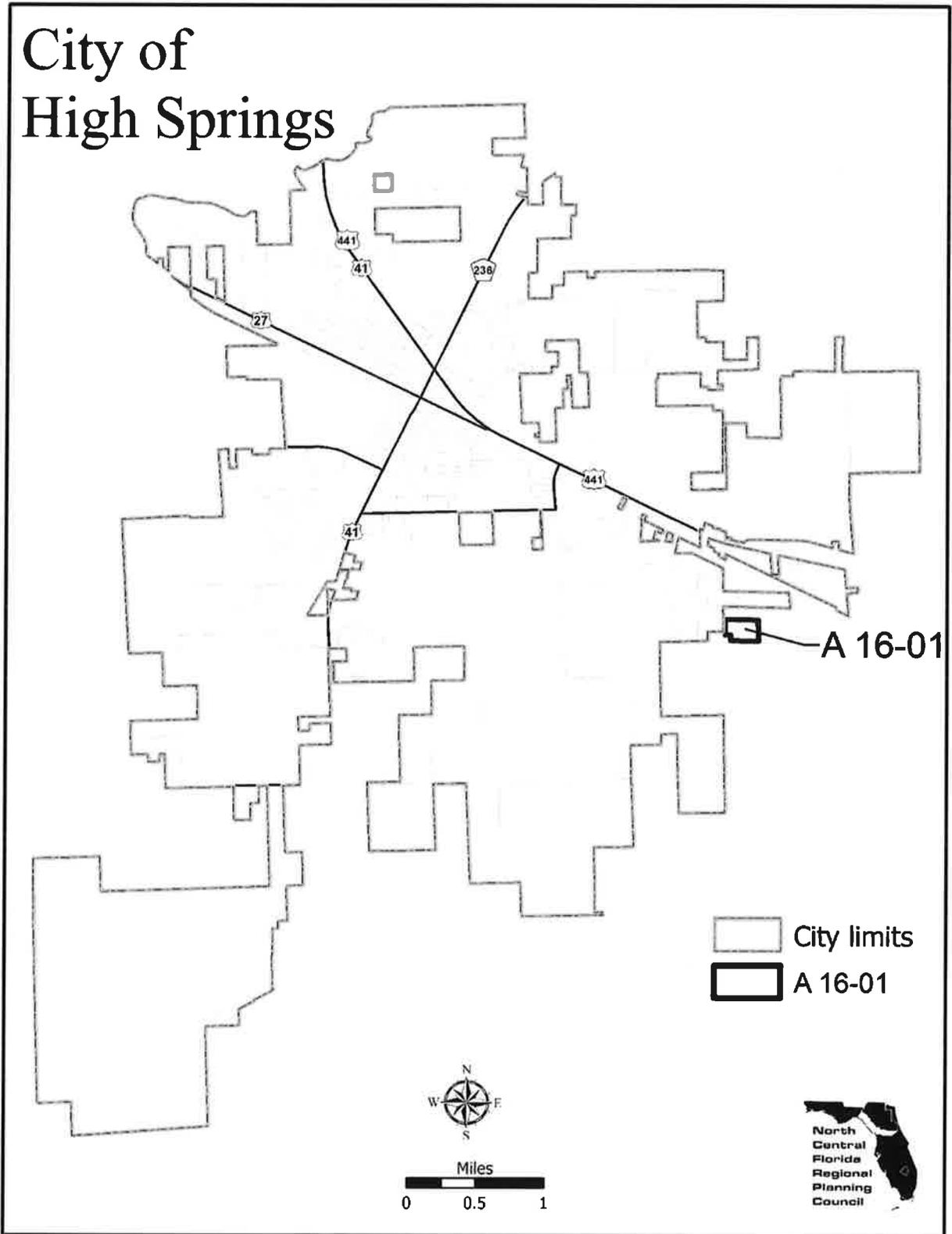
Attest:

CITY COMMISSION OF THE  
CITY OF HIGH SPRINGS, FLORIDA

\_\_\_\_\_  
Jenny L. Parham, City Clerk

\_\_\_\_\_  
Bryan D. Williams, Mayor

# Schedule A: Location Map



ORDINANCE NO. 2016-13

AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-02, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of certain real property more particularly described herein below, has petitioned that the same be voluntarily annexed and incorporated into the boundaries of the City of High Springs, Florida, hereinafter referred to as the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to a petition, A 16-02, by Phillip L Hawley and Janice L. Hawley, the owner of real property, as described below and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, which real property is contiguous to the existing boundaries of the City and is reasonably compact, has petitioned the City to have said real property annexed into the City.

A parcel of land lying within Section 26, Township 8 South, Range 17 East, Alachua County, Florida. Being more particularly described, as follows: The East 1/2 of the Northeast 1/4 of said Section 26, less the North 50.00 feet of right-of-way of County Road 2054 (Peggy Road).

Containing 75.94 acres, more or less.

LESS AND EXCEPT

A parcel of land lying within Section 26, Township 8 South, Range 17 East, Alachua County, Florida. Being more particularly described, as follows: Commence at the Northeast corner of said Section 26; thence South 05°14'00" East 1,351.08 feet, along the East line of said Section 26 to the Point of Beginning; thence South 05°14'00" East 1,300.84 feet to the South line of the North 1/2 of said Section 26; thence South 88°59'12" West 604.50 feet, along the South line of the North 1/2 of said Section 26; thence North 05°14'00" West 1,300.37 feet; thence North 88°56'35" East 604.46 feet to the Point of Beginning.

Containing 18.04 acres, more or less.

All said lands containing 57.90 acres, more or less.

Section 2. The City Commission of the City of High Springs, Florida, hereinafter referred to as the City Commission, finds that the petition bears the signatures of all owners of the real property in the area proposed to be annexed.

Section 3. The City Commission finds that the real property, described in Section 1 above, presently is contiguous to the boundaries of the City that said real property meets the criteria established by Chapter 171, Florida Statutes, as amended, and that said real property should be annexed to the boundaries of the City.

