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# CITY COUNCIL REGULAR SESSION

## CITY OF LAKE CITY

January 18, 2022 at 6:00 PM

Venue: City Hall

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## AGENDA

This meeting will be held in the City Council Chambers on the second floor of City Hall located at 205 North Marion Avenue, Lake City, FL 32055. Members of the public may also view the meeting live on our YouTube channel. YouTube channel information is located at the end of this agenda.

### Events Prior to Meeting

4:30 - 5:30 P.M. Meet and Greet for City Manager Candidate Thomas Thomas

### Pledge of Allegiance

**Invocation** - Council Member Eugene Jefferson

### Roll Call

***Ladies and Gentlemen; The Lake City Council has opened its public meeting. Since 1968, the City Code has prohibited any person from making personal, impertinent, or slanderous remarks or becoming boisterous while addressing the City Council. Yelling or making audible comments from the audience constitutes boisterous conduct. Such conduct will not be tolerated. There is only one approved manner of addressing the City Council. That is, to be recognized and then speak from the podium.***

### Minutes

- [1.](#) December 15, 2021 Special Called
- [2.](#) December 20, 2021 Regular Session
- [3.](#) December 20, 2021 Special Called Attorney-Client Session
- [4.](#) December 22, 2021 Special Called
- [5.](#) January 3, 2022 Regular Session

### Approval of Agenda

### Persons Wishing to Address Council

*Citizens are encouraged to participate in City of Lake City meetings. The City of Lake City encourages civility in public discourse and requests that speakers direct their comments to the Chair. Those attendees wishing to share a document and or comments in writing for inclusion into the public record must email the item to [submissions@lcfla.com](mailto:submissions@lcfla.com) no later than noon on the day of the meeting. Citizens may also provide input to individual council members via office visits, phone calls, letters and e-mail that will become public record.*

## **Approval of Consent Agenda - None**

## **Old Business**

### Ordinances

#### **Open Public Hearing**

- [6.](#) City Council Ordinance No. 2021-2211 - (final reading) An ordinance of the City of Lake City, Florida, adding Article IX to Chapter 26 of the City Code; providing for the prohibition of simulated gambling devices; providing for the identification of simulated gambling establishments as a public nuisance and noxious use; providing for the prohibition of the use of simulated gambling devices for certain circumstances; providing for the creation of an enforcement mechanism for violations; providing for severability; providing for the repeal of conflicts; providing for codification; and providing an effective date.

Passed on first reading 12/20/2021

#### **Close Hearing**

Adopt City Council Ordinance No. 2021-2211 on final reading

#### **Open Public Hearing**

- [7.](#) City Council Ordinance No. 2021-2213 formerly known as 2022-2213 (final reading) - An ordinance of the City of Lake City, Florida, amending the City Code to add a new section numbered 86-110.17 to Article III, Chapter 86, which provides for the permanent closing, vacating, and abandoning of that portion of Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and east of SW James Montgomery Avenue, McFarlane Park Subdivision, a subdivision as per the plat thereof and recorded in Plat Book 423, page 604 of the public records of Columbia County, Florida; finding that the roadway was abandoned by the City; finding that the closing of the roadway will not adversely affect the public health, safety, or welfare; finding that it is in the best interest of the City and for the general welfare of its citizens to close the roadway; providing for a reservation of utility easements; providing for the repeal of conflicting ordinances; providing for severability; providing for inclusion into the City Code; and providing for an effective date.

Passed on first reading on 01/03/2022

## **Close Hearing**

Adopt City Council Ordinance No. 2021-2213 on final reading

## **Other Items**

8. Discussion and Possible Action - Fire Pension Board Appointee (Mayor Stephen Witt)
- [9.](#) Discussion and Possible Action - Planning and Zoning Board (Mayor Stephen Witt)

On January 7, 2022 Daniel Adel resigned from the Planning and Zoning Board. The Board now has three board member vacancies.

## **New Business**

### **Resolutions**

- [10.](#) City Council Resolution No. 2021-192 - A resolution of the City Council of the City of Lake City, Florida, amending the composition of the Airport Master Plan Steering Group; providing for terms of appointments; providing for conflicts; and providing for an effective date.
- [11.](#) City Council Resolution No. 2022-005 - A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of Amendment Number One to the contract between the City and Wetland Solutions, Inc. for the Ichetucknee Springs Water Quality Improvement Project; providing for the addition of tasks related to the bidding and construction phases associated with the gravity pipeline portion of the project; providing for additional costs not-to-exceed \$51,445.00; and providing for an effective date.
- [12.](#) City Council Resolution No. 2022-007 - A resolution of the City Council of the City of Lake City, Florida authorizing the execution of the Second Amendment to the Memorandum of the Agreement with the Suwannee River Water Management District authorized by City Council Resolution No. 2020-114; providing for an extension of the deadlines for completion of the agreement to February 28, 2022; providing for conflicts; and providing for an effective date.
- [13.](#) City Council Resolution No. 2022-008 - A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of Amendment Number One to Agreement SG059 with the Florida Department of Environmental Protection; providing for the reimbursement of allowable costs associated with the removal of sand and grit from the St. Margarets Wastewater Treatment Facility; providing for an extension of the agreement to April 30, 2023; providing for the

acceptance of \$564,144.00 in additional funding; and providing for an effective date.

