

**AGENDA**  
**CITY OF VALPARAISO & VALPARAISO CABLE AUTHORITY JOINT MEETING**  
**465 Valparaiso Parkway**  
**Valparaiso, Florida**  
**850-729-5402**  
**March 14, 2016**  
**6:00 pm**

*Invocation (Comm. Hamilton)*  
Pledge of Allegiance (Mayor Arnold)

**APPROVAL OF MINUTES**

1. February 8, 2016

**CITIZENS' CONCERNS (non-agenda items)**

1. Resident
2. Non-resident

**ACTION ITEMS/POTENTIAL ORDINANCES**

1. Mosquito Control Presentation by Scott Henson, Director Okaloosa County
2. Ordinance No. 670 Flood Plan Amendment-----Attach 1
3. Resolution No. 03-03-14-16 Surplus Property-----Attach 2
4. General Employee Normal Retirement Age-----Attach 3
5. Etc.

**OLD BUSINESS**

1. Referendum Business Property Tax Exemption
2. Etc.

**REPORTS / CORRESPONDENCE / ANNOUNCEMENTS**

1. TPO/DOT
2. Stormwater
3. Legal Activities Update
4. Community Liaison Report
5. Construction Activity
6. Oath of Office March 22, Noon
7. Organizational Meeting March 22, 6 PM
8. 5th Annual Easter Egg Hunt Lincoln Park Saturday March 26, 9am – 11am
9. Disbursements
10. Etc.

**ADMINISTRATIVE ITEMS**

1. Presentations

# ORDINANCE NO. 670

**AN ORDINANCE BY THE CITY OF VALPARAISO AMENDING THE CITY OF VALPARAISO'S CODE OF ORDINANCE NO. 636 TO ADOPT REQUIRED ADDITIONAL PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; SEVERABILITY; AND AN EFFECTIVE DATE.**

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

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

**WHEREAS**, the City of Valparaiso was accepted for participation in the National Flood Insurance Program on April 1, 1977 and the City of Valparaiso City Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

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

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

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

**NOW, THEREFORE, BE IT ORDAINED** by the City of Valparaiso Board of Commissioners that the following floodplain management regulations, are hereby adopted.

## **SECTION 1. FINDINGS**

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

The Valparaiso Code of Ordinances No. 636 is hereby amended as follows with underlining indicating new language and strike-through indicating deleted language:

303.6 Limitations on sites in coastal high hazard areas (Zone V). In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Section 105.3(4) of this ordinance demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or

- (2) Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
- (3) Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

~~107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Section 105.14 and Section 107.6, shall not extend to the flood load and flood resistance construction requirements of the *Florida Building Code*.~~

#### ~~117 VARIANCES IN FLOOD HAZARD AREAS~~

~~117.1 Flood hazard areas. Pursuant to section 553.73(5), F.S., the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building*.~~

### **Section 2: CONFLICTING ORDINANCES**

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

### **Section 3: SEVERABILITY**

The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph section or clause is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

### **Section 4: EFFECTIVE DATE.**

This ordinance shall become effective immediately upon passage.

ADOPTED IN SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016

\_\_\_\_\_  
John B. Arnold, Jr.  
Mayor

ATTEST:

\_\_\_\_\_  
Tammy Johnson, CMC  
City Clerk

# RESOLUTION NO. 03-03-14-16

## A RESOLUTION TO APPROVE SALE OF SURPLUS EQUIPMENT FROM THE CITY OF VALPARAISO AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Florida Statute 274.05 allows a governmental unit to classify as surplus any of its property, which property is not otherwise lawfully disposed of, that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function; and

**WHEREAS**, the Public Works Department has accumulated several odd, broken, obsolete and other non-usable surplus property and which is more fully described below; and

**WHEREAS**, the Director of Public Works has requested the disposal of this surplus property.

### **NOW, THEREFORE, BE IT RESOLVED, BY THE VALPARAISO CITY COMMISSION THAT:**

The City of Valparaiso is hereby authorized to sell the following items of surplus property:

1. 6- Utility Trailers (old/no use)
2. 1- Generac Generator (blown engine)
3. 5- Portable Generators (no use)
4. 1- Gas Powered Air Compressor (no use)
5. 1- Finish Mower Deck (replaced with new mower)
6. 1- Boom Mower Attachment (high maintenance/prison crew replaced)
7. 1- Engine Hoist/Stand (no use)
8. 1- Air Powered Tire Machine and balancer (no use)

**This resolution is effective upon adoption.**

**PASSED AND ADOPTED THIS 14<sup>th</sup> DAY OF MARCH, 2016.**

\_\_\_\_\_  
John B. Arnold, Jr.  
Mayor

ATTEST:

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Tammy Johnson, CMC  
City Clerk

**MEMORANDUM**

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Date: March 10, 2016  
To: City Commission  
From: City Clerk  
Subject: General Employee Retirement



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Please see the attached 401(a) Defined Contribution Plan.