Section 4. The real property, described in Section 1 above and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, is hereby annexed to the boundaries of the City, and said real property in every way is a part of the City.

Section 5. The boundaries of the City are hereby redefined to include the real property described in Section 1 hereof.

Section 6. Annexation. The real property, described in Section 1 above, shall continue to be classified as RURAL/AGRICULTURE under the land use classifications as designated on the Future Land Use Plan Map of the County Comprehensive Plan until otherwise changed or amended by appropriate ordinance of the City.

Section 7. Effective January 1, 2017, all real property lying within the boundaries of the City, as hereby redefined, shall be assessed for payment of municipal ad valorem taxes, and shall be subject to all general and special assessments.

Section 8. All persons who have been lawfully engaged in any occupation, business, trade or profession, within the area, described in Section 1 above, upon the effective date of this ordinance under a valid license or permit issued by the County and all other necessary state or federal regulatory agencies, may continue such occupation, business, trade or profession within the entire boundaries of the City, as herein defined, upon securing a valid occupational license from the City, which shall be issued upon payment of the appropriate fee, without the necessity of taking or passing any additional examination or test which otherwise is required relating to the qualification of such occupations, businesses, trades or professions.

Section 9. The City Clerk is hereby directed to file, within seven (7) days of the effective date of this ordinance, a certified copy of this ordinance with the following:

- a) Florida Department of State, Tallahassee, Florida;
- b) Florida Office of Economic and Demographic Research, Tallahassee, Florida;
- c) Clerk of the Circuit Court of the County;
- d) Chief Administrative Officer of the County;
- e) Property Appraiser of the County;
- f) Tax Collector of the County; and
- g) All public utilities authorized to conduct business within the City.

Section 10. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 11. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 12. Effective Date. This ordinance shall become effective upon adoption.

PASSED UPON FIRST READING on the 17th day of November 2016.

PASSED AND DULY ADOPTED UPON SECOND AND FINAL READING, in regular session with a quorum present and voting, by the City Commission this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

Attest:

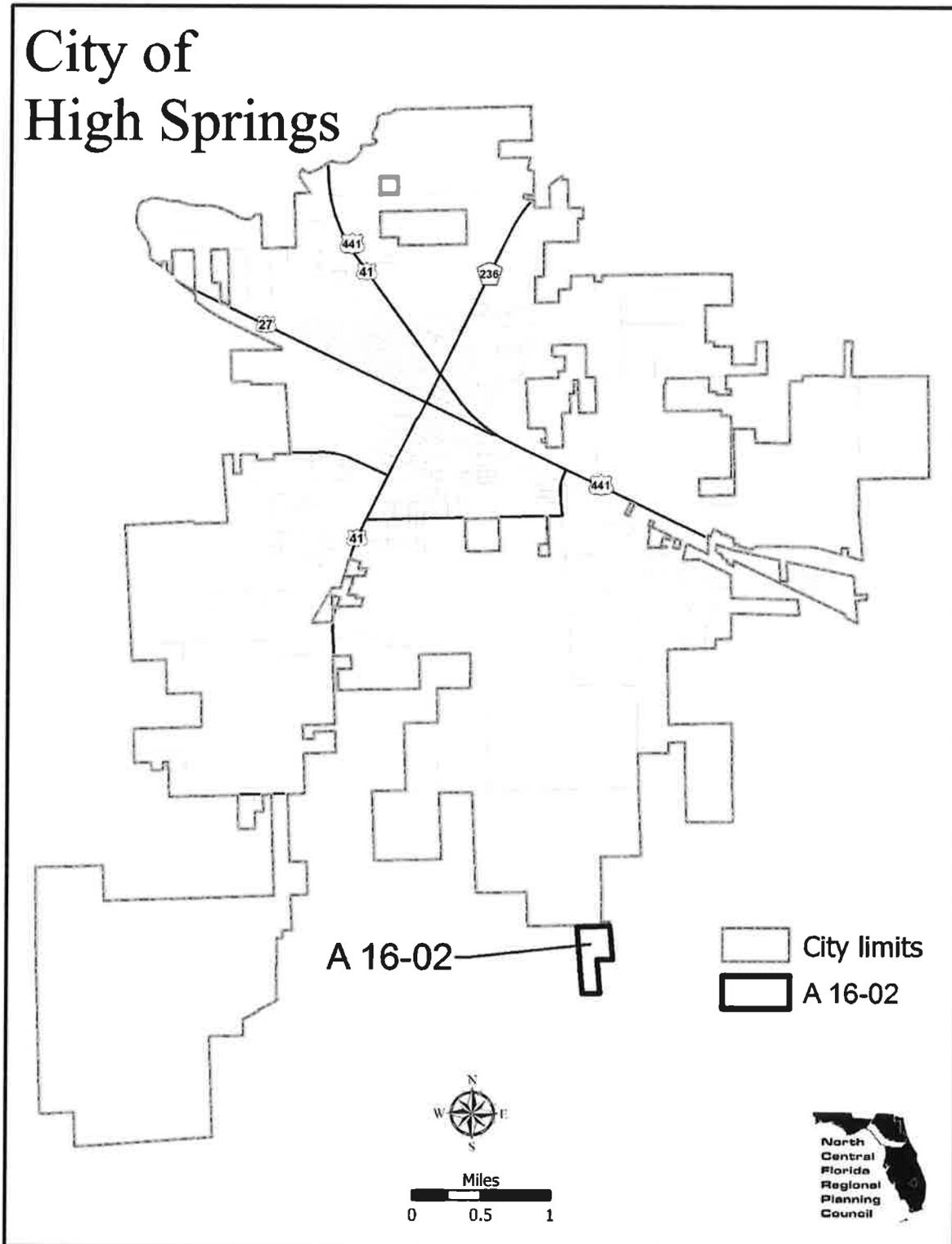
CITY COMMISSION OF THE  
CITY OF HIGH SPRINGS, FLORIDA

\_\_\_\_\_  
Jenny L. Parham, City Clerk

\_\_\_\_\_  
Bryan D. Williams, Mayor

First Reading Only

# Schedule A: Location Map



ORDINANCE NO. 2016-14

AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-03, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of certain real property more particularly described herein below, has petitioned that the same be voluntarily annexed and incorporated into the boundaries of the City of High Springs, Florida, hereinafter referred to as the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to a petition, A 16-03, by Craig P. Hawley, the owner of real property, as described below and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, which real property is contiguous to the existing boundaries of the City and is reasonably compact, has petitioned the City to have said real property annexed into the City.