#### Other Items

14. Discussion and Possible Action - Recommendation from January 5, 2022 Utility Advisory Committee to hold a Joint City/County Meeting on Monday, January 31, 2022 at 5:30 PM at the Columbia County School Board Auditorium to discuss the operation of continued joint utility operations. (Council Member Todd Sampson/Utility Advisory Chairman)
15. Discussion and Possible Action - Scheduling a Workshop on Monday, February 7, 2022 at 5:00 PM - Financial Update (Interim City Manager Paul Dyal and Finance Director Donna Duncan)

**Departmental Administration - None**

**Comments by Council Members**

**Adjournment**

#### **YouTube Channel Information**

Members of the public may also view the meeting live on our YouTube channel at:  
<https://www.youtube.com/c/CityofLakeCity>

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**Pursuant to 286.0105, Florida Statutes**, *the City hereby advises the public if a person decides to appeal any decision made by the City with respect to any matter considered at its meetings or hearings, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

**SPECIAL REQUIREMENTS:** *Pursuant to 286.26, Florida Statutes, persons needing special accommodations to participate in these meetings should contact the **City Manager's Office at (386) 719-5768.***

**File Attachments for Item:**

1. December 15, 2021 Special Called

The City Council in and for the citizens of the City of Lake City, Florida, met in Special Session, on December 15, 2021 beginning at 5:00 P.M., in the City Council Chambers, located at City Hall 205 North Marion Avenue, Lake City, Florida. Members of the public also viewed the meeting live on our YouTube Channel.

#### PLEDGE OF ALLEGIANCE

INVOCATION – Mayor Stephen M. Witt

#### ROLL CALL

Mayor/Council Member  
City Council

City Attorney  
Interim City Manager  
Sergeant-at-Arms  
City Clerk

Stephen M. Witt  
Jake Hill, Jr.  
Eugene Jefferson  
C. Todd Sampson  
Frederick Koberlein, Jr.  
Michael Williams  
Interim Chief Gerald Butler  
Audrey Sikes

#### APPROVAL OF AGENDA

**Mr. Hill made a motion to approve the agenda as presented. Mr. Jefferson seconded the motion and the motion carried unanimously on a voice vote.**

#### PERSONS WISHING TO ADDRESS COUNCIL

Glenel Bowden expressed concern with the City Manager search process and lack of quality candidates.

#### NEW BUSINESS

1. Discussion and Possible Action - Procurement of City Manager (Renee Narloch of S. Renee Narloch & Associates will present a procurement process and short list of applicants)

Ms. Narloch presented Council with her procurement process, i.e. preliminary interviews, advertisement, and how many applicants there were for the position. She reported she was able to narrow the applicants down and presented a short list of four applicants to the Council. Ms. Narloch reported one candidate, Allen Bradworth, withdrew. She presented candidates: Glen Adams, Elizabeth Lynn Ladner, and Thomas Thomas.

Members concurred to replace the candidate (Allen Bradworth) with Brian Kauffman and to meet on Wednesday, December 22, 2021 from 8:30 AM to 12:30 PM virtually to interview the four candidates (Glen Adams, Brian Kauffman, Elizabeth Lynn Ladner and Thomas Thomas).

PUBLIC COMMENT: Sylvester Warren addressed Council about Public Works Director Thomas Henry returning to work and inquired who would fill Interim City Manager Michael William's position once Mr. Williams left.

PUBLIC COMMENT: Shawn Holmgren suggested the Council not take input from the audience on the City Manager hiring process.

PUBLIC COMMENT: Stew Lilker asked the Council what they were looking for in a City Manager.

2. City Attorney to request Litigation Session for the Coker vs City of Lake City lawsuit (City Attorney to request a Closed Litigation Session scheduled for a future date)

Attorney Koberlein requested a litigation session to discuss issues of pending litigation. **Mr. Sampson made a motion to schedule a litigation session to discuss pending litigation. Mr. Jefferson seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mr. Hill</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

**Mr. Sampson made a motion to hold a Special Meeting on Wednesday, December 22, 2021 at 8:30 AM to speak with the City Manager Candidates. Mr. Jefferson seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mr. Hill</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

#### COMMENTS BY COUNCIL MEMBERS

Mr. Hill responded to the question Stew Lilker asked during public comments regarding what he wanted from a City Manager. Mr. Hill stated he would like someone who was of a minority, compassionate, and community friendly and fair across the board.

#### ADJOURNMENT

**All matters having been handled, the meeting adjourned at 5:53 PM on a motion made and duly seconded.**

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Stephen M. Witt, Mayor/Council Member

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Audrey Sikes, MMC City Clerk

**File Attachments for Item:**

2. December 20, 2021 Regular Session

The City Council in and for the citizens of the City of Lake City, Florida, met in Regular Session, on December 20, 2021 beginning at 6:00 P.M., in the City Council Chambers, located at City Hall 205 North Marion Avenue, Lake City, Florida. Members of the public also viewed the meeting live on our YouTube Channel.

#### PLEDGE OF ALLEGIANCE

INVOCATION – Jake Hill, Jr.

#### ROLL CALL

Mayor/Council Member  
City Council

City Attorney  
Interim City Manager  
Sergeant-at-Arms  
City Clerk

Stephen M. Witt  
Jake Hill, Jr.  
Eugene Jefferson  
C. Todd Sampson  
Frederick Koberlein, Jr.  
Michael Williams – absent  
Interim Chief Gerald Butler  
Audrey Sikes

#### MINUTES

1. Regular Session, December 6, 2021

**Mr. Sampson made a motion to approve the December 6, 2021 Regular Session minutes as presented. Mr. Hill seconded the motion and the motion carried unanimously on a voice vote.**

#### APPROVAL OF AGENDA

**Mr. Jefferson made a motion to approve the agenda as presented. Mr. Sampson seconded the motion and the motion carried unanimously on a voice vote.**

#### PERSONS WISHING TO ADDRESS COUNCIL

- Sylvester Warren addressed Council regarding a public records request.
- Glenel Bowden spoke about gun violence in the community.

Mr. Hill asked Interim Chief Butler to update the public on the incident that occurred over the weekend.

Interim Chief Butler reported he had met with the State Attorney's Office and provided an update on the auto license plate readers and on the sponsorship program.

- Sylvester Warren suggested installing security cameras or gun sensors at Youngs Park and Annie Maddox Park.

