DATE: TUESDAY, FEBRUARY 5, 2019
TIME: 7:00 P.M.
PLACE: WILLISTON CITY COUNCIL ROOM

CALL TO ORDER

ROLL CALL

MEMBERS:

     Mayor Jerry Robinson
     President Nancy Wininger
     Vice-President Marguerite Robinson
     Councilman Charles Goodman
     Councilman Justin Head
     Councilman Elihu Ross

     OTHERS:
     City Manager Scott Lippmann
     City Clerk Frances Taylor
     City Attorney Fred Koberlein

OPENING PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

ITEM – 1 – ADDITIONS, DELETIONS, CHANGES AND APPROVAL OF THE AGENDA

ITEM – 2 – MAYOR’S STUDENT OF THE MONTH (pp 4–5)

ITEM – 3 – PUBLIC PARTICIPATION

ITEM – 4 – CONSENT AGENDA

A. MINUTES: JANUARY 22, 2019 REGULAR CITY COUNCIL MEETING (pp 6–15)
B. RESOLUTION 2019-09: ACCEPTING A BID AND APPROVING A PURCHASE ORDER FOR THE PURCHASE OF LIGHTING FOR HERITAGE PARK (pp 16–18)

ITEM – 5 – OLD BUSINESS

A. STAFF AND BOARD UPDATES
B. DISCUSSION WITH POSSIBLE ACTION: BUILDING DEPARTMENT ADMINISTRATION – UPDATE OF PROPOSED FEE SCHEDULE (pp 19–20)
C. DISCUSSION WITH POSSIBLE ACTION: PROPOSED PARADE AND SPECIAL EVENTS PROCESS
D. RESOLUTION 2019-06: APPROVING THE COMPILATION OF CITY CLERK ANNUAL EVALUATION (pp 21–22)
E. DISCUSSION WITH POSSIBLE ACTION: COLA FOR CITY PENSION PLAN (pp 23)
F. DISCUSSION WITH POSSIBLE ACTION: CITY ISSUED LAPTOPS FOR COUNCIL MEMBERS (pp 24–25)
ITEM – 6 – NEW BUSINESS

A. ORDINANCE 670 (PUBLIC HEARING): REQUEST BY CRACKER COTTAGE HOLDINGS FOR A SMALL SCALE LAND USE AMENDMENT CHANGING 5.01 ACRES FROM COUNTY RESIDENTIAL TO CITY MULTI-FAMILY RESIDENTIAL (pp 26–34)

B. ORDINANCE 671 (PUBLIC HEARING): REQUEST BY CRACKER COTTAGE HOLDINGS FOR A ZONING MAP AMENDMENT CHANGING 5.01 ACRES FROM COUNTY RESIDENTIAL TO CITY MULTI-FAMILY RESIDENTIAL (R-2) (pp 35–43)

C. PRESENTATION: WASTE WATER TREATMENT PLAN UPDATE (pp 44–61)

D. RESOLUTION 2019-07: APPROVING RFP SELECTION FOR CDBG GRANT ADMINISTRATION (pp 62–91)

E. RESOLUTION 2019-08: APPROVING PROFESSIONAL SERVICES AGREEMENT WITH THREE POINTS PLANNING FOR GRANT ADMINISTRATION SERVICES TO IMPLEMENT PHASE II OF THE ECONOMIC DEVELOPMENT STRATEGY (pp 92–99)

F. DISCUSSION WITH POSSIBLE ACTION: ISSUES FOR LEGISLATIVE ACTION DAYS

G. DISCUSSION WITH POSSIBLE ACTION: DISTRIBUTION OF CITY MANAGER EVALUATION FORMS

ITEM – 7 – PUBLIC PARTICIPATION

ITEM – 8 – ANNOUNCEMENTS

ITEM – 9 – ADJOURNMENT

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Council Meeting Procedures for members of the Public

1. All cell phones to be turned off when entering the Council Chambers;
2. Once the audience has taken their seat and the meeting begins, there will be no talking between audience members during the course of the Council meeting. If anyone continues to talk within the audience and is called down 3 times during the course of the meeting, on the third time that person will be escorted out of the Council meeting;
3. The audience must be recognized by the President before being allowed to address the Council;
4. The member of the audience that is recognized will proceed to the podium, state their name and then proceed with their comments;
5. The audience member will be limited to not more than 5 minutes to speak based on Resolution 2003-14;
6. There will be no personal attacks made by any member in the audience toward a sitting Councilperson, and likewise for any sitting Councilperson;
7. There will be no conversation between a member of the audience that has been recognized and any other member of the audience when speaking while at the podium;
8. If an audience member wants to speak more than the allotted 5 minutes allowed then that person should make a request to City Hall so that the item may be placed on the agenda.
Minutes of the City Council meeting may be obtained from the City Clerk’s office. The minutes are recorded, but not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recordings, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be borne by the requesting party.

In accordance with Section 286.0105, Florida Statutes, notice is given that if a person wishes to appeal a decision made by the City Council with respect to any matter considered at this meeting they will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the Mayor through the City Clerk’s office no later than 5:00 P.M. on the day prior to the meeting.
Joyce Bullock Elementary School:
Emmett Lambert 2nd Grade
Parent(s): Veronica Baver

Nominated by: Mrs. Roe Stegall who made the following comments:

Emmett is such a sweet, loving and caring student. He is a friend to everyone he meets. He is quick to put a smile on everyone face the moment he walks into the classroom. Emmett is also a role model to his classmates and peers. He excels academically, and is on the AB honor roll. He enjoys school, and being challenged. His teachers are very proud of him and all his hard work.

Williston Central Christian Academy:
Raegann Jerrels Kindergarten - Grade
Parent(s): Eli and Meghann Jerrels

Nominated by: Mrs. Martin who made the following comments:

Raegann is a very special young lady. She is the kind of student that wants to do well and tries her best at all times. She loves to help and often asks if some needs help without prompting. She is a natural peacemaker. She will often suggest possible solutions to the problems that arise between her peers. She is a joy to have as a student.

Williston Central Christian Academy:
Thomas Smith 3rd Grade
Parent(s): Richard and Sarah Smith

Nominated by: Kayla Thorrington who made the following comments:

Thomas is an exceptional student. He is an amazing role model in our classroom. Thomas always puts his friends first, and is ready to serve in any way possible. Thomas is a very bright hard working student. I am very proud to be his teacher. Keep it up Thomas.
Williston Middle High School:
Savanna Riley Jerrels  6th Grade
Parent(s):         Sabrena Mullins

Nominated by:  Natalie Couey who made the following comments:

Savanna excels in and out of the classroom. While maintaining outstanding grades and attendance, she is active in sports and FFA. She competed on the Williston FFA parliamentary procedures team as they advanced to the district contest and brought home 3rd place. She is trying out for the Williston FFA livestock judging team, volunteers for the school activities and is a role model for her peers. Savanna is a member of the Junior Cattlemen’s Association and Florida Jr. Brahman Association. She is an avid showman-traveling around the state showing her calves. She has also been recognized many times for her showmanship abilities and has earned numerous belt buckles for her efforts.

Williston Middle High School:
Alaycia Rowe    9th Grade
Parent(s):         Jamie Zamora

Nominated by:  Jennifer Dola who made the following comments:

Alaycia Rowe is an independent thinker who is not afraid to stand up for what she believes. She maintains an A/B average as well as being an active member of AVID and an athlete. Alaycia is a loyal and faithful friend and very deserving of the Student of the Month recognition.
CALL TO ORDER

ROLL CALL

MEMBERS:

Mayor Jerry Robinson
President Nancy Wininger
Vice-President Marguerite Robinson
Councilman Charles Goodman
Councilman Justin Head
Councilman Elihu Ross

OTHERS:

City Manager Scott Lippmann
City Clerk Frances Taylor
City Attorney Fred Koberlein

OPENING PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Robinson led in prayer and the Pledge of Allegiance to the American Flag.

ITEM – 1 – ADDITIONS, DELETIONS, CHANGES AND APPROVAL OF THE AGENDA

Councilman Head moved to approve the Agenda. Vice President Robinson seconded. On vote, the motion carried, 5-0.

ITEM – 2 – PUBLIC PARTICIPATION

Mr. Pete Burger expressed his desire not to see the hospital go away. He acknowledged the problems but noted that the state is a Certificate of Needs state. If they lose their license it would be difficult to get it back. He suggested creating a trust for the license to keep the license active in the interest of keeping a hospital in the community.

ITEM – 3 – CONSENT AGENDA

Councilman Goodman moved to approve the Consent Agenda. Vice President Robinson seconded. On vote, the motion carried, 5-0.

A. MINUTES: JANUARY 8, 2019 REGULAR CITY COUNCIL MEETING

ITEM – 4 – OLD BUSINESS

A. STAFF AND BOARD UPDATES

City Manager Lippmann advised that the gazebo was struck by a vehicle a couple of weeks prior. The City received a check from the city’s insurance carrier for just over $6300. The City has been assessed with the $1000 deductible. The insurance company has contacted the driver’s insurance company to attempt to get them to agree to subrogation so that the driver’s insurance will pay and the City will receive a refund of the deductible. Councilman Goodman confirmed that the driver had been caught. Councilman Ross asked if the driver was the owner of the car. City Manager Lippmann advised that the driver’s boss was the vehicle owner. Councilman Ross concluded that the owner would be responsible. Councilman Goodman questioned if the City would have to return the $6300 if the owner’s insurance company were to make payment. Mayor Robinson explained that if there was negotiation, the City may get a percentage of what is collected. He noted the return will be a percentage of the $1000 on the deductible. He asked if a contractor had looked at the gazebo and agreed to the repair for the amount received. City
Manager Lippmann responded that had not happened as of yet. The City will have to get it repaired. Councilman Goodman asked if the City had received bids for the repair work. City Manager Lippmann advised to his knowledge the City had not. Mayor Robinson expressed concern that the City should not cash the check. There was discussion about the arrangements pending an estimate to ensure the settlement will cover the repair. City Manager Lippmann concluded he would advise Finance not to cash the check until bids are received.

City Manager Lippmann advised that the Heritage Park wall block has been laid and the crews are in the process of cleaning up the site around it. There will be a brick facing that should match the pavilion brick. It will go on the wall and should address the erosion problem. The CRA has expressed an interest in putting a Heritage Park sign on the front of the wall. That will be happening when the brick work is finished.

The area around the flag pole in front of City Hall has been redesigned and simplified so the crew can access the inside in the event of electrical issues. The plaque has been ordered. The access hatch will be hidden by the plaque. The crews will form the pole installation area when they are ready to pour the rest of the concrete which should happen in the near future. A lot will depend on weather.

City Manager Lippmann advised that the sidewalks in Heritage Park have been taken up and stacked. Public works will be going in to prep for new and wider sidewalks. They are going to try to make sure they get benches in the appropriate places along the way. They will also be planting some trees once the rest is done. On the corner in front of City Hall, there are poles in the ground. The crews will build a landscaped hill with ground cover. The granite sign for the City Hall is in the process of being cleaned and they will lay it on the hill at an angle and put lights around it. The slab is being cleaned up. President Wininger asked if there was a possible date established for open house. City Manager Lippmann deferred to the Oelrich representative and the issues remaining prior to establishing any potential date.

• REPORT FROM OELRICH

Mr. Crehore, Project Manager for Oelrich stated reviewed the list of remaining items. On roofing, there was some caulk that needed to be replaced which has been completed. It was not a metal panel. Vice President Robinson asked if it was a hole. Councilman Goodman recalled that the Council had been told it was a hole. He noted that if someone is depending on caulk to keep water out, they are already in trouble. The caulk can seal out air but if it is being used to seal against water, it will leak. He asked where it was sealed. Mr. Crehore stated it was a caulk in between dissimilar materials: a flange on an exhaust fan. It was not an uphill issue. It was a level issue between the flange on the exhaust fan and material beneath it. Councilman Goodman questioned if the caulk was left off or if it was a maintenance item. Mr. Crehore advised that they found a pinhole in the caulk and will keep up with it to make sure it doesn’t become a maintenance issue. Councilman Goodman expressed his concern again if it is a situation where they have caulk holding out water. Mayor Robinson asked about the warranty. Councilman Goodman advised it will be a year warranty for workmanship. Mr. Crehore added there is a lengthier roof material warranty. The City has a one year warranty on anything in the building. Councilman Goodman restated that if someone needs caulk to keep water out of a building, then they are in trouble. Mr. Crehore advised that Oelrich will be present if it becomes an issue. He stated that, with regard to the HVAC, all the items discussed at the last meeting have been completed, including test and balance. During the test and balance, they found other items they did not like and have addressed all but one. One is an over cooling issue. They are still working on that issue. The other HVAC issue was the noise issue in the Council room which has improved as a result of the test and balance. He stated he wanted to hear it for himself. Councilman Goodman stated he found it to be very acceptable. The only other issue he had was the plaque. He stated he went back through the GMP for the project and identified the funds and showed how they were used and how the remaining funds were returned to the contingency in the project. President Wininger confirmed that was the $14,000 item previously discussed. Mr. Crehore stated he sent the information to Mr. Lippmann. City Manager Lippmann advised that he and Mr. Zimoski would review it. President Wininger asked about the open house. Mr. Crehore stated that he had the one issue regarding the air handler. That is the only thing left other than a door that was nicked. City Manager Lippmann advised that he wanted them to take a look in his office due to a noise issue, as well.
• HOSPITAL UPDATE

President Wininger stated she had received several phone calls from WCJB about payment and a problem Mr. Perez is having with his hospital in Kansas. City Manager Lippmann advised that they are up to date on their plan and have paid on time and in full on the payment plan. There is another payment due Friday. He stated he had a brief conversation with Mr. Koberlein. He thought about developing a legal document to memorialize the plan but Mr. Koberlein advised him that it wouldn’t really give the City any leverage it doesn’t already have. The City is just going to continue with the agreement the Council approved. Every Friday, staff will be looking for payment per the schedule. President Wininger stated her appreciation that he sent emails updating the status and asked him to continue to do so in order for the members to be able to address inquiries. City Manager Lippmann advised that he was aware of the other issues but his main concern is that the City receives a check every Friday and the check clears. Mr. Perez‘ other problems elsewhere don’t really change the City’s agreement with him. It is good to know but he stated he did not think that there was anything in that information that is of value to the City in terms of its dealings with the hospital. Councilman Goodman clarified that Mr. Lippmann had no knowledge of the history before the City made the agreement with Mr. Perez. President Wininger stated her appreciation for the interest that the community has in the hospital because it is privately owned.