A parcel of land lying within Section 26, Township 8 South, Range 17 East, Alachua County, Florida. Being more particularly described, as follows: Commence at the Northeast corner of said Section 26; thence South 05°14'00" East 1,351.08 feet, along the East line of said Section 26 to the Point of Beginning; thence South 05°14'00" East 1,300.84 feet to the South line of the North 1/2 of said Section 26; thence South 88°59'12" West 604.50 feet, along the South line of the North 1/2 of said Section 26; thence North 05°14'00" West 1,300.37 feet; thence North 88°56'35" East 604.46 feet to the Point of Beginning.

Containing 18.04 acres, more or less.

Section 2. The City Commission of the City of High Springs, Florida, hereinafter referred to as the City Commission, finds that the petition bears the signatures of all owners of the real property in the area proposed to be annexed.

Section 3. The City Commission finds that the real property, described in Section 1 above, presently is contiguous to the boundaries of the City that said real property meets the criteria established by Chapter 171, Florida Statutes, as amended, and that said real property should be annexed to the boundaries of the City.

Section 4. The real property, described in Section 1 above and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, is hereby annexed to the boundaries of the City, and said real property in every way is a part of the City.

Section 5. The boundaries of the City are hereby redefined to include the real property described in Section 1 hereof.

Section 6. Annexation. The real property, described in Section 1 above, shall continue to be classified as RURAL/AGRICULTURE under the land use classifications as designated on the Future Land Use Plan Map of the County Comprehensive Plan until otherwise changed or amended by appropriate ordinance of the City.

Section 7. Effective January 1, 2017, all real property lying within the boundaries of the City, as hereby redefined, shall be assessed for payment of municipal ad valorem taxes, and shall be subject to all general and special assessments.

Section 8. All persons who have been lawfully engaged in any occupation, business, trade or profession, within the area, described in Section 1 above, upon the effective date of this ordinance under a valid license or permit issued by the County and all other necessary state or federal regulatory agencies, may continue such occupation, business, trade or profession within the entire boundaries of the City, as herein defined, upon securing a valid occupational license from the City, which shall be issued upon payment of the appropriate fee, without the necessity of taking or passing any additional examination or test which otherwise is required relating to the qualification of such occupations, businesses, trades or professions.

Section 9. The City Clerk is hereby directed to file, within seven (7) days of the effective date of this ordinance, a certified copy of this ordinance with the following:

- a) Florida Department of State, Tallahassee, Florida;
- b) Florida Office of Economic and Demographic Research, Tallahassee, Florida;
- c) Clerk of the Circuit Court of the County;
- d) Chief Administrative Officer of the County;
- e) Property Appraiser of the County;
- f) Tax Collector of the County; and
- g) All public utilities authorized to conduct business within the City.

Section 10. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 11. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 12. Effective Date. This ordinance shall become effective upon adoption.

The effective date of this Voluntary Annexation Petition, A 16-03, shall be the same date as the effective date of Voluntary Annexation Petition, A 16-02. If the Voluntary Annexation Petition, A 16-02, does not become effective, this Voluntary Annexation Petition, A 16-03, shall not become effective.

PASSED UPON FIRST READING on the 17th day of November 2016.

PASSED AND DULY ADOPTED UPON SECOND AND FINAL READING, in regular session with a quorum present and voting, by the City Commission this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

Attest:

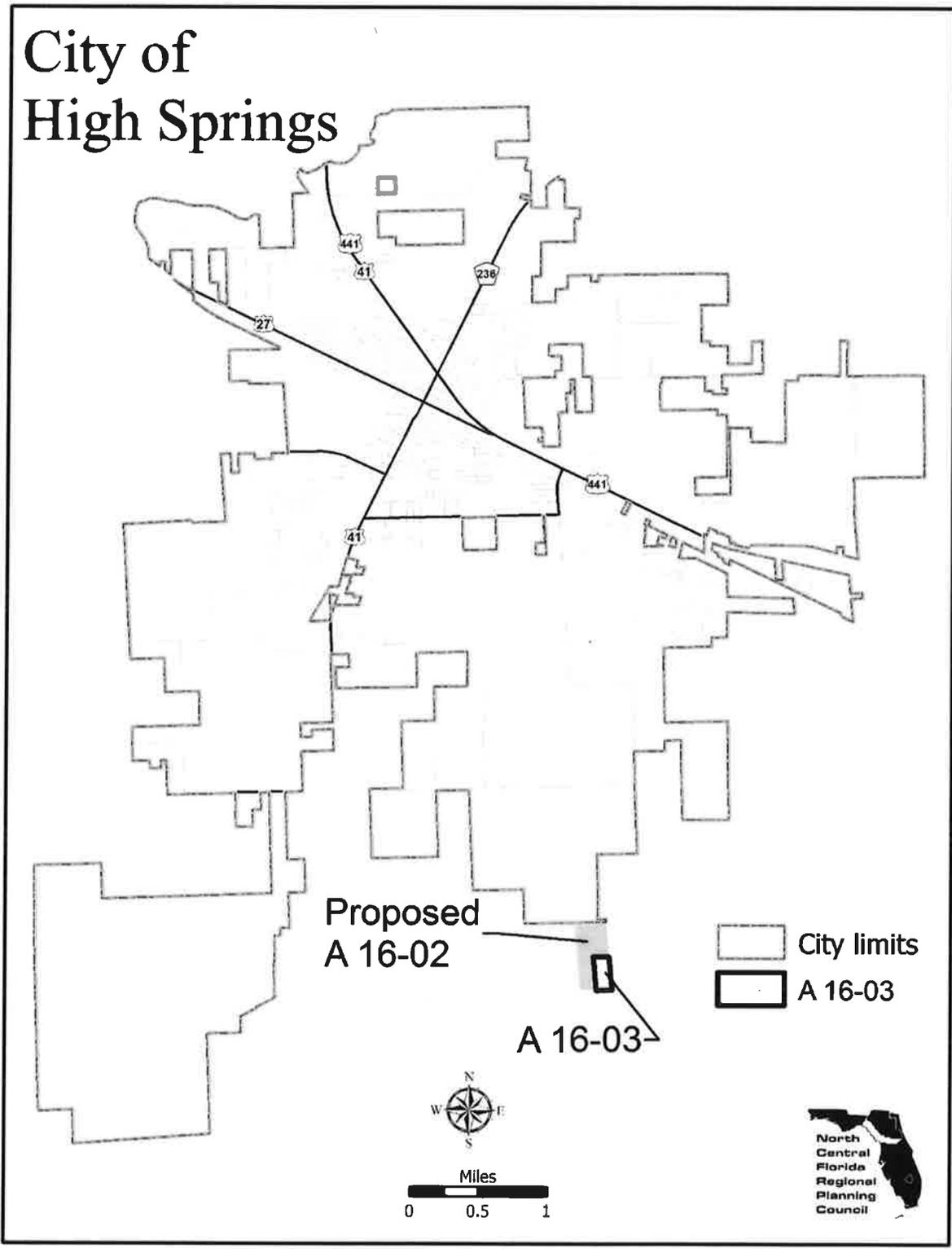
CITY COMMISSION OF THE  
CITY OF HIGH SPRINGS, FLORIDA

\_\_\_\_\_  
Jenny L. Parham, City Clerk

\_\_\_\_\_  
Bryan D. Williams, Mayor

First Reading Only

**Schedule A: Location Map**



ORDINANCE NO. 2016-15

AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-04, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of certain real property more particularly described herein below, has petitioned that the same be voluntarily annexed and incorporated into the boundaries of the City of High Springs, Florida, hereinafter referred to as the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to a petition, A 16-04, by James F. Jones and Julia D. Jones,, the owner of real property, as described below and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, which real property is contiguous to the existing boundaries of the City and is reasonably compact, has petitioned the City to have said real property annexed into the City.

A parcel of land lying within Section 10, Township 8 South, Range 17 East, Alachua County, Florida. Being more particularly described, as follows: Commence at the Northeast corner of the Southwest 1/4 of the Northwest 1/4 of said Section 10; thence West approximately 744.00 feet, along the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 10 to the Easterly right-of-way line of U.S. Highway 27/ U.S. Highway 41 (State Road 45) and the Point of Beginning; thence Southwesterly, along said U.S. Highway 27/ U.S. Highway 41 (State Road 45), a distance of 600.00 feet; thence East 400.00 feet; thence Northeasterly, parallel to said U.S. Highway 27/ U.S. Highway 41 (State Road 45), a distance of 600.00 feet to the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 10; thence West 400.00 feet, along the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 10 to the Point of Beginning.

Containing 5.28 acres, more or less.

LESS AND EXCEPT

A parcel of land lying within Section 10, Township 8 South, Range 17 East, Alachua County, Florida. Being more particularly described, as follows: Commence at the Southwest corner of Lot 275 of Southside Terrace, as recorded in the Public Records of Alachua County, Florida; thence South 89°49'43" West 89.64 feet, along the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 10 to the Point of Beginning; thence South 89°49'43" West 400.00 feet, along the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 10 to the Easterly right-of-way line of U.S. Highway 27/ U.S. Highway 41 (State Road 45); thence South 16°59'00" West 217.47 feet, along said U.S. Highway 27/ U.S. Highway 41 (State Road 45); thence South 74°22'30" East 382.35 feet; thence North 16°59' 00" East 326.37 feet to the Point of Beginning.

Containing 2.39 acres, more or less.

All said lands containing 2.89 acres, more or less.

Section 2. The City Commission of the City of High Springs, Florida, hereinafter referred to as the City Commission, finds that the petition bears the signatures of all owners of the real property in the area proposed to be annexed.

Section 3. The City Commission finds that the real property, described in Section 1 above, presently is contiguous to the boundaries of the City that said real property meets the criteria established by Chapter 171, Florida Statutes, as amended, and that said real property should be annexed to the boundaries of the City.

Section 4. The real property, described in Section 1 above and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, is hereby annexed to the boundaries of the City, and said real property in every way is a part of the City.

Section 5. The boundaries of the City are hereby redefined to include the real property described in Section 1 hereof.

Section 6. Annexation. The real property, described in Section 1 above, shall continue to be classified as RURAL/AGRICULTURE under the land use classifications as designated on the Future Land Use Plan Map of the County Comprehensive Plan until otherwise changed or amended by appropriate ordinance of the City.

Section 7. Effective January 1, 2017, all real property lying within the boundaries of the City, as hereby redefined, shall be assessed for payment of municipal ad valorem taxes, and shall be subject to all general and special assessments.

Section 8. All persons who have been lawfully engaged in any occupation, business, trade or profession, within the area, described in Section 1 above, upon the effective date of this ordinance under a valid license or permit issued by the County and all other necessary state or federal regulatory agencies, may continue such occupation, business, trade or profession within the entire boundaries of the City, as herein defined, upon securing a valid occupational license from the City, which shall be issued upon payment of the appropriate fee, without the necessity of taking or passing any additional examination or test which otherwise is required relating to the qualification of such occupations, businesses, trades or professions.