## APPROVAL OF CONSENT AGENDA – None

## PRESENTATIONS

2. Certificate of Appreciation for Founders Day Event - (Presenter Dr. Chris Esing)

Dr. Chris Esing presented Council members and charter officers with a Certificate of Appreciation, poster, postcards and commemorative pin for the Founders Day Event.

## OLD BUSINESS

### Ordinances

**At this time Mayor Witt closed the regular session and opened a public hearing for the purpose of hearing comments on City Council Ordinance No. 2021-2210. City Council Ordinance No. 2021-2210 was read by title. Mayor Witt asked if anyone wanted to be heard regarding City Council Ordinance No. 2021-2210. No one asked to be heard therefore Mayor Witt closed the public hearing.**

3. City Council Ordinance No. 2021-2210 (final reading) - An ordinance of the City Council of the City of Lake City, Florida, amending Article 18 of the Code of Ordinances; providing for amendments to Sections 18-82 and 18-83 of the Code of Ordinances; providing for the enforcement of aviation regulations; providing for codification; providing for severability; providing for conflict. and providing for an effective date. **Mr. Jefferson made a motion to approve City Council Ordinance No. 2021-2210, on final reading, amending Article 18 of the Code of Ordinances; providing for amendments to Sections 18-82 and 18-83 of the Code of Ordinances; providing for the enforcement of aviation regulations, and providing for codification. Mr. Sampson seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mr. Hill</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

### Other Items

4. Discussion and Possible Action - Fire Pension Board Appointee (Mayor Stephen Witt)

Mayor Witt reminded Council that an appointee still needed to be selected for the Fire Pension Board.

5. Memorial Stadium Update (Interim City Manager Mike Williams)

Bill Bishop from North Florida Professional Services updated Council on Memorial Stadium and briefly went over the structural report. He reported the

findings were the result of deferred maintenance and suggested over the next couple of years for Council to allocate funds for sandblasting and painting for ongoing maintenance of the stadium.

Mr. Sampson stated he would like to move forward to phase two and for staff to obtain cost estimates for sandblasting and painting.

6. Discussion and Possible Action - Planning and Zoning Board (Mayor Stephen Witt)

Mayor Witt referenced the application received from Harlan S. Holmgren on December 14, 2020 and asked members if there were any motions for the Planning and Zoning Board. No motions were made.

NEW BUSINESS  
Ordinances

7. City Council Ordinance No. 2021-2211 (first reading) - An ordinance of the City of Lake City, Florida, adding Article IX to Chapter 26 of the City Code; providing for the prohibition of simulated gambling devices; providing for the identification of simulated gambling establishments as a public nuisance and noxious use; providing for the prohibition of the use of simulated gambling devices for certain circumstances; providing for the creation of an enforcement mechanism for violations; providing for severability; providing for the repeal of conflicts; providing for codification; and providing an effective date. **Mr. Jefferson made a motion to approve City Council Ordinance No. 2021-2211, on first reading, adding Article IX to Chapter 26 of the City Code; providing for the prohibition of simulated gambling devices; providing for the identification of simulated gambling establishments as a public nuisance and noxious use; providing for the prohibition of the use of simulated gambling devices for certain circumstances, and providing for the creation of an enforcement mechanism for violations. Mr. Hill seconded the motion. A roll call vote was taken and the motion carried.**

Mr. Jefferson	Aye
Mr. Hill	Aye
Mr. Jefferson	Aye
Mayor Witt	Aye

Resolutions

8. City Council Resolution No. 2021-188 - A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of an amendment to a lease agreement with the United States Department of Agriculture - Forest Service; providing for the incorporation of Executive Order 14042 and adequate Covid-19 safety protocols; and providing for an effective date. **Mr. Jefferson made a motion to approve City Council Resolution No. 2021-188, authorizing the**

execution of an amendment to a lease agreement with the United States Department of Agriculture - Forest Service, and providing for the incorporation of Executive Order 14042 and adequate Covid-19 safety protocols. Mr. Sampson seconded the motion. A roll call vote was taken and the motion carried.

Mr. Jefferson	Aye
Mr. Sampson	Aye
Mr. Hill	Aye
Mayor Witt	Aye

9. City Council Resolution No. 2021-189 – A resolution of the City Council of the City of Lake City, Florida, authorizing Task Assignment Number Six to the continuing contract with Mittauer & Associates, Inc., a Florida Corporation; providing for engineering services associated with the replacement of the supervisory control and data acquisition system at the St. Margaret’s Waste Water Treatment Facility; providing for a cost not-to-exceed \$67,400.00; and providing for an effective date. **Mr. Sampson made a motion to approve City Council Resolution No. 2021-189, authorizing Task Assignment Number Six to the continuing contract with Mittauer & Associates, Inc., a Florida Corporation; providing for engineering services associated with the replacement of the supervisory control and data acquisition system at the St. Margaret’s Waste Water Treatment Facility; providing for a cost not-to-exceed \$67,400.00. Mr. Jefferson seconded the motion. A roll call vote was taken and the motion carried.**

Mr. Sampson	Aye
Mr. Jefferson	Aye
Mr. Hill	Aye
Mayor Witt	Aye

DEPARTMENTAL ADMINISTRATION

10. Discussion and Possible Action - Reclassification of Information Technology Director Position (Presenter, Interim City Manager Mike Williams)

Utility Director Paul Dyal reported there have not been many qualified individuals who have applied for this position. He stated Information Technology Director Matt Benedetti has already been performing most of these duties, and merging the job descriptions would be cost saving and efficient.

Mr. Benedetti estimated it would take two years to get the City’s system the way he would like it.

**Mr. Sampson made a motion to remove the Information Technology System Administrator position and to approve the new Information Technology Director**

**Position as presented. Mr. Hill seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mr. Hill</b>	<b>Aye</b>
<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

**11. Letter of Resignation - Interim City Manager Mike Williams**

PUBLIC COMMENT: Glenel Bowden spoke in opposition of the Council's interview process for a new City Manager.