Mayor Robinson recalled that approximately one week earlier, every morning at around 7:30, there was a power flicker. City Manager Lippmann advised that, during a recent outage, the City discovered that Duke had some loose connections on part of their power system and those connections had welded themselves. The conclusion was that might have been the cause of a good bit of the problems related to the flickering. City Manager Lippmann noted the drop in power the prior Sunday morning. Mayor Robinson stated that was a tree limb and that is going to happen. He asked when Duke is going fix it. City Manager Lippmann advised that, as far as he knew, they had fixed it when they turned their power back on. Mayor Robinson advised the flickering occurred after their failure. Vice President Robinson and Councilman Ross specified instances of some of the recent power flickers. Mayor Robinson stated it is becoming more prominent and he wanted to know if it is the City’s problem or Duke’s problem. City Manager Lippmann advised that the City crews have been through our circuits countless times but found nothing that would explain the consistent issues that have been reported. Mayor Robinson suggested Duke may need to come and look at it again. It is not just a problem for residents. It is a problem for businesses. Councilman Goodman asked if anyone was logging the occurrences. He stated it is really difficult to fix it when they don’t know where the problem is. City Manager Lippmann advised that there were a couple of individuals that submitted a list over time. The City has taken the lists back to Duke because they supposedly monitor all of the circuits coming in. They have told the City time and time again that they don’t see any issues with their circuitry at those times and dates noted. The City crews have put recording devices on the system and have not seem these regular occurrences over a period of time. Crews have been through the system and changed out the reclosers. The City has taken the issue up with Duke. President Wininger asked if City Manager Lippmann could check with the Utilities Director the following day to see if there is anything he is aware of and to let the members know. She suggested that, as there are outages, the members could record them and let the City staff know. She encouraged citizens to call in to let the City know, as well. City Manager Lippmann advised that the City staff has tried everything, including to putting an LED alarm clock on a circuit. President Wininger noted the situation is better than it was last year but any flicker is an issue. She asked Mr. Lippmann to check with the Utility Director and then report back to the Council.

B. DISCUSSION WITH POSSIBLE ACTION: BUILDING DEPARTMENT CONTRACT

City Planner Gorman advised that she wanted to try to keep the members up to date as she continues to assess the building department. Since last meeting, she collected data from similar cities that outsource. Not included were Ocala and Gainesville as they have their own building officials. She stated she took a single family dwelling valued at $170,000 and figured out what permit fees were for each city. The information provided reflected those differences. Cedar Key will be a little higher because they are remote and very FEMA controlled. Inverness is right next to Safebuilt, the vendor, and had the lowest fee. Dunnellon was in the middle. Staff concluded that Dunnellon’s fees were appropriate for Williston and they are looking at possibly utilizing their fee schedule. It is a substantial increase but fees have not changed in Williston since 2006. Councilman Goodman asked why Williston would need
to stay competitive. City Planner Gorman advised that is because the City would run the risk of not finding a building official to service Williston. Councilman Goodman asked if the increase would go to the official. City Planner Gorman advised that they are looking at an 80/20 split. There will be very little office hours and the building official will have a cell number where they are accessible by phone at all times. They will come in to do inspections twice a week. The staff is working to develop a contract on that basis. The option is to put it out to bid but she stated she called around and can’t get any interest. In addition, there is a shortage of building officials. They are just not as plentiful as they once were. She stated she is trying to work in these parameters. This is just building services. She stated that she would be looking at the City’s zoning fees as well and bring them back to Council. She advised she did not anticipate a big change in those fees. It is the building services, she was concerned with. President Wininger asked how long the contract would be in effect. City Planner Gorman explained that it is typically 2 years with an option. She added that she prefers contracts that give the option to cancel a contract if there is a problem. President Wininger asked what the harm would be in taking that fee down to $2,000. City Planner Gorman advised she could propose that. They get into how much time it takes for the inspector to come. The more customers they have in this side of Levy County, the better. However, as that dwindles, they will have to travel. She stated she was trying to make it worth their while. She stated she wanted them to have customer service, office hours, be emergency on call and have an hourly rate if they need to go to code enforcement or deal with another issue. It is ultimately the Council’s call. President Wininger verified that they are continuing to help Williston on the current fee schedule. City Planner Gorman stated they are going to do that until the parties can get into another contract.

Mayor Robinson asked if the staff knew who the building inspector will be. City Planner Gorman stated that the current inspector may be leaving and going to another jurisdiction. Mayor Robinson asked if she thought it would be a problem to sit in with the building officials when they meet with the public. City Planner Gorman stated she is always open to that. Mayor Robinson stated that would allow her to see how they act with the public face to face because this has been a problem in the past, in addition to the building officials not knowing the specific codes and correcting themselves after the fact. He suggested the City Planner monitor in that way. City Planner Gorman agreed she could do that and she could also propose the $2,000 rate. President Wininger stated that was just a number. It is up to the Council. She was just wondering if the City can lessen the blow. City Planner Gorman advised she is at the will of the Council. Councilman Head concluded that the apparent direction coming from Council is to negotiate the lowest fee possible to keep the services intact and, if it is not possible to come to agreement on a number, to seek other options. City Planner Gorman advised that the vendor is validating the $2,500 to compare and see how that would have worked with them over the past few years. The parties are trying to make sure they are doing the right things for the right reasons. Councilman Goodman asked if there was an attempt to talk to Levy County Building Department and if so, whether they declined. City Planner Gorman advised that they spoke with the City Manager and her understanding was that they were going to help. Councilman Goodman confirmed they were to assist until such time as the City made other arrangements and all of that disappeared with no explanation. Councilman Goodman asked City Planner Gorman if she talked to them. City Planner Gorman stated she had not but she would reach out to them.

Councilman Goodman stated he is not happy with the current company at all. He considers them unprofessional in the way they have addressed a number of issues with the citizens and in their attitude with the citizens. He stated he called several meetings with the City manager and the company. He stated he was not saying he was unwilling to work with them but they are low on his list of choices. He questioned if other options were explored. City Planner Gorman advised that she contacted companies that she knew and they were not willing to come this far. She stated she was supposed to ask for Levy County on a permanent basis. She indicated her initial understanding was that they would provide service temporarily upon termination of services with the current company. Councilman Goodman noted that the current vendor was supposed to be gone after December 13th. City Manager Lippmann advised that would provide service temporarily upon termination of services with the current company. Councilman Goodman stated his concern that information was not conveyed to Council in a timely manner. There was some discussion as to when the members were informed that the current company had opted to continue providing interim service. City Planner Gorman noted that the City can absolutely go out to bid. President Wininger stated her recollection was that the City Planner was doing the best she could to find someone to take the place of the current company and Levy County would fill in if the current vendor left. City Planner Gorman stated she can still go out to bid, she just didn’t want the current service interrupted. She advised she is monitoring them with their permitting now but stated she was at the Council’s will. Councilman Goodman verified that the building
Councilman Goodman recalled that City Planner Gorman stated she had worked the numbers of Dunnellon and felt that was the assessment they could work under. City Planner Gorman confirmed and stated they felt that was fair but she can go back and say they need to look at the Inverness rate. She stated she was trying to understand their challenges; the distance and the number of permits. She stated she is trying to work it out based on time and money for them and still give the City what it needs for good customer service and timely inspections for Williston. But, the City can still go out to bid. President Wininger asked when the City went out to bid. City Planner Gorman stated she would address the county and ask, on what terms, they would be willing to provide services. Vice President Robinson observed it is likely the City won’t get anyone unless the fees are increased. City Planner Gorman stated the fees would be as established with the selected vendor. The City will still need to be involved in zoning so there would have to be a small fee for that. President Wininger concluded the City would need to know from the county, if they are willing, at what level they are willing and how much they are going to charge the City. The backup plan is to go with a contract with the current company.

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go out to bid. He stated his feeling is that going out to bid in these times is irrelevant. He did not feel it would be productive. The members agreed. Councilman Goodman concluded he wanted City Planner Gorman to at least get the shortest term contract possible to give the City options. Typically for RFP, the administration will know a contract date is coming and can address it before the contract date has come to avoid a lapsed contract with no options. Councilman Head agreed he did not see the point in going out to bid. It has been essentially done informally already. City Planner Gorman stated that if the members’ concern is that they don’t like the current customer service, that will change or she won’t keep them. Councilman Goodman asked what the option she would have. City Planner Gorman stated she would then go out to bid. The vendor has been instructed not to do anything that has the potential to cause a complaint unless she knows about it first. That has already happened once and she fixed it. The building officials have to do their job, be professional and defend what they do. If the members have a concern about their service, she stated she will be all over it, especially hearing they have had problems in the past. President Wininger noted that, now that the City Planner has been hired, there is more of a permanence. She noted City Planner Gorman knows people in the area and that will be helpful. City Planner Gorman stated that public service is very important. A one year contract might be the answer. Councilman Goodman agreed it gives the City six months to see if they work better and six months to put out an RFP for other options. City Planner Gorman stated that the vendor will only do building and not zoning. They cannot interpret the Land Development Code. They are the professional interpreter of the Building Code, the City is the interpreter of the Land Development Code. That is the law. Councilman Head asked City Planner Gorman to get the numbers from Levy County for comparison. He questioned how Chiefland handles their building department. City Planner Gorman stated she thought they also used Williston’s current vendor. Councilman Head stated his concern if they do and then pay less than Williston that would be an issue. City Planner Gorman stated she would check on that. She noted she had called Yankeetown and will contact Levy County, as well. President Wininger concluded the Council direction was for City Planner Gorman is to Contact Levy County and determine if they can help Williston full time and, if so, the fees associated with their services. She would also need to come back with a contract with Safebuilt, if Levy cannot help the City. Planner Gorman verified that the members received the Heritage Park schedule that was cleared via the CRA. She stated that, on the projects that are not complete, she has tried to put a dollar sign on each one to prioritize the projects and ensure the funds are available in the budget.

ITEM – 5 – NEW BUSINESS

A. DISCUSSION WITH POSSIBLE ACTION: PROPOSED PARADE AND SPECIAL EVENTS PROCESS

City Manager Lippmann stated the information given to Council is a slightly amended version of the current special events application form. He removed a couple of things that don’t apply such as alcohol being served, which is not permitted by statute in City parks. Chapter 30 of the Parks and Recreation Code of Ordinances does talk about park rules and regulations. He stated what he was looking for is input as to what the Council wants as a matter of policy and user fees and permissible activities. The other issue is that the City presently has waivers in place for non-profit organizations and that is the bulk of people that want to hold events in the City parks. They have fund raisers, etc. From a practical standpoint, because so many users are non-profits, the City does not collect those fees. He questioned if the City should be charging everyone the same, less or more. He asked what the City should be doing in terms of the types of events it allows on public property. Councilman Head verified that a special event is any event on public property. Mayor Robinson asked if the Peanut Festival and Levy County Fair were included in these considerations. City Manager Lippmann advised that the Fair is under a different arrangement but the Peanut Festival would be part of the policy. The Fair is under an agreement with the airport. Councilman Goodman confirmed with Carolyn Ten Broeck that the Williston Chamber is a 501(3)(6) organization.

City Manager Lippmann listed other non-profit organizations and their events. He stated the City needs to be clear. Mayor Robinson verified that the fees were waived for non-profit groups. He asked if the City should waive fees for non-profit organizations. City Manager Lippmann stated that if the event was big enough to require City staff to be available, that might be different, but most of the events are relatively small. Mayor Robinson asked about the Christmas parade. City Manager Lippmann advised the Christmas parade will fall under the parade process. Parades are different from an event that is held in the park. When all is said and done, the parade process will most likely be under the special events umbrella. Mayor Robinson asked if they would have to pay a fee. City Manager Lippmann
adviced that is up to Council. He asked if the City is going to charge and, if so, how much etc. He stated he had
heard some concern about parade fees and this item is the other piece of special events. This includes the craft shows
and other similar events that might be out there. Councilman Head concluded that would apply if the Rotary Club
wants to have the Easter Egg Hunt. That is a special event for a non-profit. He asked if it would apply if he wanted
to have a birthday party for his kid and invited 30 kids. City Manager Lippmann confirmed the policy would apply
because it involves use of the park. Councilman Head asked how that could be controlled if someone opted to just
have a group show up on a Sunday if no one else was around. City Manager Lippmann stated he did not know that it
really could be controlled. Councilman Goodman stated that the policy applies to organizations and the situation
Councilman Head described is an example of an individual citizen. City Manager Lippmann added that there are
some citizens that want to do a wedding in a gazebo but they are not very many when compared to organizations
that want to use the pavilion. President Wininger questioned if the biggest issue isn’t shutting down the street. City
Manager Lippmann stated that, for the small events, it isn’t closing the streets that is an issue, it is the use of the
facilities. There is a fee structure. There is wear and tear on facilities. The current fee structure is designed to try and
protect the City in case there is damage done that there is recourse to recoup associated costs. There is a certain
amount of administrative overhead that is used. It is not a great deal, but the City still has to keep track of all of it.
President Wininger verified the current fee schedule. City Manager Lippmann advised that the application fee is
designed to cover the administrative costs. He stated he did not know how the use fee and refund were determined.
President Wininger verified with City Manager Lippmann that the Council has the draft of the special event
application attached to the current fees. The parade application is a draft attached to current ordinance. City Manager
Lippmann stated that the members received the parade application draft at the last meeting. The staff has added the
special events application at the present meeting and will bring it to an ordinance. Mayor Robinson recalled reference
to denial of certain special events. He asked which events would be denied. City Manager Lippmann
advised it would be any event that serves alcohol because alcohol is not permitted in City parks by ordinance. He
stated the City cannot infringe on people’s free speech. If there was a group the members didn’t care for, unless
there was some compelling reason to deny them, the City would have to allow them to use the city park. There is
language in the ordinances that essentially prohibits the conduct of a commercial enterprise in a city park and yet the
City seems to allow fund raisers like the animal rescue yard sale. There is language in the ordinances that talks about
not having commercial activities. He stated what he is looking for is clarity from the Council about whether or not a
fund raiser is a permissible event. He questioned if someone wants to do a fundraiser whether it would be
permissible in public parks. Councilman Head referred to the Peanut Festival. Carolyn Ten Broeck stated the Peanut
Festival is 75% commercial. Councilman Head asked if the application was open to anyone that wanted to come in.
City Manager Lippmann confirmed that anyone that completes the application and pays the fee can come in.
Councilman Ross noted that could include prejudicial groups like the KKK who could come in and have events.
President Wininger noted that is always an issue that the City has dealt with. That is nothing new. The issue is trying
to figure out how to be fair to everyone. She asked what would cause the City to have to call in extra people and
agencies to assist. City Manager Lippmann advised that the whole parade process at the moment is off to the side
and the members are talking about static events being held on public property with the parade being a separate and
related issue. He asked for some guidance from the Council about special events, in general, and what the Council
wants to do and he will put the whole package together and bring it back as a full blown ordinance for review. There
is a question in the special event application that contemplates the possibility of the special event being held on
private property. He stated his assumption that is really anticipating that City resources would be needed in
conjunction with that event on private property. The current form asks whether street closures will be required, etc.
but the bulk of what he has seen in special events applications is related to city property. He stated he could not
think of any that were to be held on private property. City Clerk Taylor stated she could think of only two events
that were on property other than City property. One was Relay for Life that was held at the high school but required
City resources and the MPA contest that required traffic related support.