I respectfully request the Commission consider changing the “Normal Retirement Age” of the City of Valparaiso’s General Retirement.

Currently the City of Valparaiso’s General Retirement “Normal Retirement Age” is 70½.

**FRS Pension Plan**

If you enrolled in the FRS prior to July 1, 2011, normal retirement is age 62 with at least 6 years of service or 30 years of service, regardless of age.

If you enrolled in the FRS on or after July 1, 2011, normal retirement is age 65 with at least 8 years of service or 33 years of service, regardless of age.

I would like you to consider changing the General Retirement to closer mirror the FRS Plan.

**Possible New “Normal Retirement Age”**

age XX with at least X years of service or XX years of service, regardless of age.

## Florida Municipal Pension Trust Fund

§ 401(a) Defined Contribution Plan

### Adoption Agreement

**Please tell us about the Participating Employer:**

<u>Name of Government Entity</u>	<u>City of Valparaiso</u>
<u>Address</u>	<u>465 Valparaiso Pkwy</u>
<u>Address</u>	
<u>City-State-Zip</u>	<u>Valparaiso, FL 32580</u>
<u>Individual to Receive Plan Notices</u>	<u>Della Rhodes</u>
<u>Title</u>	<u>Deputy City Clerk</u>
<u>Telephone</u>	<u>850-729-5402</u>
<u>Fax</u>	<u>850-678-4553</u>
<u>e-mail</u>	<u><a href="mailto:deputyclerk@valp.org">deputyclerk@valp.org</a></u>

### **Your Plan Administrator is:**

Florida League of Cities, Inc.  
301 S. Bronough Street  
P.O. Box 1757  
Tallahassee, Florida 32302  
Phone: (850) 222-9684  
Fax: (850) 222-3806

Contacts: Jeremy Button, Senior Analyst, [jbutton@flcities.com](mailto:jbutton@flcities.com)

### **Plan Provisions**

The Participating Employer will use FMPTF's § 401(a) Defined Contribution Plan Document.

For any Plan choice that this Adoption Agreement fails to specify, the Participating Employer is deemed to have specified the first-displayed choice.

Your Plan Year is:

October 1 – September 30

January 1 – December 31

Other \_\_\_\_\_

### **Payroll Periods**

The payroll period of the Participating Employer is:

weekly

bi-weekly

semi-monthly

monthly

other [specify]: \_\_\_\_\_

Florida Municipal Pension Trust Fund  
§ 401(a) Defined Contribution Plan  
Adoption Agreement

**Who's eligible?**

Generally, the following employee classes are allowed to participate in the Plan:

- General Employees
- Police Officers
- Firefighters

An Employee is eligible to share in Non-elective Contributions and Matching Contributions (to the extent provided under the Plan) if he or she meets all of the following three eligibility conditions:

**1. Age condition**

An Employee is eligible if he or she has attained:

- no age requirement
- age 16
- \_\_\_\_\_ age 18
- age 21

**2. Service condition**

An Employee is eligible if he or she has completed:

- no service requirement
- 3 Months of Eligibility Service
- 1 Year of Eligibility Service
- Other: \_\_\_\_\_

**3. Excluded Employees**

Every Employee shares in Non-elective Contributions and Matching Contributions except an Employee who belongs to a classification specified below:

Police Officers, firefighters, part time employees, and current FRS members

\_\_\_\_\_

**Participating Employer Contributions**

A Participating Employer may make Non-elective Contributions and/or Matching Contributions as specified below. Non elective Contributions and Matching Contributions that are tied to Payroll Periods (as defined in this Adoption Agreement) must be remitted to the Plan Administrator no later than 15 business days after the Payroll Period. Annual Contributions must be remitted to the Plan Administrator no later than 15 business days after the end of the Plan Year. A Participating Employer may establish different classes of Employees for

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contribution purposes in this Adoption Agreement. The Participating Employer hereby elects to make Contributions as follows (choose one or both as applicable):

**Non-elective Contributions** – Participating Employee Non-elective Contributions will be made on the following basis (must specify):

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**Non-elective Contributions** – Participating Employer Non-elective Contributions will be made on the following basis (must specify):

9% employer contribution

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Matching Contributions

Matching Contributions are Participating Employer Contributions that may be made to match all or a portion of a Participant's contribution to an eligible 457(b) deferred compensation plan.