PUBLIC COMMENT: Stew Lilker asked if Mr. Williams was already gone; per the Mayor Mr. Williams was sick. Mr. Lilker confirmed how the candidates would be presented over Zoom, and reiterated a public record request he made for the interview questions.

**Mr. Hill made a motion for Mr. Koberlein to prepare a resolution to approve Paul Dyal as Interim City Manager until a permanent City Manager could be hired.**

Per City Attorney this would need to be accomplished with a resolution at the next meeting (Wednesday, December 22, 2021).

**Mr. Sampson thanked Mr. Williams for his work as Interim City Manager.**

**Mr. Jefferson seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Hill</b>	<b>Aye</b>
<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

**Mr. Koberlein confirmed the effective date of December 31, 2021 for Mr. Williams' last day.**

**COMMENTS BY COUNCIL MEMBERS**

Mayor Witt wished everyone a Merry Christmas.

**ADJOURNMENT**

**All matters having been handled, the meeting adjourned at 6:57 PM on a motion made and duly seconded.**

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Stephen M. Witt, Mayor/Council Member

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Audrey Sikes, MMC City Clerk

**File Attachments for Item:**

3. December 20, 2021 Special Called Attorney-Client Session

The City Council in and for the citizens of the City of Lake City, Florida, met in Special Session, on December 20, 2021 beginning at 7:08 P.M., in the City Council Chambers, located at City Hall 205 North Marion Avenue, Lake City, Florida. Members of the public also viewed the meeting live on our YouTube Channel.

#### PLEDGE OF ALLEGIANCE

INVOCATION – Mayor Stephen Witt.

#### ROLL CALL

Mayor/Council Member  
City Council

City Attorney  
Interim City Manager  
Sergeant-at-Arms  
City Clerk

Stephen M. Witt  
Jake Hill, Jr.  
Eugene Jefferson  
C. Todd Sampson  
Frederick Koberlein, Jr.  
Michael Williams – absent  
Interim Chief Gerald Butler  
Audrey Sikes

PERSONS WISHING TO ADDRESS COUNCIL – None

#### RECESS TO CLOSED LITIGATION SESSION

Mayor Witt recessed the Special Session so the City Council could conduct an Attorney-Client Session regarding strategy and/or settlement negotiations in the matter of *Befithful Coker v. City Council of Lake City, Florida, Individually and Collectively; and Audrey Sikes in her official capacity as City Clerk of Lake City*. Mayor Witt reported those attending would be members of the City Council: Jake Hill, Jr., Eugene Jefferson, Todd Sampson, Mayor Stephen Witt; Legal Counsel Fred Koberlein, Jr., Legal Counsel Kris Robinson and certified court reporter Jennifer Parrish. He stated the Attorney-Client Session was estimated to be ½ hour in length.

At this time Mayor Witt waited for the City Clerk and the Information Technology Department to stop the recording equipment and the YouTube Stream and for the Council Chambers to clear. Upon clearing of the City Council Chambers the Attorney-Client Session proceeded.

#### OLD BUSINESS

Befithful Coker v City Council of Lake City Florida, Individually and Collectively; and Audrey Sikes in her official capacity as City Clerk of Lake City.

#### CLOSE LITIGATION SESSION

Mayor Witt closed the Attorney-Client Session and called the City Clerk and the Information Technology Department back into the City Council Chambers.

## RECONVENE SPECIAL MEETING

Mayor Witt reconvened the Special Meeting.

Mayor Witt stated the Special Meeting would be recessed so the City Council could conduct an Attorney-Client Session regarding strategy and/or settlement negotiations in the matter of *Befaitful Coker v. City of Lake City, Florida, City Council, a municipal body in the State of Florida*. Mayor Witt reported those attending would be members of the City Council: Jake Hill, Jr., Eugene Jefferson, Todd Sampson, Mayor Stephen Witt; Legal Counsel Fred Koberlein, Jr., and certified court reporter Jennifer Parrish. He stated the Attorney-Client Session was estimated to be ½ hour in length.

At this time Mayor Witt waited for the City Clerk and the Information Technology Department to stop the recording equipment and the YouTube Stream and for the Council Chambers to clear. Upon clearing of the City Council Chambers the Attorney-Client Session proceeded.

## NEW BUSINESS

Befaitful Coker v City of Lake City, Florida, City Council, a municipal body in the State of Florida.

## CLOSE LITIGATION SESSION

Mayor Witt closed the Attorney-Client Session and called the City Clerk and the Information Technology Department back into the City Council Chambers.

## RECONVENE SPECIAL MEETING

Mayor Witt reconvened the Special Meeting.

## ADJOURNMENT

**All matters having been handled, Mayor Witt adjourned the meeting adjourned at 9:13 PM.**

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Stephen M. Witt, Mayor/Council Member

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Audrey Sikes, MMC City Clerk

**File Attachments for Item:**

4. December 22, 2021 Special Called

The City Council in and for the citizens of the City of Lake City, Florida, met in Special Session, on December 22, 2021 beginning at 8:31 A.M., in the City Council Chambers, located at City Hall 205 North Marion Avenue, Lake City, Florida. Members of the public also viewed the meeting live on our YouTube Channel.

#### PLEDGE OF ALLEGIANCE

INVOCATION – Mayor Stephen Witt

#### ROLL CALL

Mayor/Council Member  
City Council

City Attorney  
Interim City Manager  
Sergeant-at-Arms  
City Clerk

Stephen M. Witt  
Jake Hill, Jr.  
Eugene Jefferson  
C. Todd Sampson  
Frederick Koberlein, Jr.  
Michael Williams – absent  
Lieutenant Andy Miles  
Audrey Sikes

#### APPROVAL OF AGENDA

**Mr. Hill made a motion to approve the agenda as presented. Mr. Jefferson seconded the motion and the motion carried unanimously on a voice vote.**

#### PERSONS WISHING TO ADDRESS COUNCIL

- Sylvester Warren asked the Mayor for an update on his recent public record request, and spoke regarding the hiring process of the City Manager.
- Stew Lilker addressed his denied public record request for the City Manager interview questions, and asked for an explanation as to why additional items were added to the agenda.
- Glenel Bowden spoke on the hiring process of the City Manager.