Deputy Chief Connolly stated he was hoping the Council would consider a broader overview. What hasn’t come up
is the possibility of what can go wrong. He suggested that, whatever the members do, if they write it into an
ordinance, that they require a particular number of police officers for a particular number of people. A situation may
come up such as if Richard Spenser were to come and speak in a public park, there could potentially be thousands of
people in a volatile setting with protesters and counter protesters with no police services required. Police services
will be needed and Fire, EMS, etc. may be needed, as well. President Wininger stated she believed it was an issue
the members would not solve at the present meeting but they did need to give some direction to City Manager
Lippmann. She stated she thought staff should be working in conjunction with the Police Department to make sure those issues are included in the consideration. Councilman Head stated he would like to ask the input of the City Attorney as to what the policy does for the City and what the Council should see in it. Councilman Goodman asked if someone would have to hold a permit, under the current application, use and refund fee, to put on a birthday party for their child. City Manager Lippmann replied that, technically, yes. Councilman Goodman referred to it as malarkey. He noted his understanding of the issues but cautioned the Council not to create a monster trying to fix the issue. He stated he could have a birthday party and Richard Spenser could decide to come to that location. He stated he was not going to make an ordinance to address that. That would be overstepping the necessity of government. Limited government needs to be limited. He acknowledged that the City has a problem with the parades but he had no idea the event fees existed. If four citizens decided they wanted to go down to the gazebo and play their guitars and fiddles, suddenly they have to have a permit. He questioned if they would not be governing for the sake of government. City Attorney Koberlein stated the members should focus on what a special event is and when there is a need for government regulation. The Council should consider basing it on population. If that number is over a certain threshold, then everything else is triggered. If it is under a threshold, then nothing is triggered and it is a free use of the park. He provided example of small parties versus larger parties that need services. He stated that parties get out of control on social media with unintended consequences. The City’s law enforcement would now have the opportunity to advise the organizers that they are over the threshold and they would need to ask people to leave or the City will shut it down. He stated some examples of clients that were involved in lawsuits related to injuries and access issues. He noted that there are people that don’t have good intentions. The City needs to figure out this through the Fire and Police Departments as to a number; a number at one park may not be the same as the number at another park. It’s about providing safety to those who want to visit the location that are not part of the festivities, along with those that are part of the festivities. He stated that, when an organization is going to have a fish fry, it should have one EMS standby or it should be done on private property. A birthday party of 30 people is probably not something that needs a special event permit. The number of vehicles present may be of concern. He suggested they start out with the number of people expected. If an event gets out of hand, then law enforcement can go in and note that the lack of permit suggested that an event anticipated 20 people but ended up with 80 which creates issues. The issues don’t just pertain to the event, they include clean up, etc. on the following day. All those questions have to be answered including getting a number from Police, Fire and EMS who will be dealing with issues on the scene. If the Council wants the City to subsidize it. He suggested the members start with a number and that would get them focused. Mayor Robinson stated that one example is Crab Fest. He noted that it is what Mr. Koberlein was talking about with regard to EMT’s. The event went from nothing to thousands. Councilman Goodman noted that the event was not meant to be on public property. City Attorney Koberlein stated that if it affects the public right of way, access, egress, etc., then it is an issue. There was discussion about not cooking in public parks based on potential risks and liability.

President Wininger asked if it would be acceptable with Council for her to take the issue on as a project so by the next Council meeting, the members will have more information. She stated she can talk to the Mayor and staff and come back with information at the next Council meeting. The members agreed. Councilman Goodman questioned if the item presented was presently in effect. City Manager Lippmann advised that the fee schedule and Chapter 30 are in force and a variation of the draft form is in use for special events. Councilman Goodman verified with staff that the City has ordinances prohibiting alcohol in the parks. Councilman Ross commented that a lot of things come into play with these policies. President Wininger noted that everyone has their own ideas and suggested that she can consolidate the information she obtains for the Council. Mrs. Carolyn Ten Broeck stated she was concerned hearing the members discuss this issue because it applies to everything the Chamber does for the benefit of Williston. She advised that event insurance is based on the number of people present. She stated the Chamber bought an insurance policy for the Starving Artist Sale. She estimated 200 people and noted it is cheap to get a policy for 200, but when she told them the Peanut Festival estimate was 8,000 – 10,000 people, the policy was a lot. It is hard to gauge but for the parade she estimated a conservative 5,000. She stated that, during the Peanut Festival, the Chamber requires the food vendors that are cooking in the park to have their own million dollar policy in addition to the Chamber’s policy plus the special event coverage. She stated she did not know how the City could ever be liable for a food vendor at an event. Councilman Goodman noted that the rule states, except in designated areas, which specifies the locations they are permitted to cook in a controlled environment. Mrs. Ten Broeck stated those are things that concern her. Every year receives something from someone at the state level asking about crowd control at the Peanut Festival. If there is a certain amount of people present, they have to have someone there for crowd control. A Firefighter or
EMT can suffice as crowd control which is why they give them a free information booth every year. She stated she understood the fee schedule but urged them to be reasonable. With the parade and the Light-Up Williston festivities, she would have to buy for two separate events. The Chamber members do this because they love Williston not because they are greedy. President Wininger asked to include the Chamber in discussions. City Attorney Koberlein noted that there are certain events that the City’s insurance policy will cover. City Clerk Taylor mentioned some of the people/groups that use the parks are asking for exclusive use and that should be considered, as well. She cited the Peanut Festival as an example. President Wininger stated she would obtain information and provide a report on this issue at the next meeting.

B. DISCUSSION WITH POSSIBLE ACTION: SUBMISSION OF INDIVIDUAL CITY CLERK ANNUAL EVALUATION FORMS TO COUNCIL PRESIDENT
President Wininger confirmed for the members that she received all evaluation forms and that she would compile them.

C. DISCUSSION WITH POSSIBLE ACTION: FUTURE COLA FOR GENERAL EMPLOYEES PENSION PLAN PARTICIPANTS
Mayor Robinson noted there is no COLA with the General Pension and stated he was unsure if the Council would like to think about establishing one for the future - not retroactive. He stated that, since some retirees have come and asked him about it, he thought he should bring it up. President Wininger stated she needs more information. City Clerk Taylor suggested she contact Mr. Bloom and the Florida Municipal Insurance and Trust to obtain information for Council. President Wininger agreed.

D. DISCUSSION WITH POSSIBLE ACTION: CITY ISSUED LAPTOPS FOR COUNCIL MEMBERS
Councilman Goodman expressed concern that the members, using their home computers, are putting city information on private computers. He stated that when they put city communication on private computers, it opens the private computer to scrutiny because it has been used for government access. He stated that this is a dangerous situation. The City should supply laptops for Council use. They would not be for private use. The members need to quit using private computers for City business. President Wininger stated that, if there is a public records request, they could confiscate it. Mayor Robinson stated he was not going to carry around a computer when he can use a telephone instead. Councilman Goodman stated the members would not be required to use them but should be provided one so they can have the choice. Mayor Robinson stated that, if the citizens call him by phone, he can’t answer his computer. He can answer his phone and email from his phone. Vice President Robinson questioned if there was a server that carries all of the email. City Clerk Taylor advised that the emails are in the cloud. City Manager Lippmann stated that if the members were to write a memo that would not be necessarily accessible by the City Clerk if it is done on a private machine. Staff would need to come to the members and ask for the memo. Councilman Goodman clarified that, if a Council member doesn’t want a computer and wants to have the City Clerk deliver everything on paper to their house, his proposal does not preclude that. If the Mayor wants to use his cell phone and have it accountable to public access that is his choice. His point is he has a personal computer and he did not want to be required to buy a separate computer to ensure his personal computer is not accessible to the public. A computer should provided for each member of the Council as an option. President Wininger stated the Agenda should read City issued laptops for Council members who want one. She acknowledged both points of view. Councilman Goodman clarified that, if a Council member doesn’t want a computer and wants to have the City Clerk deliver everything on paper to their house, his proposal does not preclude that. If the Mayor wants to use his cell phone and have it accountable to public access that is his choice. His point is he has a personal computer and he did not want to be required to buy a separate computer to ensure his personal computer is not accessible to the public. A computer should provided for each member of the Council as an option. President Wininger stated the Agenda should read City issued laptops for Council members who want one. She acknowledged both points of view. Councilman Goodman stated the he did not want personal business and private information subjected to subpoena. City Clerk Taylor advised that issuing laptops would make it easier to ensure everyone has the same software and the systems are compatible and up to date. She explained it would be cost effective to provide a laptop and cloud based office subscription for each member to make documents that save into the cloud and provide access for records requests. Mayor Robinson stated he would use the laptop. He uses his phone for emails when he is at work. It is a lot easier to do that on the phone than it would be carrying around a laptop. He suggested the City could get them all a laptop and smart phone that they can use with emails. Councilman Goodman stated he was not suggesting that. He added he did not use his phone for City business but if he needed to do something for the City, he could go to the laptop. He explained that City agendas are all over his personal computer. He stated he is uncomfortable with that and stated that he believes the City has a responsibility. President Wininger agreed that it was a good idea.
Councilman Head agreed but stated he was not sure how cost effective a phone would be. President Wininger directed the City Clerk to find out how much it would cost to get laptops and associated software for the members to use for City related business, as well as smart phones.

E. DISCUSSION WITH POSSIBLE ACTION: LAND DEVELOPMENT REGULATIONS UPDATE - PUBLIC OUTREACH PLAN
City Planner Gorman stated that Kimley-Horn provided an update on the schedule. She stated that Mayor Robinson pointed out the first public open house was supposed to be on a holiday. Staff made changes and wanted to update the Council. President Wininger confirmed the first open house would be in February.

ITEM – 6 – PUBLIC PARTICIPATION
Mrs. Carolyn Ten Broeck stated she has been doing a project and, in her research, she learned the Town of Williston was founded in 1897 and it was chartered as a city in 1929. She suggested the 90th Anniversary could be held in conjunction with the City Hall Open House.

ITEM – 7 – ANNOUNCEMENTS
City Manager Lippmann advised that the new estimates of population indicate that Levy County had an increase of 253 people between 2010 and 2018. 175 of those were in Williston. Williston’s population is estimated at 2,943.

ITEM – 8 – ADJOURNMENT
The meeting was adjourned 9:07 pm.

______________________________
Nancy Wininger, Council President

______________________________
Frances V. Taylor, City Clerk

Minutes of the City Council meeting may be obtained from the City Clerk’s office. The minutes are recorded, but not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recordings, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be borne by the requesting party.

In accordance with Section 286.0105, Florida Statutes, notice is given that if a person wishes to appeal a decision made by the City Council with respect to any matter considered at this meeting they will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the Mayor through the City Clerk’s office no later than 5:00 P.M. on the day prior to the meeting.
RESOLUTION 2019 - 09

A RESOLUTION OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, ACCEPTING A BID TO PURCHASE LIGHTS TO INSTALL ALONG THE ROADWAY AND PARKING AREAS OF HERITAGE PARK, APPROVING A PURCHASE ORDER WITH GRESCO; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Heritage Park is an important part of the community, and

WHEREAS, providing a safe environment along the adjacent roadways and parking areas of Heritage Park is of the utmost importance, and

WHEREAS, it is imperative that the lights match existing lighting that has been previously installed in the downtown district; and

WHEREAS, several companies were contacted and Gresco was the only company that provided the same type lighting for the project.

NOW, THEREFORE, BE IT RESOLVED by the City of Williston, Levy County, Florida, that:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

SECTION 2. The City Council hereby accepts Gresco as the provider of the lighting for Heritage Park. Further, the City Council authorizes the City Council President to execute a Purchase Order for the lights.

SECTION 3. This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED on February 5, 2019.

CITY OF WILLISTON, FLORIDA

Nancy Wininger, President
Williston City Council

ATTEST: Frances V. Taylor
City Clerk
# PURCHASE ORDER REQUEST FORM

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<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>TOTAL PRICE</th>
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<td>KWH25-E11-DB-DR (STRESSCRETE LIGHTPOLES)</td>
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<td>37,972.00</td>
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</table>

Jackie Gorman  
Department Head Name (Print)  
Department Head Signature  
Finance Approval  
City Manager Approval  

**INSTRUCTIONS**

Please print legibly and complete the entire form.

**Vendor Name**: The vendor name, complete mailing address, telephone number, and fax number are ALL required.

If there is more than one address for this vendor, then indicate the address where the purchase order is to be sent.

If the vendor is an individual, the person’s legal name must be provided with middle initial, i.e. William E. Smith (not Bill Smith).

**Date**: Date of the request.  
**Date Required**: Date by which delivery is needed.

**Quantity, Description, Unite, Price & Total Price**: For each item provide quantity, a complete description and the unit price.