Section 9. The City Clerk is hereby directed to file, within seven (7) days of the effective date of this ordinance, a certified copy of this ordinance with the following:

- a) Florida Department of State, Tallahassee, Florida;
- b) Florida Office of Economic and Demographic Research, Tallahassee, Florida;
- c) Clerk of the Circuit Court of the County;
- d) Chief Administrative Officer of the County;
- e) Property Appraiser of the County;

- f) Tax Collector of the County; and
- g) All public utilities authorized to conduct business within the City.

Section 10. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 11. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 12. Effective Date. This ordinance shall become effective upon adoption.

PASSED UPON FIRST READING on the 17th day of November 2016.

PASSED AND DULY ADOPTED UPON SECOND AND FINAL READING, in regular session with a quorum present and voting, by the City Commission this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

Attest:

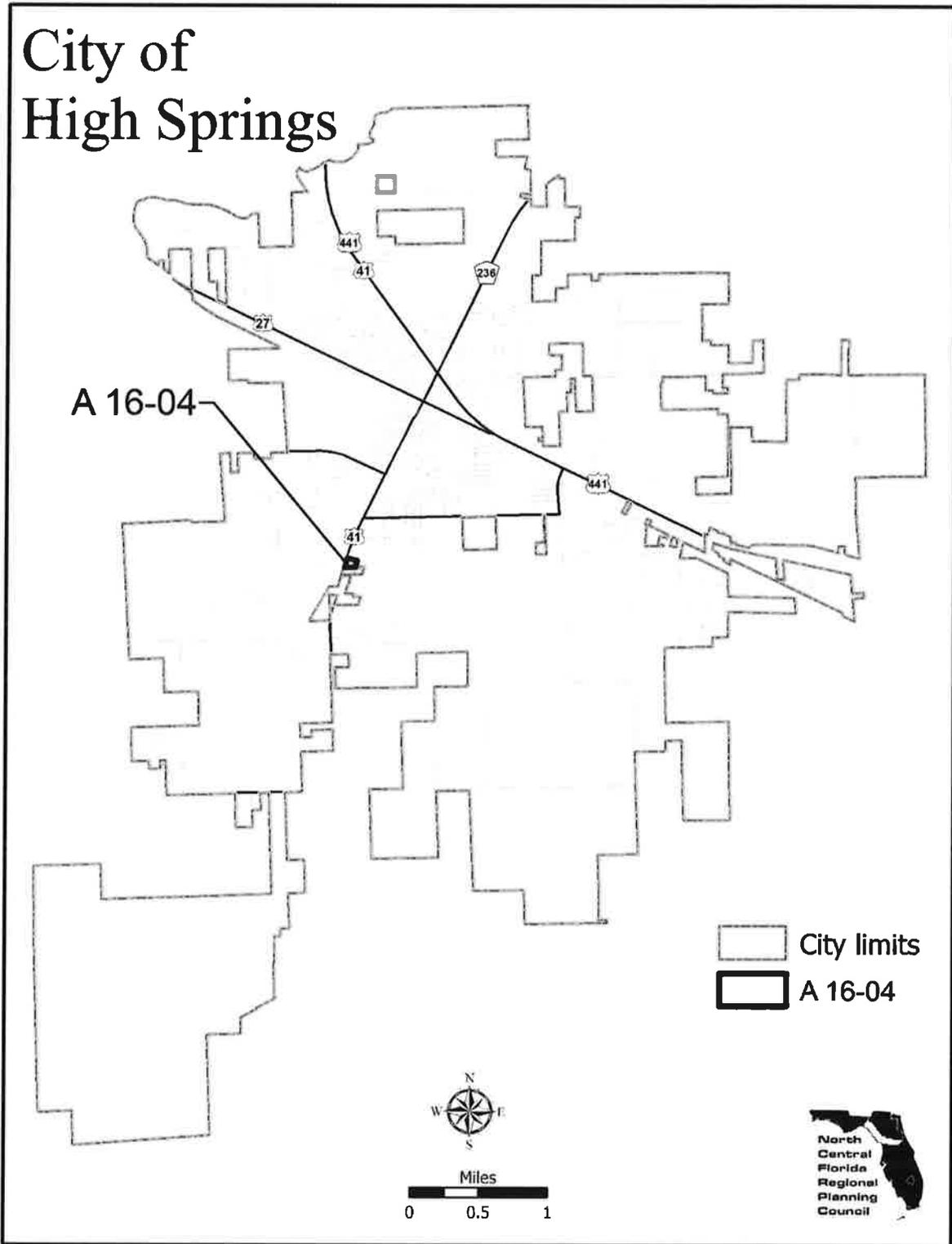
CITY COMMISSION OF THE  
CITY OF HIGH SPRINGS, FLORIDA