**Video interviews with four City Manager finalists recommended by Renee Narloch of S. Renee Narloch & Associates.**

1. Finalists to be interviewed:

8:42 AM Orientation began; Ms. Narloch provided an overview of the interview process.

8:45 AM Glen Adams – Mr. Adams was interviewed from 8:57 AM – 9:45 AM, members took a brief break prior to the next interview.

9:45 AM Brian Kauffman – Mr. Kauffman was interviewed from 9:59 AM – 10:35 AM, members took a brief break prior to the next interview.

10:45 AM Elizabeth "Lynne" Ladner – Ms. Ladner was interview from 10:46 AM – 11:47 AM with a break until 11:54 AM, members took a brief break prior to the next interview.

### **Discussion and Possible Action - City Manager finalists**

Upon conclusion of the interviews, Ms. Narloch suggested for further consideration to move forward with an onsite visit with the top candidates, possibly the first week of January.

Mr. Hill commented that Mr. Adams stated he had spoken with members of the community. He asked Ms. Narloch if she would be able to report whom he spoke with. Mr. Hill stated Mr. Thomas was a perfect fit and was his first choice, with Mr. Adams being his second.

Members concurred that Mr. Adams and Mr. Thomas were the top two candidates.

Members concurred on flying the candidates in and providing a two night stay as well as auto rentals.

Members concurred to hold a Meet and Greet on Friday, January 7, 2022 from 5:00 PM to 7:00 PM with a tentative schedule for interviews on Saturday, January 8, 2022.

### **Other Business**

1. Discussion and Possible Action - Review findings and conclusions of the appointed investigator regarding complaint identifying employees and the City Manager. F.S 119.071(2)(k) exempts all information related to employee complaint and investigation. (Attorney Fred Koberlein, Jr., presenter)

Mr. Koberlein responded to the public speaker who commented on the agenda items being added. He confirmed with Clerk Sikes this meeting was advertised correctly, and advised the Council the added items were needed as an urgent matter.

**Mr. Hill made a motion to ratify Other Business Items on the agenda, identified as #1 and #2 were placed on the agenda as urgent action items. Mr. Jefferson seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Hill</b>	<b>Aye</b>
<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

Mr. Koberlein updated Council on the investigation being concluded. He reported a written report had been submitted and Council would need to review and either adopt or reject the findings.

**Mr. Sampson made a motion to accept the investigation report as complete and closed. Mr. Jefferson seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mr. Hill</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

PUBLIC COMMENT: Sylvester Warren spoke on his public record requests and stated he felt Ms. Narloch favored Mr. Adams, to which Mr. Hill agreed.

Mr. Sampson stated he felt Ms. Narloch equally endorsed all the candidates.

2. City Council Resolution No. 2021-194 - A resolution of the City Council of the City of Lake City, Florida, accepting the resignation of Michael D. Williams as Interim City Manager effective December 31, 2021 at 5:00 PM; appointing Paul Dyal for management services related to the vacant City Manager position; authorizing the addition of Paul Dyal as an authorized signor of all checks, vouchers, transfers or disbursement on all bank accounts of the City of Lake City; Florida; and providing for an effective date.

Mr. Sampson stated he was concerned with compensation and suggested to compensate how the City has done in the past.

**Mr. Sampson made a motion to approve City Council Resolution No. 2021-194, accepting the resignation of Michael D. Williams as Interim City Manager effective December 31, 2021 at 5:00 PM; appointing Paul Dyal for management services related to the vacant City Manager position, and authorizing the addition of Paul Dyal as an authorized signor of all checks, vouchers, transfers or disbursement on all bank accounts of the City of Lake City; Florida. The motion also identifies \$120,000.00 in compensation, starting January 1, 2022. Mr. Hill seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mr. Hill</b>	<b>Aye</b>
<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

#### ADJOURNMENT

**All matters having been handled, the meeting adjourned at 1:07 PM on a motion made and duly seconded.**

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Stephen M. Witt, Mayor/Council Member

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Audrey Sikes, MMC City Clerk

**File Attachments for Item:**

5. January 3, 2022 Regular Session

The City Council in and for the citizens of the City of Lake City, Florida, met in Regular Session, on January 3, 2022 beginning at 6:00 P.M., in the City Council Chambers, located at City Hall 205 North Marion Avenue, Lake City, Florida. Members of the public also viewed the meeting live on our YouTube Channel.

#### PLEDGE OF ALLEGIANCE

INVOCATION – Mayor Stephen M. Witt

#### ROLL CALL

Mayor/Council Member  
City Council

City Attorney  
Interim City Manager  
Sergeant-at-Arms  
Deputy City Clerk

Stephen M. Witt  
Jake Hill, Jr.  
Eugene Jefferson  
C. Todd Sampson  
Frederick Koberlein, Jr.  
Paul Dyal  
Interim Chief Gerald Butler  
Michelle Cannon

MINUTES – None

#### APPROVAL OF AGENDA

Mayor Witt stated Item #16 would need to be removed from the agenda while more research was being done. **Mr. Jefferson made a motion to approve the agenda as amended. Mr. Hill seconded the motion and the motion carried unanimously on a voice vote.**

#### PERSONS WISHING TO ADDRESS COUNCIL

- Glenel Bowden spoke on gun violence in the community and the ongoing issue of Covid-19. He confirmed with the Mayor the workshops would be held this month, January.
- Befaihtful Coker welcomed Paul Dyal as the new Interim City Manager, and spoke on the separation of power between administration and Council members.

APPROVAL OF CONSENT AGENDA – None

#### PRESENTATIONS

1. Mr. David Kraus, County Manager, regarding Richardson Community Center - Transfer of Land

Mr. Kraus updated Council on the title search and recommended proceeding with the transfer of title.