**Purchase Order Number**: Assigned by Purchasing Department.

**Required Attachments**:
1. Formal Request for Bid or Formal Request for Quotes and
2. Original Vendor Quotes or Proposal and
3. Quote or Bid Tabulation Sheet and
4. Resolution Approving Bid or Approval of City Manager

Revised: October 17, 2012
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<td>BA-1 BANNER ARMS (SET OF 2 - TOPS &amp; BOTTOM ARM0 STRESSCRETE</td>
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<tr>
<td>22</td>
<td>C4589A; TF9 N A GL 5 N G 250Sx / TF9FBA; Type 5 Mogul Base 250W HPS; Black, Long Glass Advise voltage; spun black brim</td>
<td>$1,606.75</td>
<td>$35,348.50</td>
<td>10 WEEKS</td>
</tr>
<tr>
<td>22</td>
<td>CA4589; HPF810-BK (HADCO) Scroll Arm</td>
<td>$853.93</td>
<td>$18,786.46</td>
<td>10 WEEKS</td>
</tr>
</tbody>
</table>

**QUOTE IS FOR QUANTITIES LISTED ONLY
ANY CHANGES WILL REQUIRE A NEW QUOTE**

Valid for 35 days

Note: All prices quoted are based upon quantities listed above. Any changes to the quantity may be subject to a requote.

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**Freight:**

**Terms:** Net 30 days

**Taxes:** Extra, where applicable

Thank you for the opportunity to provide the above pricing to you.
COUNCIL AGENDA ITEM

DISCUSSION: BUILDING DEPARTMENT ADMINISTRATION – A PROPOSED INCREASE IN THE BUILDING DEPARTMENT FEE SCHEDULE - UPDATE

REQUESTED BY: City Council
PREPARED BY: Jackie Gorman

BACKGROUND / DESCRIPTION:

As discussed during the January 22, 2019 Council meeting, staff submitted a building plan review and inspection fee comparison from other jurisdictions in the area demonstrating how Williston’s building fees are substantially lower than other jurisdictions. Council requested that staff contact Levy County for their fees which you will find below.

To refresh, using the same construction type for a new 2,445 SF Single Family Residence valued at $170,000, review, permit & inspection fees are as follows:

- Williston - $1,065
- Dunnellon - $2,550
- Cedar Key - $2,805
- Inverness - $2,125
- Levy County - $1,111

Keep in mind that Levy County has a permanent Building Official and Inspectors on staff and considerable more permit applications than Williston.

Staff was also asked to find out if they would be interested in servicing Williston full time or part time. I contacted Bill Hammond, Development Director for Levy County and was told that Levey County does not have the resources to take over the City of Williston Building Department.

We are still in negotiations with SafeBuilt and will bring a proposed Contract to you at the next meeting along with a proposed fee schedule.

LEGAL: REVIEW: Not Required

FISCAL IMPACTS:

RECOMMENDED ACTION: None – Discussion only
ATTACHMENTS:

_____ CONTRACT  _____ RESOLUTION  _____ MAP
_____ LEASE  _____ OTHER DOCUMENTS

_____ CONSULTANT OR PARTY TO ACTION HAS BEEN NOTIFIED

COUNCIL ACTION:

______ APPROVED

______ DISAPPROVED
RESOLUTION 2019-06: APPROVING CITY CLERK EVALUATION COMPILATION

REQUESTED BY: COUNCIL PRESIDENT  PREPARED BY: CITY CLERK

BACKGROUND / DESCRIPTION: On January 8, 2019, the City Clerk Annual Performance Evaluation Forms were distributed to all Council members. President Wininger requested that the forms be completed by each member and returned to her during the January 22, 2019 regular City Council meeting. Upon receipt of the completed evaluation forms, President Wininger informed the members that she would compile the data provided and present the compilation for Council’s review and approval during the January 22nd regular City Council meeting.

LEGAL REVIEW:  N/A

FISCAL IMPACTS:  N/A

RECOMMENDED ACTION: Approve Resolution 2019-06 to finalize the annual performance evaluation of the City Clerk.

ATTACHMENTS:

_____ CONTRACT  XX RESOLUTION  _____ MAP
_____ LEASE  _____ OTHER DOCUMENTS

_____ CONSULTANT OR PARTY TO ACTION HAS BEEN NOTIFIED

COUNCIL ACTION:

_____ APPROVED
_____ DENIED
RESOLUTION NUMBER 2019-06

A RESOLUTION OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, ACCEPTING THE COMPILATION OF THE CITY CLERK’S PERFORMANCE EVALUATION FOR THE LAST EVALUATION PERIOD; AND MAKING IT PART OF HER PERMANENT EMPLOYEE RECORD

WHEREAS, The City Council wishes to ensure proper review and assessment of the professional performance of its Charter Officers; and

WHEREAS, the City Council has established an annual review process to evaluate and provide feedback for the City Clerk;

WHEREAS, the Council Members have participated in the process by submitting individual assessments for compilation; and

WHEREAS, a final compilation has been prepared and submitted to Council.

NOW, THEREFORE, BE IT RESOLVED by the City of Williston, Levy County, Florida, that:

SECTION 1. This Resolution represents Council’s approval and acceptance of the City Clerk Evaluation Compilation as submitted.

SECTION 2. The City Clerk is directed to retain the compilation and supporting documents in her permanent employee record.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Council.

PASSED AND ADOPTED this 5th day of February 2019.

CITY OF WILLISTON, FLORIDA

ATTEST:

Nancy Wininger, City Council President

Frances V. Taylor, City Clerk
COUNCIL AGENDA ITEM

DISCUSSION WITH POSSIBLE ACTION: COLA FOR EMPLOYEE PENSION PLANS

REQUESTED BY: COUNCIL

PREPARED BY: CITY CLERK

BACKGROUND / DESCRIPTION: On January 22, 2019 the City Council held a discussion regarding the potential for incorporating a COLA into the City General and Police Pension Plans. Upon discussion, the City Clerk was directed to obtain information from the Finance Director and the City Pension Administrator regarding cost of valuations and/or an estimate of cost to incorporate COLA. Since that time, the City Clerk contacted both parties and has determined that the administration would need to order a valuation of the plans through Florida Municipal Insurance and Trust in order to develop estimates. The City Clerk and Finance Director have specifically asked them for costs on a variety of scenarios including one that would guarantee that any COLA provision will not impact the City’s contribution rate to the plans under a “13th Check” scenario. In this scenario, employees will not receive COLA, per se, but will receive an extra check in any year when the investment gains go over a predetermined percentage. The cost for the valuations is $450 for each plan or $900 in total. While the costs for a COLA can be expensive per the FMPTF representative, the question has been posed enough times in the past few years by retirees that it seems appropriate to obtain the valuation to review true costs and options. Therefore, the City Clerk recommends that the City obtain a valuation with estimates.

LEGAL REVIEW: None as of this time.

FISCAL IMPACTS: Approximately $900 for the valuations.

RECOMMENDED ACTION: Approve valuations and direct the City Clerk to place the item on the agenda upon receipt of the valuations.

ATTACHMENTS:

_____ CONTRACT  _____ RESOLUTIONS  _____ MAP

_____ LEASE  _____ OTHER DOCUMENTS

_____ CONSULTANT OR PARTY TO ACTION HAS BEEN NOTIFIED

COUNCIL ACTION:

______ APPROVED

______ DENIED
DISCUSSION WITH POSSIBLE ACTION: CITY ISSUED LAPTOPS AND CELL PHONES FOR COUNCIL

REQUESTED BY: COUNCIL AND STAFF  PREPARED BY: CITY CLERK

BACKGROUND / DESCRIPTION: On January 22, 2019 the City Council held a discussion regarding city issued laptop computers. At the conclusion of the discussion, the City Clerk was directed to price cell phones, laptop systems and software. The City Clerk recommends purchase of a laptop and Microsoft Office Annual Subscription for each member. The MS Office comes with 1 TB of cloud memory in addition to the 128 GB of SSD. Given the nature of the Council work, the City Clerk feels this will adequately cover the needs of the members in the course of doing city business. The products are shown below and, if unavailable, a comparable system will be substituted:

Dell - Inspiron 15.6" Touch-Screen Laptop - Intel Core i3 - 8GB Memory – Windows 10 - 128GB Solid State Drive – Black – plus protection plan
Model:I3567-3970BLK-PUS
SKU:6299822
PRICE RANGE $450 - $550 each including the cost of protection plan (Amazon $465.10 – limited quantity/Best Buy $549.00 – larger quantity available)

Microsoft Office Annual Subscription – Word - Excel - Outlook – PowerPoint – OneNote – Access (PC Only) – 1 TB of OneDrive Storage
PRICE RANGE $8.25 per month (not a volume license – will be less with volume licensing)

Verizon Wireless Business Smartphone – with Unlimited Talk and Text
PRICE RANGE $35.00 phone purchase and $49.99 per month for wireless service

LEGAL REVIEW: None as of this time.

FISCAL IMPACTS: Laptop with protection: Approximately $549 per Councilmember. Total = $3,294 initial cost

Microsoft Office Annual Subscription: $99.99 per Councilmember per year. Total = $599.94 per year

Cell phone and service: $35 initial phone purchase + $49.99 service per month per member. Total = $210 initial cost and $3,599.28 per year thereafter

RECOMMENDED ACTION: Approve purchase of computers and software licenses.

ATTACHMENTS:
COUNCIL ACTION:

______ APPROVED

______ DENIED
COUNCIL AGENDA ITEM

DISCUSSION: QUASI-JUDICIAL HEARING – REQUEST BY CRACKER COTTAGE HOLDINGS FOR A SMALL SCALE LAND USE AMENDMENT CHANGING 5.01 ACRES FROM COUNTY RESIDENTIAL TO CITY MULTI-FAMILY RESIDENTIAL.

REQUESTED BY: Mark Schwebel, Cracker Cottage Holdings
PREPARED BY: Jackie Gorman

BACKGROUND / DESCRIPTION:

The City Council recently annexed the subject parcel into the City and the developer is now requesting a land use change from County Residential to City Multi-family Residential. This item has been advertised for a Public Hearing before both the Planning & Zoning Commission and Council. The Planning & Zoning Commission recommended approval on January 29, 2019. Attached you will find a staff report along with a proposed Ordinance.

LEGAL: REVIEW: Required

FISCAL IMPACTS: None

RECOMMENDED ACTION: Quasi-Judicial Public Hearing

ATTACHMENTS:

_____ CONTRACT  _____ RESOLUTION  _____ MAP
_____ LEASE  __x__ OTHER DOCUMENTS

_____ CONSULTANT OR PARTY TO ACTION HAS BEEN NOTIFIED

COUNCIL ACTION:

_____ APPROVED

_____ DISAPPROVED
ORDINANCE NO. 670

AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY OF WILLISTON COMPREHENSIVE PLAN PURSUANT TO AN APPLICATION BY LEVY COUNTY CONSULTING CORP.; FOR 5.01 ACRES (MOL) IDENTIFIED AS PARCEL ID 0510000000 ON THE OFFICIAL RECORDS OF THE LEVY COUNTY PROPERTY APPRAISER, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN CHAPTER 163, FLORIDA STATUTES; CHANGING THE FUTURE LAND USE CLASSIFICATION FROM URBAN LOW DENSITY RESIDENTIAL (COUNTY) TO MULTI-FAMILY RESIDENTIAL (CITY) ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF WILLISTON FLORIDA, DESCRIBED HEREIN; PROVIDING SEVERABILITY; PROVIDING FOR INCORPORATION ON CITY MAPS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property described in Exhibit A, attached hereto and made part of this document, was annexed into the City of Williston on August 23, 2018; and

WHEREAS, Chapter 166, Florida Statutes empowers the City Council of the City of Williston, hereinafter referred to as the City Council, to prepare, adopt, implement and amend the Future Land Use Map of the City’s Comprehensive Plan; and

WHEREAS, Application, CPA19-01, has filed a request for a Small Scale map amendment for 5.01 Acres (MOL) to the Future Land Use Map of the City of Williston Comprehensive Plan from Urban Low Density Residential (County) to Multi-Family Residential (CITY); and

WHEREAS, the Planning and Zoning Commission of the City of Williston, designated as the Local Planning Agency, did hold the required public hearing on _________________, 2019, with Public Notice having been provided on said application for amendment; and

WHEREAS, after review and consideration for all comments received during said Public Hearing, the Planning Commission recommended approval to the City Council of the application for a small scale map amendment; and

WHEREAS, the City Council did hold the required Public Hearing on said application for an amendment and after said Public Hearing, and upon the City Council’s review and consideration of all comments received, found the application to be consistent with the City’s Comprehensive Plan.
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. Application CPA 19-01 submitted by Levy County Consulting Corp, Inc., for a small-scale amendment to the City’s Future Land Use Map of the City’s Comprehensive Plan, changing the future land use classification on parcel 05000000, located as described in Exhibit A, attached, from Urban Low Density Residential (County) to Multi-family Residential (CITY) is hereby approved.

Section 2. 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 3. Effective Date. Small scale amendments become effective 31 days after adoption if no challenge is filed to the State of Florida Division of Administrative Hearings. If challenged within 30 days after adoption, the small scale land use amendment will not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted amendment is in compliance. No development permits or land uses dependent on this plan amendment may be issued or commence before it has become effective.

PASSED ON FIRST READING, THIS ____ DAY OF _________________, 2019.

PASSED AND DULY ADOPTED, with a quorum present and voting by the City Council of the City of Williston, Florida, after properly dispensing with the second reading, on final reading this ___ day of ________________, 2019.

ATTEST:                   CITY OF WILLISON:

___________________________  _________________________________
Frances Taylor     Nancy Wininger
City Clerk      President, City Council

___________________________
Fred Koberlein, Jr.
City Attorney

February 5, 2019
EXHIBIT A

A PARCEL OF LAND IN THE SE 1/4 OF SE 1/4 OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 19 EAST, LEVY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SW CORNER OF THE SE 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 19 EAST, LEVY COUNTY, FLORIDA; THENCE N 00°06'50" E, ALONG THE WEST LINE OF SAID SE 1/4 OF SE 1/4, A DISTANCE OF 40.04 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF LEVY COUNTY ROAD C-316; THENCE S 87°18'36" E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 25.03 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SE 4TH STREET AND THE POINT OF BEGINNING; THENCE N 00°06'50" E, ALONG SAID EAST RIGHT OF WAY LINE, 467.17 FEET; THENCE S 87°18'36" E, 467.17 FEET; THENCE S 00°06'50" W, 467.17 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF LEVY COUNTY ROAD C-316; THENCE N 87°18'36" W, ALONG SAID NORTH RIGHT OF WAY LINE, 467.17 FEET TO CLOSE ON THE POINT OF BEGINNING.
STAFF REPORT

LEVY COUNTY CONSULTING CORPORATION/CRACKER COTTAGE HOLDINGS

City Council – Public Hearing – 2/5/19

LOCATION MAP/AERIAL PHOTOGRAPH

STREET VIEW LOOKING NORTH

SUMMARY

Owner: Levy County Consulting Firm

Applicant: Mark Schwebel, Cracker Cottage Holdings, Inc.