\_\_\_\_\_  
Jenny L. Parham, City Clerk

\_\_\_\_\_  
Bryan D. Williams, Mayor

First Reading Only

**Schedule A: Location Map**



ORDINANCE NO. 2016-16

AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, PURSUANT TO PETITION NO. A 16-05, RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; ANNEXING TO AND INCLUDING WITHIN THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA, CERTAIN REAL PROPERTY LOCATED IN ALACHUA COUNTY, FLORIDA, WHICH IS REASONABLY COMPACT, AND CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; REDEFINING THE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING FOR LAND USE CLASSIFICATION OF THE REAL PROPERTY TO BE ANNEXED; PROVIDING THAT EFFECTIVE JANUARY 1, 2017, THE REAL PROPERTY TO BE ANNEXED SHALL BE ASSESSED FOR PAYMENT OF MUNICIPAL AD VALOREM TAXES AND BE SUBJECT TO ALL GENERAL AND SPECIAL ASSESSMENTS; PROVIDING THAT EXISTING LICENSED BUSINESSES, TRADES, OR PROFESSIONS OPERATING WITHIN THE REAL PROPERTY TO BE ANNEXED MAY CONTINUE SUCH BUSINESSES, TRADES, OR PROFESSIONS THROUGHOUT THE ENTIRE BOUNDARIES OF THE CITY OF HIGH SPRINGS, FLORIDA; DIRECTING THE CITY CLERK WITHIN SEVEN DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE FLORIDA DEPARTMENT OF STATE, FLORIDA OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH, THE CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF ALACHUA COUNTY, FLORIDA, THE PROPERTY APPRAISER OF ALACHUA COUNTY, FLORIDA, THE TAX COLLECTOR OF ALACHUA COUNTY, FLORIDA, AND ALL PUBLIC UTILITIES AUTHORIZED TO CONDUCT BUSINESS WITHIN THE CITY OF HIGH SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of certain real property more particularly described herein below, has petitioned that the same be voluntarily annexed and incorporated into the boundaries of the City of High Springs, Florida, hereinafter referred to as the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to a petition, A 16-05, by Andrew Weitz and Katherine Weitz, the owner of real property, as described below and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, which real property is contiguous to the existing boundaries of the City and is reasonably compact, has petitioned the City to have said real property annexed into the City.

A parcel of land lying within Section 15, Township 8 South, Range 17 East, Alachua County, Florida. Being more particularly described, as follows: The Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 15, less the West 124.00 feet of the right-of-way of U.S. Highway 27/ U.S. Highway 41 (State Road 45), and less the South 150.00 feet of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 15.

Containing 6.21 acres, more or less.

Section 2. The City Commission of the City of High Springs, Florida, hereinafter referred to as the City Commission, finds that the petition bears the signatures of all owners of the real property in the area proposed to be annexed.

Section 3. The City Commission finds that the real property, described in Section 1 above, presently is contiguous to the boundaries of the City that said real property meets the criteria established by Chapter 171, Florida Statutes, as amended, and that said real property should be annexed to the boundaries of the City.

Section 4. The real property, described in Section 1 above and depicted on Schedule A: Location Map, attached hereto and incorporated as part of this ordinance, is hereby annexed to the boundaries of the City, and said real property in every way is a part of the City.

Section 5. The boundaries of the City are hereby redefined to include the real property described in Section 1 hereof.

Section 6. Annexation. The real property, described in Section 1 above, shall continue to be classified as RURAL/AGRICULTURE under the land use classifications as designated on the Future Land Use Plan Map of the County Comprehensive Plan until otherwise changed or amended by appropriate ordinance of the City.

Section 7. Effective January 1, 2017, all real property lying within the boundaries of the City, as hereby redefined, shall be assessed for payment of municipal ad valorem taxes, and shall be subject to all general and special assessments.

Section 8. All persons who have been lawfully engaged in any occupation, business, trade or profession, within the area, described in Section 1 above, upon the effective date of this ordinance under a valid license or permit issued by the County and all other necessary state or federal regulatory agencies, may continue such occupation, business, trade or profession within the entire boundaries of the City, as herein defined, upon securing a valid occupational license from the City, which shall be issued upon payment of the appropriate fee, without the necessity of taking or passing any additional examination or test which otherwise is required relating to the qualification of such occupations, businesses, trades or professions.

Section 9. The City Clerk is hereby directed to file, within seven (7) days of the effective date of this ordinance, a certified copy of this ordinance with the following:

- a) Florida Department of State, Tallahassee, Florida;
- b) Florida Office of Economic and Demographic Research, Tallahassee, Florida;
- c) Clerk of the Circuit Court of the County;
- d) Chief Administrative Officer of the County;
- e) Property Appraiser of the County;
- f) Tax Collector of the County; and
- g) All public utilities authorized to conduct business within the City.

Section 10. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 11. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 12. Effective Date. This ordinance shall become effective upon adoption.

PASSED UPON FIRST READING on the 17th day of November 2016.

PASSED AND DULY ADOPTED UPON SECOND AND FINAL READING, in regular session with a quorum present and voting, by the City Commission this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