Mayor Witt agreed and the Council concurred on the City and County attorneys working together on an agreement.

## OLD BUSINESS

### Other Items

2. Discussion and Possible Action - Fire Pension Board Appointee (Mayor Stephen Witt)
3. Discussion and Possible Action - Planning and Zoning Board (Mayor Stephen Witt)

Mayor Witt reminded members there was still a need for someone qualified for both the Fire Pension Board and Planning and Zoning Board.

## NEW BUSINESS

### Ordinances

4. City Council Ordinance No. 2021-2196 (first reading) An ordinance of the City of Lake City, Florida, amending the text of the City of Lake City Land Development Regulations, as amended, pursuant to an application, LDR21-05, by the City Council, providing for amending section 4.14.3, entitled permitted accessory uses and structures by revising regulations pertaining to the use of public rights-of-way for outdoor seating by restaurants and other businesses within the "C-CBD" Commercial, Central Business District; providing severability; repealing all ordinances in conflict; and providing an effective date. **Mr. Sampson made a motion to adopt City Council Ordinance No. 2021-2196, on first reading, amending the text of the City of Lake City Land Development Regulations, as amended, pursuant to an application, LDR21-05, by the City Council, providing for amending section 4.14.3, entitled permitted accessory uses and structures by revising regulations pertaining to the use of public rights-of-way for outdoor seating by restaurants and other businesses within the "C-CBD" Commercial, Central Business District. Mr. Hill seconded the motion. A roll call vote was taken and the motion carried.**

Mr. Sampson	Aye
Mr. Hill	Aye
Mr. Jefferson	Aye
Mayor Witt	Aye

5. City Council Ordinance No. 2022-2213, (first reading) - An ordinance of the City of Lake City, Florida, amending the City Code to add a new section numbered 86-110.17 to Article III, Chapter 86, which provides for the permanent closing, vacating, and abandoning of that portion of Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and east of SW Montgomery Avenue, McFarlane Park Subdivision, a subdivision as per the plat thereof and recorded in Plat Book 423, page 604 of the public records of Columbia County, Florida; finding that the roadway was abandoned by the City; finding that the closing of the roadway will not adversely affect the public health, safety, or welfare; finding that it is in the best interest of the City and for the general welfare of its citizens to close the roadway; providing for a reservation of utility easements; providing for the repeal of conflicting ordinances; providing for severability; providing for

inclusion into the City Code; and providing for an effective date. **Mr. Jefferson made a motion to adopt City Council Ordinance No. 2022-2213, on first reading, amending the City Code to add a new section numbered 86-110.17 to Article III, Chapter 86, which provides for the permanent closing, vacating, and abandoning of that portion of Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and east of SW Montgomery Avenue, McFarlane Park Subdivision, a subdivision as per the plat thereof and recorded in Plat Book 423, page 604 of the public records of Columbia County, Florida; finding that the roadway was abandoned by the City; finding that the closing of the roadway will not adversely affect the public health, safety, or welfare; finding that it is in the best interest of the City and for the general welfare of its citizens to close the roadway; providing for a reservation of utility easements, and providing for the repeal of conflicting ordinances. Mr. Sampson seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mr. Hill</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

#### Resolutions

6. City Council Resolution No. 2021-175 - A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of an agreement with American Sign Language Services Corporation to provide professional interpreting services for video remote interpreting requests; and providing for an effective date. **Mr. Jefferson made a motion to adopt City Council Resolution No. 2021-175, authorizing the execution of an agreement with American Sign Language Services Corporation to provide professional interpreting services for video remote interpreting requests. Mr. Sampson seconded the motion. A roll call vote was taken and the motion carried.**

<b>Mr. Jefferson</b>	<b>Aye</b>
<b>Mr. Sampson</b>	<b>Aye</b>
<b>Mr. Hill</b>	<b>Aye</b>
<b>Mayor Witt</b>	<b>Aye</b>

7. City Council Resolution No. 2021-187 - A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of Change Order Number One to the contract between the City and Legacy Water Group, LLC; providing for the installation of the west gravity sewer system at the Interstate 75 and State Road 47 interchange as additional work to the initial agreement; providing for the additional cost not-to-exceed \$139,000.00; and providing for an effective date. **Mr. Sampson made a motion to adopt City Council Resolution No. 2021-187, authorizing the execution of Change Order Number One to the contract between the City and Legacy Water Group, LLC; providing for the installation of the west gravity sewer system at the Interstate 75 and State**

Road 47 interchange as additional work to the initial agreement, and providing for the additional cost not-to-exceed \$139,000.00. Mr. Hill seconded the motion. A roll call vote was taken and the motion carried.

Mr. Sampson Aye  
Mr. Hill Aye  
Mr. Jefferson Aye  
Mayor Witt Aye

8. City Council Resolution No. 2021-190 – A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of the Change Order Number Two to the contract between the City and SGS Contracting Services, Inc.; providing for additional services to be performed at the St. Margaret's Wastewater Treatment Facility; providing for the replacement of the north aeration basin drain valves; providing for additional grit removal; providing for an extension of ninety (90) days to both the project substantial completion date and the project final payment date; and providing for an additional cost not-to-exceed \$587,050.20. **Mr. Sampson made a motion to adopt City Council Resolution No. 2021-190, authorizing the execution of the Change Order Number Two to the contract between the City and SGS Contracting Services, Inc.; providing for additional services to be performed at the St. Margaret's Wastewater Treatment Facility; providing for the replacement of the north aeration basin drain valves; providing for additional grit removal; providing for an extension of ninety (90) days to both the project substantial completion date and the project final payment date; and providing for an additional cost not-to-exceed \$587,050.20. Mr. Jefferson seconded the motion. A roll call vote was taken and the motion carried.**