Location: NE 12th Avenue

Property Recently Annexed

Description of Request:

The applicant requests:

Land Use: County Residential to City Residential Medium Density (Multi-Family) (City).

Zoning: County Residential to City (R-2)

Staff Recommendation:

Approval of the request, based on the consistency with the City’s Comprehensive Plan.

City Council Meeting

Notices were mailed to property owners and the property was posted in accordance with State Statute and City Ordinance.

Planning & Zoning recommended approval during a Public Hearing on 1/29/19.
Medium Density Residential allows for up to 12 units/acre
BACKGROUND AND STAFF ANALYSIS

Land Use

The highest density category in the City’s Comprehensive Plan Land Use is Medium Density Residential and allows up to 12 units/acre. This property was recently annexed into the City of Williston. A Public Hearing was held and the proposed project was discussed.

Policy 1.4 of the City’s Goals, Objectives & Policies of the Comp Plan require Residential areas of high density (up to 12 units/acre) be permitted only when potable water systems and centralized sewer systems are available and accessible.

The City’s Land Development Code will be adhered to upon review of the site plan to ensure that this property meets all necessary requirements for drainage, flooding, etc.

The Proposed residential land use is adjacent to Public (Williston Elementary School to the west) which serves as a good transitional zone. To the north, south and east is vacant county property.

The property fronts SW 12th Avenue (Hwy 121) which is an improved roadway providing access for ingress/egress onto the property.

Zoning

The proposed zoning is R-2 which allows for multi-family but not mobile homes as the RM-2 zoning category. The proposed zoning is compatible in that is again serves as a transitional zoning between public and single family residential.

Artículo VII. - Zonación Multifamiliar (RMF) Distrito

Sec. 60-251. - Zonas y propósito.

El grupo de multifamiliares incluye dos áreas urbanas: R-2 y RM-2. Es el propósito de estas áreas para proporcionar áreas residenciales de mediano a alto campo y sólo cuando los sistemas de agua potable comunitarios y los sistemas de saneamiento centralizados estén disponibles y accedibles. Estas áreas regulan permiten una variedad deseable de tipos de viviendas junto con edificios y edificios semipúblicos y accesoria as que puedan ser compatibles con el desarrollo residencial. Las usos no residenciales se encuentran en estas áreas pueden ser sujetos a restricciones y requisitos necesarios para preservar y proteger el carácter residencial de estas áreas. Variación entre los R-2 y RM-2 distritos es en requerimientos para densidad (área de terreno por unidad de vivienda y el uso de casas móviles en RM-2). Permitidas densidades en ambos distritos aumentan con la provisión de servicios de agua y alcantarillado.

(Ord. No. 434, § 4.7.1, 5-7-2002)
Sec. 60-252. - Permitted principal uses and structures.
(a) The following shall be permitted principal uses and structures in the RMF districts: (1) Single-family dwellings. (2) Mobile homes; permitted in RM-2 only. (3) Duplex dwellings. (4) **Multiple-family dwellings.** (5) Public parks and recreational areas. (6) Homes of six or fewer residents which otherwise meet the definition of a "community residential home" (see article II of this chapter). (7) Community residential homes (see article II of this chapter). (b) For uses under subsection (a) (4) of this section, site and development plan approval is required for multiple-family developments consisting of five or more dwellings or two or more separate buildings (see chapter 46, article IV). (c) For uses under subsection (a) (7) of this section, site and development plan approval is required (see chapter 46, article IV).
(Ord. No. 434, § 4.7.2, 5-7-2002)
COUNCIL AGENDA ITEM

DISCUSSION: QUASI-JUDICIAL HEARING – REQUEST BY CRACKER COTTAGE HOLDINGS FOR A ZONING MAP AMENDMENT CHANGING 5.01 ACRES FROM COUNTY RESIDENTIAL TO CITY MULTI-FAMILY RESIDENTIAL (R-2).

REQUESTED BY: Mark Schwebel, Cracker Cottage Holdings
PREPARED BY: Jackie Gorman

BACKGROUND / DESCRIPTION:

The City Council recently annexed the subject parcel into the City and the developer is now requesting a zoning change from County Residential to City Multi-family Residential (R-2). This item has been advertised for a Public Hearing before both the Planning & Zoning Commission and Council. The Planning & Zoning Commission recommended approval on January 29, 2019. Attached you will find a staff report along with a proposed Ordinance.

LEGAL: REVIEW: Required

FISCAL IMPACTS: None

RECOMMENDED ACTION: Quasi-Judicial Public Hearing

ATTACHMENTS:

_____ CONTRACT _____ RESOLUTION _____ MAP
_____ LEASE __x__ OTHER DOCUMENTS

_____ CONSULTANT OR PARTY TO ACTION HAS BEEN NOTIFIED

COUNCIL ACTION:

_______ APPROVED
_______ DISAPPROVED
ORDINANCE NO. 671

AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WILLISTON, FLORIDA, PURSUANT TO AN APPLICATION BY LEVY COUNTY CONSULTING CORP.; FOR 5.01 ACRES (MOL) IDENTIFIED AS PARCEL ID 0510000000 ON THE OFFICIAL RECORDS OF THE LEVY COUNTY PROPERTY APPRAISER, CHANGING THE ZONING DESIGNATION FROM (COUNTY) RESIDENTIAL TO (CITY) RESIDENTIAL MULTI-FAMILY (R-2); PROVIDING SEVERABILITY; PROVIDING FOR INCORPORATION ON CITY MAPS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property described in Exhibit A, attached hereto and made part of this document, was annexed into the City of Williston on August 23, 2018; and

WHEREAS, THE City Council of the City of Williston, Florida, did on May 7, 2002, validly approved and adopted the City of Williston Land Development Regulations; and

WHEREAS, Application, ZC 19-01, has filed a request for an amendment to the City’s Official Zoning map for 5.01 Acres (MOL) from (County) Residential to (City) Multi-Family Residential; and

WHEREAS, the Planning and Zoning Commission of the City of Williston, designated as the Local Planning Agency, did hold the required public hearing on ________________, 2019, with Public Notice having been provided on said application for amendment; and

WHEREAS, after review and consideration for all comments received during said Public Hearing, the Planning Commission recommended approval to the City Council of the application for an amendment to the Official Zoning Map; and

WHEREAS, the City Council did hold the required Public Hearing on said application for an amendment and after said Public Hearing, and upon the City Council’s review and consideration of all comments received, found the application to be consistent with the City’s Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. Application ZC 19-01 submitted by Levy County Consulting Corp, Inc., for an amendment to the City’s Official Zoning Map, changing the zoning classification on parcel 0500000000, located as described in Exhibit A, attached, from Residential (County) to Residential Multi-family (CITY) is hereby approved.
Section 2. 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 3. Zoning Map. The Land Development Regulations Official Zoning Map designation changes enacted herein shall be incorporated within 48 hours of this Ordinance becoming effective.

Section 4. Effective Date. This Ordinance shall become effective immediately.

PASSED ON FIRST READING, THIS ___ DAY OF _________________, 2019.

PASSED AND DULY ADOPTED, with a quorum present and voting by the City Council of the City of Williston, Florida, after properly dispensing with the second reading, on final reading this ___ day of ________________, 2019.

ATTEST:      CITY OF WILLISON:

Frances Taylor     Nancy Wininger
City Clerk     President, City Council

Fred Koberlein, Jr.
City Attorney
EXHIBIT A

A PARCEL OF LAND IN THE SE 1/4 OF SE 1/4 OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 19 EAST, LEVY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SW CORNER OF THE SE 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 19 EAST, LEVY COUNTY, FLORIDA; THENCE N 00°06'50" E, ALONG THE WEST LINE OF SAID SE 1/4 OF SE 1/4, A DISTANCE OF 40.04 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF LEVY COUNTY ROAD C-316; THENCE S 87°18'36" E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 25.03 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SE 4TH STREET AND THE POINT OF BEGINNING; THENCE N 00°06'50" E, ALONG SAID EAST RIGHT OF WAY LINE, 467.17 FEET; THENCE S 87°18'36" E, 467.17 FEET; THENCE S 00°06'50" W, 467.17 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF LEVY COUNTY ROAD C-316; THENCE N 87°18'36" W, ALONG SAID NORTH RIGHT OF WAY LINE, 467.17 FEET TO CLOSE ON THE POINT OF BEGINNING.
STAFF REPORT

LEVY COUNTY CONSULTING CORPORATION/CRACKER COTTAGE HOLDINGS

City Council – Public Hearing – 2/5/19

LOCATION MAP/AERIAL PHOTOGRAPH

SUMMARY

**Owner:** Levy County Consulting Firm

**Applicant:** Mark Schwebel, Cracker Cottage Holdings, Inc.

**Location:** NE 12th Avenue

**Property Recently Annexed**

**Description of Request:**

The applicant requests:

**Land Use:** County Residential to City Residential Medium Density (Multi-Family) (City).

**Zoning:** County Residential to City (R-2)

**Staff Recommendation:**

Approval of the request, based on the consistency with the City’s Comprehensive Plan.

**City Council Meeting**

Notices were mailed to property owners and the property was posted in accordance with State Statute and City Ordinance.

Planning & Zoning recommended approval during a Public Hearing on 1/29/19.

February 5, 2019

39 of 99
Medium Density Residential allows for up to 12 units/acre


BACKGROUND AND STAFF ANALYSIS

**Land Use**

The highest density category in the City’s Comprehensive Plan Land Use is Medium Density Residential and allows up to 12 units/acre. This property was recently annexed into the City of Williston. A Public Hearing was held and the proposed project was discussed.

Policy 1.4 of the City’s Goals, Objectives & Policies of the Comp Plan require Residential areas of high density (up to 12 units/acre) be permitted only when potable water systems and centralized sewer systems are available and accessible.

The City’s Land Development Code will be adhered to upon review of the site plan to ensure that this property meets all necessary requirements for drainage, flooding, etc.

The Proposed residential land use is adjacent to Public (Williston Elementary School to the west) which serves as a good transitional zone. To the north, south and east is vacant county property.

The property fronts SW 12th Avenue (Hwy 121) which is an improved roadway providing access for ingress/egress onto the property.

**Zoning**

The proposed zoning is R-2 which allows for multi-family but not mobile homes as the RM-2 zoning category. The proposed zoning is compatible in that is again serves as a transitional zoning between public and single family residential.

**ARTICLE VII. - RESIDENTIAL MULTIFAMILY (RMF) DISTRICT**

Sec. 60-251. - Districts and intent.
The residential multifamily group includes two zone districts: R-2 and RM-2. It is the intent of these districts to provide for residential areas of medium to high density and only when community potable water systems and centralized sanitary sewer systems are available and accessible. These zoning districts allow for a desirable variety of housing types together with public and semipublic buildings and facilities and accessory structures as may be compatible with residential development. Nonresidential uses in these districts may be subject to restrictions and requirements necessary to preserve and protect the residential character of these districts. Variation between the R-2 and RM-2 districts is in requirements for density (land area per dwelling unit and the use of mobile homes in RM-2). Permitted densities in both districts increase with the provision of city water and sewer services.

(Ord. No. 434, § 4.7.1, 5-7-2002)
Sec. 60-252. - Permitted principal uses and structures.
(a) The following shall be permitted principal uses and structures in the RMF districts: (1) Single-family dwellings. (2) Mobile homes; permitted in RM-2 only. (3) Duplex dwellings. (4) **Multiple-family dwellings.** (5) Public parks and recreational areas. (6) Homes of six or fewer residents which otherwise meet the definition of a "community residential home" (see article II of this chapter). (7) Community residential homes (see article II of this chapter). (b) For uses under subsection (a) (4) of this section, site and development plan approval is required for multiple-family developments consisting of five or more dwellings or two or more separate buildings (see chapter 46, article IV). (c) For uses under subsection (a) (7) of this section, site and development plan approval is required (see chapter 46, article IV).

(Ord. No. 434, § 4.7.2, 5-7-2002)
COUNCIL AGENDA ITEM

TOPIC: Wright Pierce presentation – WWTP project

REQUESTED BY: SCOTT LIPPMANN  PREPARED BY: SCOTT LIPPMANN

BACKGROUND / DESCRIPTION: Wright Pierce will be presenting an update on the wastewater treatment plant update project. Attached is a copy of the presentation slides and the Facilities Plan for our sewer plant project.

Several issues for your consideration:
1. We have already received and signed the CDBG grant paperwork for Phase 1.
2. Our project (phase 2) has been selected for Springs Grant funding, but the Legislative Budget Committee has not met to appropriate the funds and generate grant agreements. You will see the grant agreement for phase 2 at a future meeting.
3. Wright Pierce is asking the Council to consider how to handle the $600,000 shortfall shown as part of phase 2. Staff recommends moving those items to phase 3 and seeking CDBG or other funding to pay for it. If the Council agrees, this can be expressed by general consent.
4. Once Council has decided on #3 above, Wright Pierce will prepare a contract for design services on phase 2, which will be presented at a future Council meeting for approval.
5. Please note that this project is spread over several years. Funding will have to be included in a future budget (City match and grant proceeds).

LEGAL REVIEW: n/a

FISCAL IMPACTS: refer to presentation

RECOMMENDED ACTION: See above.