If the Participating Employer provides Matching Contributions, the amount of Matching Contributions made for a Participant each Plan Year will be (choose only one):

100% match, up to \_\_\_\_\_ % of such Participant's Employee Basic Contributions.

\_\_\_\_\_ % of the Participant's Employee Basic Contributions, which cannot exceed \_\_\_\_\_ % of the Participant's Benefit Compensation.

other formula (requires approval from the FMPTF ) \_\_\_\_\_

Non-elective Contributions and Matching Contributions in the year of termination

A Participant shall receive the Employer Contribution during the year of termination regardless of time completed, subject to the vesting schedule.

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**Benefit Compensation**

Benefit Compensation means the Participant's:

Benefit Compensation as defined in Provision 3.13 in the Plan Document.

other [specify] ( requires approval from the FMPTF)

To include overtime.

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**Vesting for Participating Employer Non-elective Contributions and Matching Contributions**

A Participating Employer may establish a vesting schedule for Participating Employer Non-elective Contributions and Matching Contributions. This means that if the Participant leaves the Participating Employer's employment prior to completing a specified minimum period of service (not to exceed 5 years), the Participant forfeits the Participating Employer's Non-elective Contributions and Matching Contributions. However, upon Death, Disability, or the Termination of the Plan, the Participant is 100% vested in the Participant's Participating Employer Non-elective Contributions and Matching Contributions, notwithstanding any vesting schedule. If a vesting schedule is established, it is the Participating Employer's responsibility to calculate the Participants service and report it to the Plan Administrator. The Participating Employer hereby elects the following:

A Participant becomes Vested in his or her Plan Account according to:

Immediate vesting

-or-

The schedule marked below

<u>Years of Vesting Service</u>	<u>Vested percentage</u>
<u>1</u>	<u>0%</u>
<u>2</u>	<u>0%</u>
<u>3</u>	<u>0%</u>
<u>4</u>	<u>0%</u>
<u>5</u>	<u>50%</u>
<u>6</u>	<u>60%</u>
<u>7</u>	<u>70%</u>
<u>8</u>	<u>80%</u>
<u>9</u>	<u>90%</u>
<u>10</u>	<u>100%</u>

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Unless otherwise specified above, the vesting period will begin on the Participant's first day of employment as an Eligible Employee. In addition, unless otherwise indicated above, Eligible Employees who are employed on the date the Plan is adopted by the Employer will be given credit for prior service as an Eligible Employee for purposes of satisfying the vesting schedule. Also, unless otherwise provided above, different periods of service as an Eligible Employee will be added together in determining whether the vesting period has been satisfied.

Restated Plan - If this is a Restated Plan to an existing defined contribution plan and the Vesting Schedule has been amended by this Restated Plan, enter the pre-amended vesting schedule below:

- a.                      Years of Service                           Percentage                           Years of Service                           Percentage
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b.  Schedule has not been amended.

**Years of Vesting Service**

A year of vesting service shall be measured from the Participant's date of hire. The completion of twelve calendar months from the date of hire shall count as a year of vesting service. Any years of vesting service credited from prior years shall remain credited, regardless of revised provisions.

Forfeitures

Forfeitures shall be held in a Forfeiture Account and be used to reduce future Participating Employer Contributions.

Normal Retirement Age

An employee may separate service at any time, and access the vested portion of their retirement account balance. The 401(a) Plan Document declares a Normal Retirement Age, but the Plan Sponsor may declare their own Normal Retirement Age if they wish.

- The Plan utilizes the Normal Retirement Age in the Plan Document.
- The Plan utilizes an alternative Normal Retirement age (no later than 70 ½):
- age 70 ½
- age XX with at least X years of service or XX years of service, regardless of age.

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**Changing and Terminating this Adoption Agreement**

If a Participating Employer desires to amend any of its elections contained in this Adoption Agreement, the Participating Employer by official action must adopt an amendment to the Adoption Agreement or a new Adoption Agreement must be adopted and forwarded to the FMPTF for approval.

This Adoption Agreement may be terminated only in accordance with the Plan.

**Adopting the Plan**

By signing below, the Participating Employer adopts the FMPTF 401(a) Defined Contribution Plan ("Plan"). The Participating Employer acknowledges that it received a copy of the Plan. The Participating Employer shall receive copies of any Plan amendments made by the FMPTF.

The Participating Employer's signer represents that he or she is a proper officer of and has authority to enter into this Adoption Agreement as an obligation of the Participating Employer.

\_\_\_\_\_

BY:

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

\_\_\_\_\_ Name:

\_\_\_\_\_ Title:

Accepted for the:

**Florida Municipal Pension Trust Fund**

By the Administrator:

\_\_\_\_\_  
**Florida League of Cities, Inc.**

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