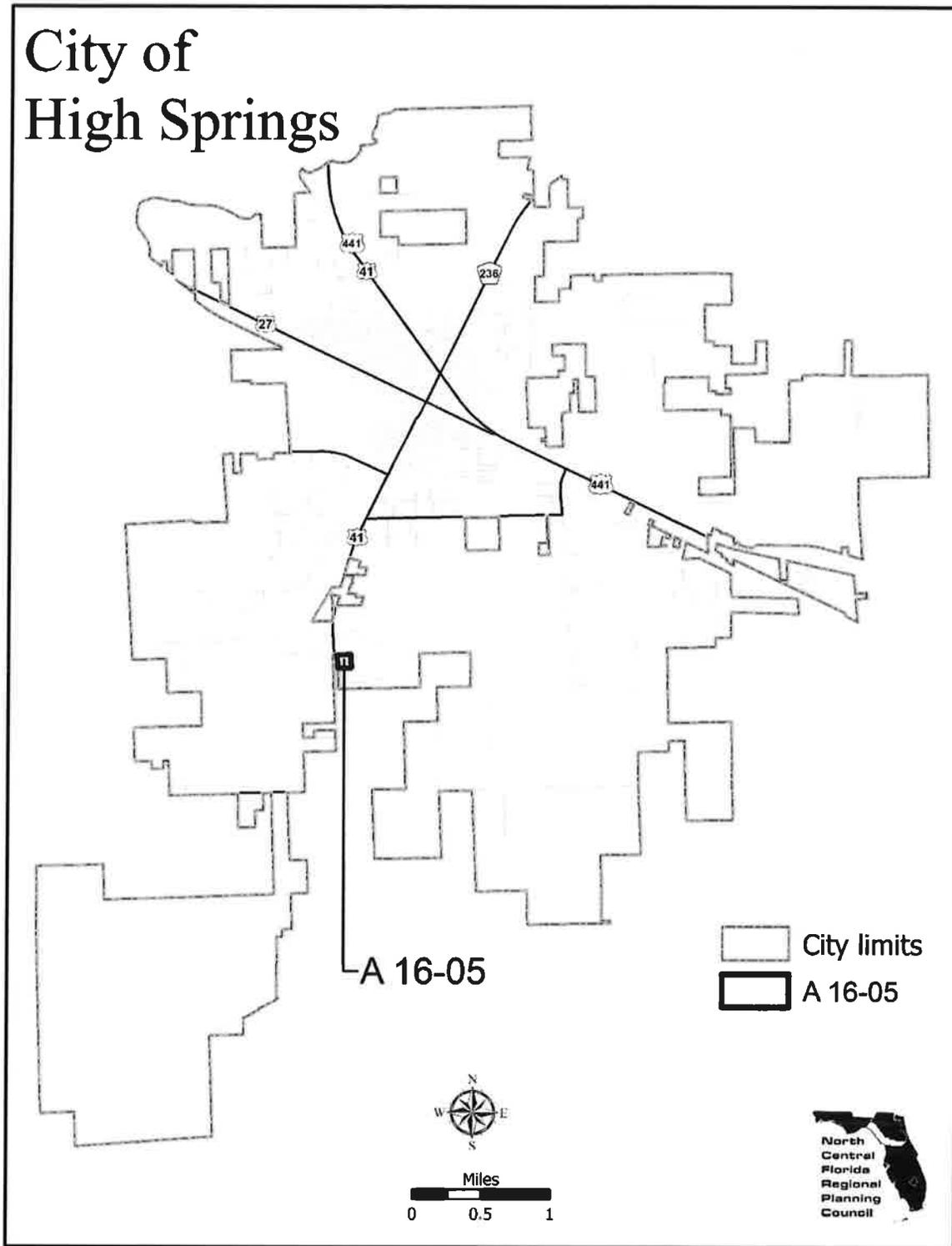
Attest:

CITY COMMISSION OF THE  
CITY OF HIGH SPRINGS, FLORIDA

\_\_\_\_\_  
Jenny L. Parham, City Clerk

\_\_\_\_\_  
Bryan D. Williams, Mayor

# Schedule A: Location Map



# **New Business**

**#13**



## Commission Agenda Item Request Form

***MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING***

**MEETING DATE: NOVEMBER 17, 2016**

**SUBJECT: CONSIDER ENGINEERING SERVICES AGREEMENT WITH MITTAUER & ASSOCIATES, INC. FOR PHASE A1 SEWER EXTENSION.**

**AGENDA SECTION: NEW BUSINESS**

**DEPARTMENT: PUBLIC WORKS**

**PREPARED BY: CITY CLERK**

**RECOMMENDED ACTION:**

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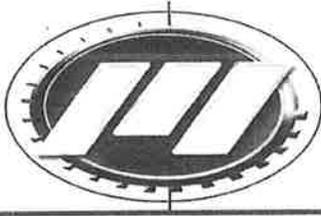
### Summary

THE CITY COMMISSION WILL CONSIDER APPROVING AN AGREEMENT WITH MITTAUER & ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR THE PHASE A1 SEWER EXTENSION.

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**ATTACHMENTS: ENGINEERING SERVICES AGREEMENT**

**REVIEWED BY CITY MANAGER:** \_\_\_\_\_



**MITTAUER**  
**& ASSOCIATES, INC.**  
CONSULTING ENGINEERS &  
PROJECT FUNDING SPECIALISTS

580-1 WELLS ROAD  
ORANGE PARK, FL 32073  
PHONE: (904) 278-0030  
FAX: (904) 278-0840  
WWW.MITTAUER.COM

October 5, 2016

Mayor and City Commission  
City of High Springs  
110 NW 1<sup>st</sup> Avenue  
High Springs, FL 32643-1000

RE: Engineering Services Agreement  
SRWMD Springs Funding - Sewer Extensions Phase A1  
City of High Springs, Florida  
Mittauer & Associates, Inc. Project No. 1105-17-1

Dear Mayor and City Commission:

We are pleased to present the following proposal for Engineering Services in conjunction with the design, permitting, and construction administration for the Phase A1 Sewer System Extensions Project. This project will involve the construction of approximately 11,100 LF of 8" and 10" gravity sewer, manholes, sewer services, sewer hookups with septic tank abatements, a duplex submersible pump station with emergency generator, approximately 2,000 LF of 8" force main, rock removal, and associated restoration in the NW 174<sup>th</sup> Avenue area. The estimated construction cost will be on the order of \$2,827,000. Funding for the project will be from a SRWMD Springs Grant in the amount of \$3,307,700 and a \$125,000 match from the City. Mittauer & Associates, Inc., hereinafter referred to as the Engineer, proposes to provide services as described in the Scope of Services to the City of High Springs, the Client, for the fees stipulated hereafter.

**ITEM A - PRELIMINARY ENGINEERING**

1. The Engineer shall visit the site of the proposed work and determine the best locations for the proposed sewer lines, manholes, pump station, and force main.
2. The Engineer shall prepare a conceptual layout of the proposed area to be sewer with preliminary pipe sizes, manhole locations, pump station location, and force main routing.
3. Engineer shall prepare a conceptual cost estimate of the proposed work.
4. Engineer shall attend meetings with the City and SRWMD to present the project.

### **ITEM B - TOPOGRAPHIC SURVEY**

The Engineer shall obtain on-site, above-ground field topographic survey information at the immediate area of improvements as necessary for the preparation of construction drawings and preparation of the permit applications. As it relates to subsurface utilities, the Engineer shall perform a Quality Level C Investigation, in accordance with ASCE 38-02, Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data.