ATTACHMENTS:

COMMISSION ACTION:

_____ APPROVED

_____ DISAPPROVED
Williston WWTF Facilities Plan
Findings and Recommendations

February 2019

Bartt Booz, PE
Dennis Davis, PE

February 5, 2019
Agenda Packet
Presentation Overview

Project Goals
Wastewater Flow and Load Projections
Future Regulatory Conditions
Process Modeling
Project Costs and Funding
Phased Improvement Plan
Project Schedules
Questions and Discussion
Project Goals

Plant Needs
Identify required upgrades over 20-year planning period

Technology Alternatives
Where upgrades needed, identify and evaluate alternatives

Phased Improvement Plan
- 20-year comprehensive plan
- Projects
- Schedule
- Funding Plan

Permit Renewal
Applied for 10-year permit through FDEP
Flows

- 0.450 MGD design flow
- Current flows less than half of permitted capacity
- Analysis conducted both with and without regionalization with Archer (80,000 gpd)
- Without Archer, plant will be at approximately 51% of design flow capacity in 20 years
- With Archer, plant will be at approximately 69% of design flow capacity in 20 years
Wastewater Flow and Load Projections

Loads

• Design capacity of plant
  o 750 lbs/day BOD$_5$
  o 750 lbs/day TSS

• Without Regionalization…
  o 52% of design load capacity in 20 years

• With Regionalization…
  o 71% of design load capacity in 20 years

<table>
<thead>
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<th>Year 2038 Condition</th>
<th>Flow (gpd)</th>
<th>BOD$_5$ (mg/L)</th>
<th>BOD$_5$ (lbs./day)</th>
<th>TSS (mg/L)</th>
<th>TSS (lbs./day)</th>
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<tr>
<th>Year 2038 Condition</th>
<th>Flow (gpd)</th>
<th>BOD$_5$ (mg/L)</th>
<th>BOD$_5$ (lbs./day)</th>
<th>TSS (mg/L)</th>
<th>TSS (lbs./day)</th>
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</table>
Future Regulatory Conditions

Effluent Total Nitrogen and Phosphorus Concentrations

- Plant has no effluent nitrogen or phosphorus limits currently
- Total nitrogen in effluent ranges from < 1 mg/L to 16 mg/L
- Plant discharges to Rainbow Springs Group and Rainbow River
- FDEP recently completed BMAP
Future Regulatory Conditions

Effluent Total Nitrogen and Phosphorus Concentrations

- City is within BMAP, but outside of the Priority Focus Areas
- Total nitrogen effluent limit of 6.0 mg/L possible in future
- Funding available through Springs Legislation for nitrogen removal projects
- Total phosphorus limits unlikely
• Existing plant has sufficient capacity for current and future flows and loads over 20-year planning period
• Modifications would need to be made to reduce effluent total nitrogen to 6 mg/l (annual average)
• Alternatives evaluation conducted
• Tertiary denitrification filter recommended
• FDEP schedule to implement nitrogen limit is unknown
• Driver to implement would be available funding
Phased Improvement Plan

1. Immediate Needs
   0 to 5 years

2. Intermediate Needs
   5-10 years

3. Long-Term Needs
   10 to 15 years
### Project Costs and Funding

<table>
<thead>
<tr>
<th>WWTF UPGRADES</th>
<th>TOTAL PROJECT COST</th>
<th>FUNDING SOURCE</th>
<th>CITY MATCH</th>
<th>FUNDING SHORTFALL</th>
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<tbody>
<tr>
<td>Phase 1: Immediate Needs</td>
<td>$776,000</td>
<td>$750,000 CDBG</td>
<td>$75,000</td>
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<td>Phase 2: Nitrogen Removal/Intermediate Needs</td>
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<td>$2,300,000 Springs Legislation</td>
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<td>$600,000</td>
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<td>Phase 3: Long-Term Needs</td>
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<td>TOTAL</td>
<td>$3,776,000</td>
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- Phase 2 recommendations result in funding gap of $600,000
- To close the gap, need to decide whether to...
  - Self-fund (SRF loan or bond)
  - Apply for USDA Rural Development grant/loan
  - Defer portion of Phase 2 recommendations to Phase 3
- Fund Phase 3 through utility budget or future CDBG?
# Phased Improvement Plan

<table>
<thead>
<tr>
<th>PROCESS</th>
<th>CONDITION</th>
<th>PHASE 1</th>
<th>PHASE 2</th>
<th>PHASE 3</th>
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<tr>
<td>Preliminary Treatment</td>
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<tr>
<td>Replace Mechanical Screen</td>
<td>Poor</td>
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<tr>
<td>Secondary Treatment</td>
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<tr>
<td>Rehabilitate Oxidation Ditch Rotor</td>
<td>Poor</td>
<td>✓</td>
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<td></td>
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<tr>
<td>Repair Oxidation Ditch Walls</td>
<td>Fair/Poor</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Install Monitoring Instruments in Oxidation Ditch (ORP, DO, Ammonia, Nitrate)</td>
<td>N/A</td>
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<td>✓</td>
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<td>Perform Survey and Evaluate Hydraulics to Improve Flow Splitting</td>
<td>N/A</td>
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<tr>
<td>Replace Secondary Clarifier No. 1 Mechanism</td>
<td>Poor</td>
<td>✓</td>
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<tr>
<td>Repair Concrete in Secondary Clarifier No. 1</td>
<td>Fair</td>
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<td>✓</td>
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<td>Construct Above-Grade RAS/WAS Pump Stations</td>
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<td>✓</td>
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<td>Convert Existing RAS/WAS Pump Station to Plant Drain Pump Station</td>
<td>N/A</td>
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<tr>
<td>Install Weir Covers over Secondary Launders</td>
<td>N/A</td>
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## Phased Improvement Plan

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<thead>
<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>Addition of Tertiary Filter and Transfer Pump Station</td>
<td>N/A</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Add Sump and Drain to each Chlorine Contact Chamber</td>
<td>N/A</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Replace Flow Monitoring Instrument</td>
<td>N/A</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Residuals Treatment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construct a 2(^{nd}) Aerobic Digester &amp; Mixing/Decant System</td>
<td>N/A</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Perform Structural Inspection of Aerobic Digester 1</td>
<td>Unknown</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td><strong>Effluent Holding &amp; Disposal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Replace Effluent Reuse Pump, Piping &amp; Valves</td>
<td>Poor</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Install VFDs for Reuse Pumps and Control System</td>
<td>N/A</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Replace Sprayfield Irrigation Heads</td>
<td>Worn</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
# Phased Improvement Plan

<table>
<thead>
<tr>
<th>PROCESS</th>
<th>CONDITION</th>
<th>PHASE 1</th>
<th>PHASE 2</th>
<th>PHASE 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Renovate Control Building</td>
<td>Poor</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Renovate Electrical Building</td>
<td>Fair/Poor</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Electrical Improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upgrade RAS/WAS Pump Station Electrical Systems and Lighting</td>
<td>Worn</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Replace MCC in Electrical Building</td>
<td>Worn</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Repair Emergency Generator Serving Aerobic Digester</td>
<td>Poor</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Replace Site Lighting</td>
<td>Poor</td>
<td>✓</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Plant Monitoring Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Install New Plant Monitoring System with Remote Alarms</td>
<td>N/A</td>
<td>✓</td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>
## Project Costs and Funding (Rebalanced)

<table>
<thead>
<tr>
<th>WWTF UPGRADES</th>
<th>TOTAL PROJECT COST</th>
<th>FUNDING SOURCE</th>
<th>CITY MATCH</th>
<th>FUNDING SHORTFALL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1: Immediate Needs</td>
<td>$776,000</td>
<td>$750,000 CDBG</td>
<td>$75,000</td>
<td>$0</td>
</tr>
<tr>
<td>Phase 2: Nitrogen Removal/Intermediate Needs</td>
<td>$2,300,000</td>
<td>$2,300,000 Springs Legislation</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Phase 3: Long-Term Needs</td>
<td>$700,000</td>
<td>TBD (assume CDBG)</td>
<td>$85,000</td>
<td>$785,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$3,776,000</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>
**Project Schedules**

- Phases 1 and 2 align with available funding as opposed to the 0-5 and 5-10 year windows.
- Phase 3 can be pushed out further, depending on the outcome of the Phase 2 funding discussion.
- To some extent, there are economies of scale by combining Phases 1 and 2 into one large project.

<table>
<thead>
<tr>
<th>MILESTONE</th>
<th>PHASE 1</th>
<th>PHASE 2</th>
<th>PHASE 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funding Awarded</td>
<td>July 2019</td>
<td>July 2019</td>
<td>Unknown</td>
</tr>
<tr>
<td>Commence Construction</td>
<td>September 2019</td>
<td>February 2020</td>
<td>Unknown</td>
</tr>
<tr>
<td>Complete Construction</td>
<td>September 2020</td>
<td>December 2021</td>
<td>Unknown</td>
</tr>
</tbody>
</table>
Project Successes

- Obtained $750,000 CDBG Grant
- Obtained $2.3M Springs Grant
- 10-year WWTF Permit issued with no RAI’s
QUESTIONS & DISCUSSION
THANK YOU
RESOLUTION 2019-07: APPROVING PROFESSIONAL SERVICES AGREEMENT WITH FRED FOX ENTERPRISES, INCL. FOR GRANT ADMINISTRATION SERVICES RELATED TO A FFY 2017 CDBG NEIGHBORHOOD REVITALIZATION PROJECT #19DB-ON-05-48-02-N33

REQUESTED BY: STAFF

PREPARED BY: CITY PLANNER

BACKGROUND / DESCRIPTION: On December 10, 2018 the City of Williston was awarded a $700,000 subgrant for the 2017 CDBG Neighborhood Revitalization Project #19DB-ON-05-48-02-N33. Of the $700,000 award, $56,000 was allocated towards administering the Grant. Fred Fox Enterprises, Inc. submitted an RFP on January 15, 2019 along with two other firms and was selected by staff serving as the Selection Committee to perform the services in the amount of $50,000.

LEGAL REVIEW: Not applicable.

FISCAL IMPACTS: Not applicable.

RECOMMENDED ACTION: Adopt Resolution 2019-__ approving professional services agreement with Fred Fox Enterprises, Inc. to administer the 2017 CDBG NEIGHBORHOOD REVITALIZATION PROJECT #19DB-ON-05-48-02-N33.

ATTACHMENTS:

X CONTRACT  X RESOLUTION  MAP

LEASE  OTHER DOCUMENTS

COUNCIL ACTION:

_____ APPROVED

_____ DISAPPROVED
RESOLUTION NUMBER 2019-07

A RESOLUTION OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, APPROVING PROFESSIONAL SERVICES AGREEMENT WITH FRED FOX ENTERPRISES, INC. FOR GRANT ADMINISTRATION SERVICES RELATED TO A FFY 2017 CDBG NEIGHBORHOOD REVITALIZATION PROJECT #19DB-ON-05-48-02-N33.

WHEREAS, the City Council of the City of Williston, Florida, has known of the granting of the Community Development Block Grant (CDBG); and

WHEREAS, Fred Fox Enterprises, Inc. was chosen for professional grant administration services; and,

WHEREAS, Fred Fox Enterprises, Inc. shall furnish professional Grant Administration Services for the 2017 CDBG Neighborhood Revitalization Project outlined in the Agreement’s attached Management Approach (Exhibit A).

NOW, THEREFORE, BE IT RESOLVED by the City of Williston, Levy County, Florida, that the City Council approves

SECTION 1. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are hereby made a specific part of this resolution upon adoption hereof.

SECTION 2. This resolution authorizes the Council President to execute and approve documents necessary to affect the approval of the Contract for Services.

SECTION 3. This resolution shall become effective immediately upon passage and adoption by the City Council.

DULY PASSED, ADOPTED AND MADE EFFECTIVE by the City Council of the City of Williston, Florida, on this 5th day of February 2019.

CITY COUNCIL
CITY OF WILLISTON, FLORIDA

ATTEST:

Nancy Wininger, President, City Council
Frances V. Taylor, City Clerk
GENERAL ADMINISTRATION CONTRACT

This General Administration Contract entered into as of this ____ day of __________, 2019, by and between Fred Fox Enterprises, Incorporated, hereinafter referred to as the Administrator and the City of Williston, hereinafter referred to as the Local Government.

WITNESSETH THIS RECITAL:

WHEREAS, the Local Government has been awarded a Community Development Block Grant in the Neighborhood Revitalization category, grant 19DB-ON-05-48-02-N33 hereinafter referred to as the "Project", and the local Government desires to implement that Project; and,

WHEREAS, the Administrator is now available, willing, and qualified to perform professional services in connection with the Project; to serve the Local Government to which this contract applies, and to give consultation, advice, and direction for such Project, and

WHEREAS, the Local Government being desirous that the Administrator perform such services regarding the Project does now engage Administrator to perform such services noted above on the DEO CDBG Neighborhood Revitalization Program and Administrator agrees to perform such services.
To provide technical assistance in various program areas, and

To serve the local government as its professional representative and coordinator in all phases of the Project to which this General Administration Contract applies, and

To develop and draft a Relocation Policy for the Project, if required, and

To disseminate information to the general public regarding the Project, and to provide adequate administrative plans regarding the acquisition of properties as may be required, and

To coordinate, monitor, and evaluate the Project, and

To provide updates to the Local Government, and

To establish and maintain bookkeeping and financial management aspects of the Project and submit financial status reports to the Local Government on a monthly basis.

NOW THEREFORE, the parties hereto agree as follows:

ARTICLE 1

A. GENERAL ADMINISTRATION

SCOPE OF THE SERVICES OF THE ADMINISTRATOR

The Administrator shall provide the following services for the general administration aspects of this project:
1. Coordinate, monitor, and evaluate the direct costs of the overall program, including but not limited to the multiple activities outlined in the subsections of the contract below.

2. Develop, plan, implement, and assess the citizen's participation to all community organizations, including but not limited to providing program information, technical assistance to citizens, publishing applicable notices, and conducting applicable hearings.

3. Respond to all citizen’s questions and complaints concerning the project in a timely manner.

4. Disseminate to the public, including all community organizations, information on the program that involve citizen's participation, including but not limited to providing program information, technical assistance to community groups, and dissemination of materials.

5. Establish and maintain general and related files as required by the Department of Economic Opportunity (DEO).

6. Prepare the Environmental Review including the Public Notices and the “Request for Release of Funds”.

7. Establish procedures relating to the procurement and implementation of
services all pursuant to Department of Housing and Urban Development (HUD) and Department of Economic Opportunity (DEO) requirements and regulations.