Mr. Sampson Aye  
Mr. Jefferson Aye  
Mr. Hill Aye  
Mayor Witt Aye

9. City Council Resolution No. 2021-191 – A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of the Third Judicial Circuit Mutual Aid Agreement between municipalities and Sheriffs of counties located in the Third Judicial Circuit of Florida, through the Lake City Police Department. **Mr. Jefferson made a motion to adopt City Council Resolution No. 2021-191, authorizing the execution of the Third Judicial Circuit Mutual Aid Agreement between municipalities and Sheriffs of counties located in the Third Judicial Circuit of Florida, through the Lake City Police Department. Mr. Sampson seconded the motion. A roll call vote was taken and the motion carried.**

Mr. Jefferson Aye  
Mr. Sampson Aye  
Mr. Hill Aye  
Mayor Witt Aye

10. City Council Resolution No. 2022-001 - A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of the Voluntary Cooperation and Operational Assistance Mutual Aid Agreement with the Columbia County Sheriff's Office; providing for an effective date. **Mr. Sampson made a motion to adopt City Council Resolution No. 2022-001, authorizing the execution of the Voluntary Cooperation and Operational Assistance Mutual Aid Agreement with the Columbia County Sheriff's Office. Mr. Jefferson seconded the motion. A roll call vote was taken and the motion carried.**

**Mr. Sampson    Aye**  
**Mr. Jefferson    Aye**  
**Mr. Hill            Aye**  
**Mayor Witt       Aye**

11. City Council Resolution No. 2022-002 - A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of a Memorandum of Understanding with Another Way, Inc.; Domestic Violence and Rape Crisis Center, through the Lake City Police Department, to coordinate services to victims and survivors of domestic violence. **Mr. Jefferson made a motion to adopt City Council Resolution No. 2022-002, authorizing the execution of a Memorandum of Understanding with Another Way, Inc.; Domestic Violence and Rape Crisis Center, through the Lake City Police Department, to coordinate services to victims and survivors of domestic violence. Mr. Sampson seconded the motion. A roll call was taken and the motion carried.**

**Mr. Jefferson    Aye**  
**Mr. Sampson    Aye**  
**Mr. Hill            Aye**  
**Mayor Witt       Aye**

12. City Council Resolution No. 2022-003 – A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of a Memorandum of Understanding with Another Way, Inc.; Domestic Violence and Rape Crisis Center, through the Lake City Police Department, to coordinate services that are provided to adult and adolescent victims and survivors of rape. **Mr. Jefferson made a motion to adopt City Council Resolution No. 2022-003, authorizing the execution of a Memorandum of Understanding with Another Way, Inc.; Domestic Violence and Rape Crisis Center, through the Lake City Police Department, to coordinate services that are provided to adult and adolescent victims and survivors of rape. Mr. Sampson seconded the motion. A roll call vote was taken and the motion carried.**

**Mr. Jefferson    Aye**  
**Mr. Sampson    Aye**  
**Mr. Hill            Aye**  
**Mayor Witt       Aye**

13. City Council Resolution No. 2022-004 – A resolution of the City Council of the City of Lake City, Florida, appointing members to the Board of Adjustment in accordance with Ordinance 2021-2201; providing for the terms of offices of the Board of Adjustment to run concurrently with the terms of offices of the Planning and Zoning Board; and providing for an effective date. **Mr. Sampson made a motion to adopt City Council Resolution No. 2022-004, appointing members to the Board of Adjustment in accordance with Ordinance 2021-2201; providing for the terms of offices of the Board of Adjustment to run concurrently with the terms of offices of the Planning and Zoning Board; and providing for an effective date. Mr. Jefferson seconded the motion. A roll call vote was taken and the motion carried.**

**Mr. Sampson Aye**

**Mr. Jefferson Aye**

**Mr. Hill Aye**

**Mayor Witt Aye**

14. City Council Resolution No. 2022-006 – A resolution of the City Council of the City of Lake City, Florida, authorizing a salary adjustment of the Interim City Manager Paul Dyal; providing for a salary adjustment in the equivalent of \$120,000.00 per fiscal year; and providing for an effective date. **Mr. Sampson made a motion to adopt City Council Resolution No. 2022-006, authorizing a salary adjustment of the Interim City Manager Paul Dyal, and providing for a salary adjustment in the equivalent of \$120,000.00 per fiscal year. Mr. Hill seconded the motion. A roll call vote was taken and the motion carried.**

**Mr. Sampson Aye**

**Mr. Hill Aye**

**Mr. Jefferson Aye**

**Mayor Witt Aye**

#### Other Items

15. Discussion and Possible Action - Camera surveillance in regard to gun violence in the community (Mayor Stephen Witt)

PUBLIC COMMENT: Glenel Bowden spoke on gun violence in the community and in favor of security cameras.

Mayor Witt reported he has spoken with Interim Chief Butler, Interim City Manager Paul Dyal, and Information Technology Director Matt Benedetti about moving forward with placing a surveillance system in the areas where gun violence has recently been prevalent.

Mr. Sampson stated he was looking forward to seeing what impact the license plate readers will have, and asked if security cameras were budgeted.

Mayor Witt confirmed with Mr. Koberlein that he did not need a motion to move forward, and stated the community needed to come together to get a handle on these issues.

#### DEPARTMENTAL ADMINISTRATION

16. Agreement with County regarding Growth Management Department Services  
(Presenter: Interim City Manager Paul Dyal) – PULLED FROM AGENDA

#### COMMENTS BY COUNCIL MEMBERS

Mr. Hill asked who monitored the security camera that was on the Olustee Monument and spoke on the issue with speeding in neighborhoods.

#### ADJOURNMENT

**All matters having been handled, the meeting adjourned at 6:31 PM on a motion made and duly seconded.**

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Stephen M. Witt, Mayor/Council Member

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Michelle Cannon, Deputy City Clerk

**File Attachments for Item:**

6. City Council Ordinance No. 2021-2211 - (final reading) An ordinance of the City of Lake City, Florida, adding Article IX to Chapter 26 of the City Code; providing for the prohibition of simulated gambling devices; providing for the identification of simulated gambling establishments as a public nuisance and noxious use; providing for the prohibition of the use of simulated gambling devices for certain circumstances; providing for the creation of an enforcement mechanism for violations; providing for severability; providing for the repeal of conflicts; providing for codification; and providing an effective date.