### **ITEM C - SOIL BORINGS AND GEOTECHNICAL WORK**

The Engineer shall employ the services of a geotechnical subconsultant to obtain limited geotechnical soil data in the areas of the proposed pump station and manholes. Geotechnical soil data shall be sufficient for the Engineer to perform proper foundation design for the pump station and to identify the extent of rock removal the Contractor must perform.

### **ITEM D - ENGINEERING DESIGN**

1. The Engineer shall prepare plans and specifications for the project scope described above. Design shall meet FDEP requirements.
2. The Engineer shall prepare a cost estimate for the proposed work.
3. The Engineer shall provide the Client with three (3) sets of final plans for review and comment.

### **ITEM E - PERMIT APPLICATIONS**

1. The Engineer shall prepare a Florida Department of Environmental Protection Wastewater Collection System application and shall respond to all reasonable requests for additional information from FDEP.
2. The Engineer shall prepare a right-of-way application to Alachua County for location of the City's utilities in County right-of-way and shall respond to all reasonable requests for additional information from the County.

### **ITEM F - CONSTRUCTION BIDDING SERVICES**

The Engineer shall assist the Client in advertising the project for construction bids, based upon award to a single contractor, by preparing an invitation to bid; selling bid documents to prospective bidders; maintaining a record of prospective bidders to whom Bidding Documents have been issued; issuing addenda as appropriate to clarify, correct or change the bid documents; and preparing a tabulation of bids.

#### **ITEM G - CONSTRUCTION ADMINISTRATION SERVICES**

The Engineer shall provide standard Engineering Construction Administration Services including the preparation of construction contract documents; attending a preconstruction conference; reviewing the Contractor's material shop drawings; making periodic visits to the site to observe the progress of the various aspects of the Contractor's work; reviewing and approval of the Contractor's application for payment; processing change orders, if required; reviewing the Contractor's completion documents and record drawings; and performing a final inspection of the work.

#### **ITEM H - RESIDENT OBSERVATION**

The Engineer shall provide the services of a full-time Resident Project Representative at the site to provide full-time observation of the Contractor's work.

#### **ITEM I - O&M MANUALS, START-UP SERVICES, AND RECORD DRAWINGS**

The Engineer shall prepare/review an O&M manual for the proposed pump station, attend/coordinate start-up of the pump station, and prepare record drawings for the project based on red-line drawings provided by the contractor and the contractor's surveyor.

#### **ITEM J - PROJECT MANAGEMENT**

The Engineer shall manage the project on behalf of the Client in regards to the SRWMD funding requirements, shall prepare all periodic reports required by the SRWMD, and shall interface with SRWMD regarding any issues which may arise during the project. Engineer shall submit pay requests with the required supporting documentation to the SRWMD. Engineer shall keep an accounting of the various funding sources on the project and shall designate the source of funding on each pay request.

#### **ITEMS FURNISHED BY CLIENT AT NO EXPENSE TO THE ENGINEER**

The Client shall provide copies of all easements of the residences to be served to the Engineer. The Client or Owner shall provide all regulatory agency permit application fees and related items. The Engineer's scope of services does not include the preparation of landscape plans, traffic studies, retaining wall design, zoning related tasks, wetlands surveys, wetlands permitting and/or wetland mitigation, flood plain permitting and/or flood plain mitigation, tree surveys, boundary or easement surveys, subdivision platting, or value engineering. Owner shall pay for all project advertising costs.

### **SCHEDULE OF FEES**

For Item A - Preliminary Engineering, the Engineer shall be paid a lump sum fee of \$28,300.

For Item B - Topographic Survey, the Engineer shall be paid a lump sum fee of \$44,400.

For Item C - Soil Borings and Geotechnical Work, the Engineer shall be paid a lump sum fee of \$35,000.

For Item D - Engineering Design, the Engineer shall be paid a lump sum fee of \$158,400.

For Item E - Permit Applications, the Engineer shall be paid a lump sum fee of \$8,000.

For Item F - Construction Bidding Services, the Engineer shall be paid a lump sum fee of \$6,300, each time the project is bid.

For Item G - Construction Administration, the Engineer shall be paid a lump sum fee of \$46,500, assuming the project is awarded to a single contractor.

For Item H - Resident Observation, the Engineer shall be paid at a rate of \$2,800 per week for each week that a Resident Observer is required to be on site up to a maximum of 65 weeks which totals \$182,000.

For Item I - O&M Manual, Start-up Services, and Record Drawings, the Engineer shall be paid a lump sum fee of \$12,000.

For Item J - Project Management, the Engineer shall be paid a lump sum fee of \$84,800.

**TOTAL ENGINEERING FEE = \$605,700**

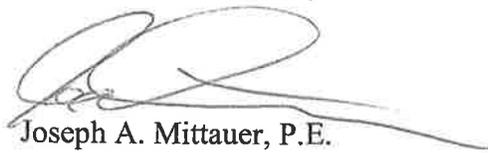
The Engineer shall respond to design-related questions during construction at no cost to the Client. The Engineer shall make himself available to the Client at the Engineer's standard hourly rates for additional services as requested and changes in project scope of work.

Invoices for services in progress are prepared monthly and are due in accordance with Florida Statute 218, The Local Government Prompt Payment Act. Payments which are not received in accordance herewith are subject to late fees as outlined in the Act as well as collection fees and may cause the Engineer to stop work on the Client's projects. The fees listed above do not include state sales tax or value added tax, should they be required by law.

**ACCEPTANCE**

Acceptance of this proposal may be indicated by the signature of a duly authorized official of the Client in the space provided below. One signed copy of the proposal returned to the Engineer shall serve as Notice to Proceed. Should this proposal not be accepted within a period of thirty (30) days, it shall become null and void.

Sincerely,  
Mittauer & Associates, Inc.



Joseph A. Mittauer, P.E.  
President

JAM/TPN/pj

Accepted by  
City of High Springs, Florida

By: \_\_\_\_\_  
The Honorable Bryan Williams, Mayor

Date: \_\_\_\_\_