8. Review and determine if professional services contracts are consistent with all OMB Circular A-102 ordinances.

9. Provide technical assistance to the Local Government in procuring professional service contracts.

10. Establish and maintain a bookkeeping system that is acceptable to both the Florida Department of Economic Opportunity and the Auditor General's Office.

11. Monitor the various subsections of the Project in regard to all HUD and DEO regulations and prepare all necessary and all requested responses to inquiries from Local, State, and Federal governmental units.

12. Evaluate the various subsections of the Project according to HUD and DEO regulations and prepare all final reports to the Departments.

13. Establish adequate advertising regarding all aspects of the Project to ensure active citizen participation, including but not limited to the environmental aspects of the project.
14. This contract is to complete the work as outlined in the Community Development Block Grant 19DB-ON-05-48-02-N33 or as the contract may be amended.

15. The Consultant shall attend all meetings related to implementation of the CDBG Neighborhood Revitalization, including but not limited to, public hearings, staff meetings, public informational meetings, etc.

16. Provide progress reports to the Local Government in sufficient detail to indicate accomplishments and tasks completed.

17. Provide all reports relating to the project as required by the Florida Department of Economic Opportunity.

18. Prepare all required or requested program amendments including the preparation of advertisements, conducting required public hearings and updating Environmental Reviews.

B. PUBLIC FACILITIES

SCOPE OF SERVICES OF THE ADMINISTRATOR

The Administrator shall provide the following services for the public facilities unit of this project:
1. Coordinate, monitor, and evaluate the direct costs of such facilities within the target area.

2. Establish and maintain an adequate bookkeeping system for this subsection of the project.

3. Evaluate this subsection according to HUD and DEO regulations and prepare all reports to the Department.

4. Establish and maintain construction contract files.

5. Establish procedures relating to the procurement and implementation of contractual services, all pursuant to HUD and DEO requirements and regulations.

6. Review and determine if professional service contracts are consistent with OMB Circular A-102 Attachment O and any other regulations from any other agencies as may be required.

7. Provide technical assistance to the Local Government in procuring professional service contracts.

8. Review all bid packages for DEO and HUD contract compliance.

9. Establish and maintain labor standards compliance files for the Local Government.
10. Obtain wage decision from the Department of Labor (DOL) and/or the Department of Housing and Urban Development (HUD) and/or Department of Economic Opportunity (DEO) and submit same to the Local Government.

11. Attend the pre-construction conference.

12. Review the contractor's weekly payrolls for compliance with Davis/Bacon and other Federal contract requirements.

13. Establish and maintain the Local Government's equal opportunity files for the Project.

14. Establish architect/engineer community development terms and conditions for incorporation in the bid package.

15. Obtain for the Local Government DOL/HUD/DEO clearances of contractor.

16. Send notice on behalf of the Local Government to DOL and HUD or DEO that the construction has commenced.

17. Approve all payment requests to insure the payments are appropriate and the proper documentation is included.

18. Be present at all HUD and DEO monitorings and prepare the Local Government's response(s) to HUD and DEO monitoring letters.
19. Complete and maintain files pertaining to the public facilities subsection of the project for use by the Local Government and interested citizens.

20. Represent the Local Government before any State or Federal boards or meetings regarding the public facilities subsection of the Project.

21. Perform all closeout activities, including the submission of reports as well as responding to requests for follow up information.

22. Provide progress reports as requested by the Local Government or required by the Department of Economic Opportunity.

23. Attend all public meetings with the local government related to this grant.

24. Provide reports to be distributed in public meetings explaining the projects and their progress.

**ARTICLE 2**

**A. GENERAL ADMINISTRATION**

**LOCAL GOVERNMENT'S RESPONSIBILITY**

The Local Government's responsibility in regard to the subsection GENERAL ADMINISTRATION shall be:

1. To instruct the personnel of the Local Government to cooperate and assist the Administrator in the execution of the necessary financial data and
procedures in order to comply with all HUD and/or DEO requirements.

2. To provide assistance in implementation of contractual services necessary to the Project per the requirements of any and all HUD or DEO requirements.

3. Establish and maintain rapport with individual citizens and community groups regarding the Project.

4. Assist the Administrator in negotiations necessary for all subsections of the Project.

5. Review and implement all contracts necessary to ensure efficient progress of the Project.

**B. PUBLIC FACILITIES**

**LOCAL GOVERNMENT'S RESPONSIBILITY**

The Local Government's responsibility in regard to the subsection PUBLIC FACILITIES shall be:

1. To assist the Administrator in placing at its disposal all available information pertinent to the sites of the Project including previous reports and any other data relative to design and construction of the Project.

2. To furnish the Administrator, when available, reports regarding property,
boundary, right-of way, topographic surveys, laboratory tests, core borings, probings and sub-surface explorations, hydrographic surveys, and inspection of sample and materials which the Administrator may rely on in performing its services.

3. Assist the Administrator in obtaining right-of entry and release of liability of property owners.

4. Designate a member of the Local Government who will act as a contact person with the Administrator as to facilitate and transmit instructions, receive information, and generally assist as may be necessary and submit each person's name to the Administrator within ten (10) days of the signing of the contract.

5. Give prompt notice to the Administrator whenever the Local Government observes or otherwise becomes aware of any defects or problems with the Project.

6. Inform the Administrator of all meetings involving personal service contracts with architects and/or engineers regarding this Project.
ARTICLE 3

PERIOD OF PERFORMANCE

The period of performance under this Project shall begin upon the signing of this contract and shall be completed upon final completion of the Local Government’s Florida Community Development Block Grant Neighborhood Revitalization Project and the issuance of a “Notice of Administrative Closeout” for the project by the Florida Department of Economic Opportunity.

ARTICLE 4

COMPENSATION

The Local Government agrees to pay, from the funding set forth in Article Sixteen (16) herein, the Administrator and its associates in the following manner:

Compensation for the Administrator shall be the total sum of Fifty Thousand and 00/100 Dollars ($50,000.00). The Local Government shall compensate the Administrator for their services as noted in Attachment A to this contract. Payments will commence thirty (30) days after the effective date of the contract between the Florida Department of Economic Opportunity (DEO) and the Local Government subject, however, to receipt by the local government.
of funding from the CDBG sufficient to pay the administrator as required herein.

At the end of the twelfth month of this contract, the Local Government and the Administrator shall review the progress of the project to determine if the project is proceeding on schedule. If the project is determined not to be progressing on schedule, a revised payment schedule shall be developed that is acceptable to both parties.

If the grant contract obligations are met and the grant closes out prior to the twenty-four month ending date the administrator can be paid the sum remaining in the contract upon issuance of a “Notice of Administrative Closeout” for the project by the Florida Department of Economic Opportunity.

All requests for payment shall be submitted by the Administrator in detail sufficient for a proper pre-audit and post-audit review.

**ARTICLE 5**

**CITIZENS PARTICIPATION**

It is understood between the parties that both the local Government and the Administrator shall encourage continuous participation in the Project by the citizens of the area. It is further understood that both the Local Government and the Administrator shall be responsible for adequate advertising of the
Project. It is understood that funds for such advertising shall be paid from grant funds.

**ARTICLE 6**

**LOCAL GOVERNMENT CONTACT PERSON**

The contact person who will represent the local Government in all matters pertaining to the Project shall _______________, _______________, or his/her designee.

**ARTICLE 7**

**EXCLUSIVE REPRESENTATION**

It is understood between the parties that a representative of the Local Government and a representative of Fred Fox Enterprises, Incorporated, will represent this Project before any and all DEO or HUD meetings.

**ARTICLE 8**

**CONFLICT OF INTEREST**

The Local Government having being so advised by the Administrator does hereby recognize that the Administrator has provided similar area services in the past to Local Governments and to area governmental bodies and may be so engaged in a similar Project at this time or in the future and the parties agree
that administration of these Projects by the Administrator do not constitute a conflict of interest with the Project.

ARTICLE 9

SOCIAL SECURITY

The Local Government is not liable for Social Security contributions pursuant to Section 481, 42 U.S. Code, relative to the compensation of the Administrator or any other participants during the period of this contract.

ARTICLE 10

CONTRACT AMENDMENT

The terms and conditions of this contract may be changed at any time by mutual agreement of the parties hereto. All such changes shall be incorporated as written amendments to this contract.

ARTICLE 11

TERMINATION

Termination (cause and/or Convenience)

(a) This contract may be terminated in whole or in part in writing by either party in the event of substantial failure by the other to fulfill its obligations under this contract provided that no termination may be effected unless the
other party is given (1) not less than ten (10) calendar days written notice (delivered by hand or by certified mail, return receipt requested) of intent to terminate and (2) an opportunity for consultation with the terminating party during said 10 day period prior to termination.

(b) This contract may be terminated in whole or in part in writing by the local government for its convenience, provided that the other party is afforded the same notice and consultation opportunity specified in 1(a) above.

(c) If termination for default is effected by the local government, an equitable adjustment in the price for this contract shall be made, but (1) no amount shall be allowed for anticipated profit on unperformed services or other work, and (2) any payment due to the Administrator at the time of termination may be adjusted to cover any additional costs to the local government because of the Administrator's default.

If termination for convenience is effected by the local government, the equitable adjustment shall provide for payment to the Administrator for services rendered and expenses incurred prior to receipt of the notice of intent to terminate, in addition to termination settlement costs reasonably incurred by the Administrator relating to commitments (e.g., suppliers, subcontractors)
which had become firm prior to receipt of the notice of intent to terminate, if any, and upon proper documentation submittal.

(d) Upon receipt of a termination action under paragraphs (a) or (b) above, the Administrator shall (1) promptly discontinue all affected work (unless the notice directs otherwise) and (2) deliver or otherwise make available to the local government all data, drawings, reports specifications, summaries and other such information, as may have been accumulated by the Administrator in performing this contract, whether completed or in process.

(e) Upon termination, the Local Government may take over the work and award another party a contract to complete the work described in this contract.

(f) If, after termination for failure of the Administrator to fulfill contractual obligations, it is determined that the Administrator had not failed to fulfill contractual obligations, the termination shall be deemed to have been for the convenience of the Local Government. In such event, adjustment of the contract price shall be made as provided in paragraph (c) above.
ARTICLE 12

EQUAL OPPORTUNITY

The Administrator warrants that there shall be no discrimination against employees, applicants for employment, those to whom services are rendered, and applicants for such services under this contract because of race, color, age, sex, religion, national origin, place of birth, ancestry, handicap, familial status or genetics.

During the performance of the function described herein, the Administrator agrees to the following conditions pertaining to the recognition and protection of the civil rights of employees, applicants for employment, those to whom services are rendered, and applicants for such services:

1. The Administrator will comply with the provisions of Title VI of the Civil Rights Act of 1964, P.L. 88-352, as amended, and rules and regulations published pursuant thereto, all of which are made a part hereof as if fully incorporated herein;

2. The Administrator will comply with the provisions of Presidential Executive Order Number 11246 of September 24, 1965, as amended, Title 3, Code of Federal Regulations, Chapter 4, which is
made a part hereof as if fully incorporated herein, the provisions of Section 204 of which executive order must be set forth verbatim, to wit: During the performance of this contract, the Administrator agrees as follows: The Administrator will not discriminate against any employee or applicant for employment because of race, color, age, sex, religion, national origin, place of birth, ancestry, handicap, familial status or genetics. Such action shall include, but not limited to the following: employment, upgrading, demotion, transfer, recruitment, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Administrator agrees to post in a conspicuous place, available to employees and applicants for employment, notice to be provided by the contracting officer setting for the provisions of the non-discrimination clause.

3. The Administrator will, in all solicitations or advertisements for employees placed by or on behalf of the Administrator, state that all qualified applicants will receive consideration for employment without regard to race, color, age, sex, religion, national origin, place
of birth, ancestry, handicap, familial status or genetics.

4. The Administrator will send to each labor union or representative or workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or worker's representative of the contractor's commitments under Section 204 of Executive Order Number 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

5. The Administrator will comply with all provisions of Executive Order Number 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

6. The Administrator will furnish all information and reports required by Executive Order Number 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules,
regulations, and orders.

7. In the event of the Administrator non-compliance with the non-discrimination clauses of this contract or with such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order Number 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order Number 11246, of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

8. The Administrator will include the provisions of paragraphs one (1) through seven (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the secretary of Labor issued to Section 204 of Executive Order Number 11246 of September 24, 1965, so that such provisions will be binding upon subcontractors or vendors. The Administrator will take such action with respect to any subcontract or purchase order as the contracting
agency may direct as a means of enforcing such provisions including sanctions for non-compliance; provided however, that in the event the Administrator become involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Administrator may request the United States to enter into such litigation to protect the interest of the United States.

9. The Administrator shall not discriminate in solicitations or advertisements for employees placed by and on behalf of the contractor or against any employee or applicant for employment because of race, color, age, sex, religion, national origin, place of birth, ancestry, handicap, familial status or genetics.

ARTICLE 13

HUD/DEO AUDITS

If HUD or DEO finds that any sums received by the Administrator are unreasonable, then those sums shall be refunded by the Administrator to the Local Government as required by 24 C.F.R., Section 570.200. Administrator agree to reimburse to the Local Government any funds expended for
transactions approved by the Administrator which are disallowed by the Florida Department of Economic Opportunity (FDEO), due to the malfeasance, misfeasance, or nonfeasance of the Administrator. All records will be made available to the Local Government auditors at their request as pre-audit and post-audit requirements.

**ARTICLE 14**

**ADMINISTRATOR'S NOTICE**

**REGARDING ENGINEER OR ARCHITECT**

It is understood between the Local Government and the Administrator that the Administrator will not be responsible for any Federal, State, or Local requirements that must be completed and supervised by the engineer and/or architect.

**ARTICLE 15**

**ADMINISTRATORS NOTICE**

**REGARDING LEGAL FEES AND AUDITS**

It is understood between the Local Government's and the Administrator that the Administrator will not be responsible for legal or audit costs associated with this project.
ARTICLE 16

SOURCE OF FUNDING

The sole source of payment for this contract is the funding received through the CDBG program and/or portion of any other funding grants leveraged from it.

ARTICLE 17

REMEDIES

Unless otherwise provided in this contract, all claims, counter claims, disputes and other matters in question between the local government and the contractor, arising out of or relating to this contract, or the breach of it, will be decided by the appropriate court in Levy County, Florida.

ARTICLE 18

ACCESS TO RECORDS

The local government, the Florida Department of Economic Opportunity, the Chief Financial Officer of the State of Florida, the Auditor General of the State of Florida, the Florida Office of Program Policy Analysis and Government Accountability, the U.S. Department of Housing and Urban Development, the Comptroller General of the United States, and any of their duly authorized
representatives, shall have access to any books, documents, papers, and records, including electronic storage media, of the Administrator which are directly pertinent to this contract for the purpose of audit, examination, making excerpts, and transcriptions as they may relate to this Agreement.

**ARTICLE 19**

**RETENTION OF RECORDS**

The Administrator shall retain all records relating to this contract for six (6) years after the Local Government makes final payment and all other pending matters are closed.

**ARTICLE 20**

**ENVIRONMENTAL COMPLIANCE**

Whereas if this contract exceeds $100,000, the Administrator shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857 (h), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and U.S. Environmental Protection Agency regulations (40 C.F.R. Part 15). The Administrator shall include this clause in any subcontracts over $100,000.
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals:

LOCAL GOVERNMENT:          ADMINISTRATOR:

__________________________   ___________________________
Nancy Wininger, Council President
City of Williston

Fred D. Fox, President
Fred Fox Enterprises, Inc.

ATTESTED BY:          ATTESTED BY:

___________________________   ___________________________
Melissa N. Fox, Grants Compliance
City of Williston

Fred Fox Enterprises, Inc.
1. This sworn statement is submitted with the General Administration Agreement for Fred Fox Enterprises, Inc., and The City of Williston.

2. This sworn statement is submitted by Fred Fox Enterprises, Inc. whose business address is P.O. Box 840338, St. Augustine, Florida 32080, and (if applicable) its Federal Employer Identification Number (FEIN) is 59-2443697.

3. My name is Fred D. Fox, and my relationship to the entity named above is President of the Corporation.

4. I understand that a "Public Entity Crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transactions of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

   1. A predecessor or successor of a person convicted of a public entity crime; or

   2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among person when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)
XX Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July, 1, 1989.

The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND (Please indicate which additional statement applies.)

There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order.)

The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)

The person or affiliate has not between placed on the convicted vendor list. (Please describe any action taken by or pending with the Department of General Services.)

Fred D. Fox (Signature)
Date:_____________________

STATE OF FLORIDA
CITY OF ST. JOHNS

PERSONALLY APPEARED BEFORE ME, the undersigned authority, Fred D. Fox, who, after first being sworn by me, affixed his signature in the space provided above on this ___day of __________________, 2019.

NOTARY PUBLIC

My Commission Expires:
GRANTEE: The City of Williston

GRANT NUMBER: 19DB-ON-05-48-02-N33

NAME AND ADDRESS: Fred Fox Enterprises, Inc.
OF CONTRACTOR: P. O. Box 840338
St. Augustine, Florida 32080

DATE OF PROPOSAL: January 11, 2019

TYPE OF SERVICE TO BE FURNISHED: CDBG Grant Administration

COST SUMMARY:

DIRECT LABOR: Estimated hrs x hrly rate = estimated cost

Consultant/Director 110 hrs x $100. = $ 11,000.00
Project Manager 100 hrs x $75. = $ 7,500.00
Grants Compliance Manager 100 hrs x $70. = $ 7,000.00
Environmental Specialist 100 hrs x $65. = $ 6,500.00
Clerical Support 80 hrs x $50. = $ 4,000.00

DIRECT LABOR TOTAL: $ 36,000.00

INDIRECT COSTS: Fringes, G & A, etc., rate x base = cost

Fringes 35% x 36,000.00 = $ 12,600.00

INDIRECT COST TOTAL: $ 12,600.00

OTHER INDIRECT COST: describe
N/A

OTHER INDIRECT COST: $ 0.00

TOTAL ESTIMATED COST: $ 48,600.00
PROFIT: $ 1,400.00
TOTAL PRICE: $ 50,000.00
RESOLUTION 2019-08: APPROVING PROFESSIONAL SERVICES AGREEMENT WITH THREE POINTS PLANNING FOR GRANT ADMINISTRATION SERVICES FOR THE 2018-2019 COMPETITIVE FLORIDA PARTNERSHIP GRANT THROUGH THE DEPARTMENT OF ECONOMIC OPPORTUNITY TO IMPLEMENT PHASE II OF THE ECONOMIC DEVELOPMENT STRATEGY

REQUESTED BY: STAFF
PREPARED BY: ALYSSA MONAGHAN

BACKGROUND / DESCRIPTION: On September 7, 2018 the City of Williston was awarded a $30,000 grant for the 2018-2019 Competitive Florida Partnership Program (Phase II) through The Department of Economic Opportunity. Three Points Planning was the only company to submit an RFP on January 28, 2019 and was selected by Staff to perform the services in the amount of $40,000.

LEGAL REVIEW: Yes (attached contract with Three Points Planning.)

FISCAL IMPACTS: $10,000

RECOMMENDED ACTION: Adopt Resolution 2019-08 approving professional services agreement with Three Points Planning to administer the 2018-2019 Competitive Florida Partnership Grant.

ATTACHMENTS:

__X__ CONTRACT  __X__ RESOLUTION  ______ MAP

_____ LEASE  ______ OTHER DOCUMENTS

COUNCIL ACTION:

_______ APPROVED

_______ DISAPPROVED
RESOLUTION NUMBER 2019-08

A RESOLUTION OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, APPROVING PROFESSIONAL SERVICES AGREEMENT WITH THREE POINTS PLANNING FOR GRANT ADMINISTRATION SERVICES RELATED TO A 2018-2019 COMPETITIVE FLORIDA PARTNERSHIP GRANT

WHEREAS, the City of Williston, Florida, has been granted funding from the 2018-2019 Competitive Florida Partnership Program; and

WHEREAS, Three Points Planning was chosen for professional grant administration services; and,

WHEREAS, Three Points Planning shall furnish professional Grant Administration Services for the 2018-2019 Competitive Florida Partnership Grant (Phase II) outlined in the attached Project Approach (Exhibit A).

NOW, THEREFORE, BE IT RESOLVED by the City of Williston, Levy County, Florida, that the City Council approves

SECTION 1. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are hereby made a specific part of this resolution upon adoption hereof.

SECTION 2. This resolution authorizes the Council President to execute and approve documents necessary to affect the approval of the Contract for Services.

SECTION 3. This resolution shall become effective immediately upon passage and adoption by the City Council.

DULY PASSED, ADOPTED AND MADE EFFECTIVE by the City Council of the City of Williston, Florida, on this 5th day of February 2019.

CITY COUNCIL
CITY OF WILLISTON, FLORIDA

______________________________
Nancy Wininger, President, City Council

ATTEST:

Frances V. Taylor, City Clerk
PROFESSIONAL SERVICES AGREEMENT

This Agreement is made this _____ day of __________, 20__, by and between the City of Williston (the “City”) and Three Points Planning, LLC (the “Consultant”).

WHEREAS, the City desires that the Consultant provide assistance to the City in for economic development consulting; and

WHEREAS, the Consultant desires to provide such assistance to the City under the terms and conditions of this Agreement;

NOW, THEREFORE, the City and the Consultant hereby agree as follows:

1. Professional Services

(a) Subject to the terms and conditions of this Agreement, the City hereby retains Consultant as a consultant to perform the professional services specifically set out in Exhibit A attached to this Agreement and made a part hereof (hereafter referred to as the “Services”), as said Exhibit may be amended in writing from time to time, and Consultant agrees, subject to the terms and conditions of this Agreement, render such Services during the term of this Agreement. Consultant shall render services hereunder at such times and places as shall be mutually agreed by City and Consultant. The City may elect to retain professional services from the Consultant on a negotiated on-going hourly basis for other work in addition to this contract.

2. Compensation and reimbursement.

In consideration of the professional services to be provided by Consultant to the City hereunder, the City shall pay to Consultant $40,000 inclusive of travel and expenses. To obtain reimbursement, Consultant shall submit to the City, or his or her designee, an invoice describing services rendered and expenses incurred under this Agreement. City shall provide any documentation requirements and any travel policy restrictions to consultant in writing in advance, or be foreclosed from relying on such requirements and restrictions to deny reimbursement. The City shall pay to Consultant invoiced amounts within thirty (30) days after the date of invoice.

Any additional professional services not included in Exhibit A will be compensated at a negotiated rate.

3. Independent contractor status.

The parties agree that this Agreement creates an independent contractor relationship, not an employment relationship. The Consultant acknowledges and agrees that the City will not
provide the Consultant with any employee benefits, including without limitation any employee stock purchase plan, social security, unemployment, medical, or pension payments, and that income tax withholding is Consultant’s responsibility. In addition, the parties acknowledge that neither party has, or shall be deemed to have, the authority to bind the other party.

8. **Term**

(a) This Agreement shall remain in effect for a term of one (1) year commencing on the date first written above, unless sooner terminated as hereinafter provided, or unless extended by agreement of the parties.

(b) This Agreement may be terminated by either party, with or without cause, upon thirty (30) days prior written notice to the other; provided that if Consultant terminates this Agreement, Consultant shall, in accordance with the terms and conditions hereof, nevertheless wind up in an orderly fashion assignments for the City which Consultant began prior to the date of notice of termination hereunder.

(c) Upon termination of this Agreement for any reason, Consultant shall be entitled to receive such compensation and reimbursement, if any, accrued under the terms of this Agreement, but unpaid, as of the date Consultant ceases work under this Agreement. In addition, Consultant shall be reimbursed for any non-cancellable obligations, any cancellation penalties, and, unless Consultant terminates the agreement without cause, any expenditures reasonably made in order to perform the Services that were to occur had cancellation not occurred.

9. **Other Agreements**

(a) The Consultant and City mutually represent that to the best of their knowledge neither currently has any agreement with, or any other obligation to, any third party that conflicts with the terms of this Agreement. The parties agree that they shall not intentionally and knowingly enter into any such agreement.

(e) The laws of the state of Florida shall govern this Agreement.

(f) Any notice or other communication by one party to the other hereunder shall be in writing and shall be given, and be deemed to have been given, if either hand delivered or mailed, postage prepaid, certified mail (return receipt requested), or transmitted by facsimile, addressed as follows:

If to Consultant:

Three Points Planning, LLC
2376 Sagamore Hills Dr.
Decatur, GA 30033

February 5, 2019
Agenda Packet
If to the City:

Scott Lippman  
City of Williston  
PO Drawer 160  
Williston, FL 32696  

The parties expressly agree that no party may assign this Agreement without the written consent of the other.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

[Three Points Planning]

By:  

Lynn M. Patterson  

Title: Principal  

Date: 01/30/19

[City of Williston]

By:  

Title:  

Date:  

Exhibit A

The Scope of this project, Phase II of the Competitive Florida Partnership program, include the following:

- Conduct a business retention and expansion survey
- Create an action plan from survey results
- Identify resources and partners to assist with business needs.
- Promote and market aviation-related industries and the Williston Airport Industrial Park.
- Designate key redevelopment nodes
- Development of a local incentives policy.

The Consultant will coordinate with and meet all deadlines to remain in compliance with the State of Florida’s Department of Economic Opportunity’s Competitive Florida Partnership program.
Project Approach

In 2018, with support from the Florida Department of Economic Development Opportunity (DEO)'s Technical Assistance and Competitive Florida Partnership Program, the City of Williston completed an update to their Comprehensive Plan, including the creation of an Economic Development element and formation of a corresponding Economic Development Strategy. This community-involved planning process resulted in the adoption of the City’s first Economic Development Strategic Plan.

Williston is a quaint, welcoming small-town that supports and encourages sustainable growth for all businesses and quality lifestyles for its residents and visitors.

Williston honors its history and is positioned to embrace its future by leveraging its existing assets including agriculture, industry, aviation and transportation, and nature and agricultural tourism.

The Economic Development Strategic Plan identified eight (8) major areas the community should focus on to pursue the shared economic development vision. Those areas are:

- Aesthetic Improvements
- Redevelopment Nodes
- Business Development
- Economic Diversification
- Infrastructure
- Incentives
- Workforce
- Integrated Planning

The Plan recommended specific tasks and suggested organizations for implementation for each major area. Some of the tasks have been undertaken by various City and community organizations while other tasks will benefit from economic development expertise and coordination. The first phase of implementation includes the following tasks as outlined in this RFP.
Under Business Development and Integrated Planning sections, the plan calls for a business retention and expansion survey followed by an action plan from survey results. The action plan will include state, local and federal resources to assist existing businesses. Three Points Planning will begin with a formal written survey sent to all businesses in the City of Williston. We will follow up with each business to ensure the maximum participation possible. We will augment the survey with individual in-person and phone interviews. Results from the survey will provide data for priority areas. We will then develop a list of priorities and review the priorities with the City. Once the priorities are established, we will identify specific resources and contact state and federal partners for assistance. We will also identify and coordinate with the City and/or local organizations where the opportunity for local programming can address retention and expansion opportunities.

In the Business Development, Economic Diversification, and Integrated Planning areas, the plan identifies the promotion of aviation-related industries and market the Williston Airport Industrial Park. Three Points Planning will work closely with the State of Florida Department of Economic Opportunity, REDI, North Central Florida Economic Development Partnership, the Nature Coast Business Development Council, Florida Gateway College, Career Source Citrus County, Williston Municipal Airport, and local aviation businesses to prepare marketing materials and identify/contact potential aviation-related and other industrial park tenants.

Our work for the strategic plan identified key redevelopment priority areas which can create activity nodes through Williston. These are: downtown Williston, the former Winn Dixie site, the former high school and the former middle school. Each of these nodes has a different characteristic and should be formally identified in order to put programming in place to incentive/facilitate their development. Three Points Planning will work with the City and the Williston Community Redevelopment Agency to formally designate these areas.

A final component of this proposed scope of work is the development of a local incentives policy. By formalizing an incentives policy based upon the community’s vision, targeted industries, and needs of existing and potential businesses, the City can offer assistance in a variety of ways to overcome any deficiencies. We will look at a formulaic solution for financial assistance as well as organize a package of regional and non-financial incentives for businesses. In developing this incentives policy, we will coordinate closely with City staff and officials as well as regional and state agencies.