Passed on first reading 12/20/2021

**ORDINANCE NO. 2021-2211**

**AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, ADDING ARTICLE IX TO CHAPTER 26 OF THE CITY CODE; PROVIDING FOR THE PROHIBITION OF SIMULATED GAMBLING DEVICES; PROVIDING FOR THE IDENTIFICATION OF SIMULATED GAMBLING ESTABLISHMENTS AS A PUBLIC NUISANCE AND NOXIOUS USE; PROVIDING FOR THE PROHIBITION OF THE USE OF SIMULATED GAMBLING DEVICES FOR CERTAIN CIRCUMSTANCES; PROVIDING FOR THE CREATION OF AN ENFORCEMENT MECHANISM FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, gaming and gambling are not presently lawful in the City of Lake City, Florida (hereinafter the “City”); and

**WHEREAS**, presently throughout the state, there is a proliferation of establishments that utilize computer or video displays of games, contests, challenges, and other electronic simulations which are or are of the type of games generally associated with legalized casino or gambling outlets or which show, or purport to show, the results of raffles, sweepstakes, contests, or business game promotions (hereinafter collectively known as “simulated gambling devices”) for commercial or pecuniary gain; and

**WHEREAS**, the City Council of the City of Lake City, Florida (hereinafter the “City Council”) finds that establishments that utilize simulated gambling devices can deceive many City residents, including the elderly, the economically disadvantaged, the uneducated, and the unsuspecting into believing such activities are legal and lawfully permitted; and

**WHEREAS**, the City Council finds that simulated gambling devices are deceptive; and

**WHEREAS**, due to the inherently deceptive nature of simulated gambling devices, establishments that utilize simulated gambling devices are adverse to the quality of life, tone of commerce, and total community environment in the City; and

**WHEREAS**, Columbia County, Florida, on April 15, 2021, adopted Ordinance No. 2021-06, which based upon findings banned simulated gambling establishments; and

**WHEREAS**, Columbia County, Florida, in the referenced Ordinance, detailed criminal activity associated with simulated gambling devices; and

**WHEREAS**, since the adoption of Ordinance No. 2021-06 by Columbia County, Florida, the number of inquiries or applications submitted to the City for the use of simulated gambling establishments has increased; and

**WHEREAS**, the City Council has reviewed the findings in Ordinance No. 2021-06 of Columbia County, Florida, and incorporates the findings herein; and

**WHEREAS**, the City Council finds that a correlation exists between establishments that utilize simulated gambling devices and crime or disturbances of the peace and good order of the community, and those activities are hazardous to the public health, safety, and general welfare of the citizens of the City and constitutes a public nuisance; and

**WHEREAS**, the City Council has determined that the endangerment of both the public and first responders required to react to this ongoing criminal activity is too significant to allow any public or commercial use of simulated gambling devices to continue; and

**WHEREAS**, the City Council finds that the operation of simulated gambling establishments constitutes a public nuisance; and

**WHEREAS**, the City Council finds that the continued operation of simulated gambling establishments create an immediate and ongoing hazard to the public health, safety, and welfare associated with the operation of simulated gambling establishments; and

**WHEREAS**, the City Council finds that there is a legitimate public purpose in eliminating simulated gambling establishments from operating in the City.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

**SECTION 2.** That the Code of the City of Lake City, Florida, is hereby amended by adding an article to be numbered IX, to chapter 26, which article reads as follows:

**ARTICLE IX. – SIMULATED GAMBLING DEVICES**

**Sec. 26-401. - FINDINGS AND STATEMENT OF INTENT**

- (a) The recitals of this Ordinance are hereby adopted as the City Council's Findings of Fact; and
- (b) The City Council's original intent was to focus on the equipment that appears to violate State law; and it is the intent of the City Council to enact this ordinance to abate a public nuisance and to prohibit the noxious use associated with operation of simulated gambling establishments.

**Sec. 26-402. - LEGISLATIVE AUTHORIZATION**

This Article is enacted in the interest of the public health, peace, safety, and general welfare of the citizens, inhabitants and visitors of the City.

**Sec. 26-403. - DEFINITIONS**

The following definitions apply to this Ordinance:

- (a) "Person" means an individual, association, partnership, joint venture, corporation, or any other type of organization, whether conducted for profit or not for profit, or a director,

executive, officer or manager of an association, partnership, joint venture, corporation or other organization.

(b) “Simulated gambling device” means any device that, upon connection with an object, is available to play or operate a computer simulation of any game, where the play or operation of the device may deliver or entitle the person or persons playing or operating the device to a payoff directly or indirectly from the owner or operator of the device or that person’s designee. The following rules of construction apply to this definition of “simulated gambling device”:

(1) The term “device” means any mechanical or electrical contrivance, computer, terminal, video or other equipment that may or may not be capable of downloading games from a central server system or stored locally or on other hard drives, machine, computer or other device or equipment. The term “device” also includes any associated equipment necessary to conduct the operation of the device.

(2) The term “upon connection with” means insertion, swiping, passing in range, or any other technical means of physically or electromagnetically connecting an object to a device, including by the manual input by any person of characters, numbers, or any combination thereof, or other code for the purpose of accessing or activating a device, or any other mechanism or method by which the object provides access to the device.

(3) The term “object” means a coin, bill, ticket, token, card, characters, numbers, or any combination thereof, other code, or any other tangible or intangible access mechanism or method, obtained directly or indirectly

through payment of consideration, or obtained as a bonus or supplement to another transaction involving the payment of consideration.

(4) The terms “play or operate” or “play or operation” includes the use of skill, the application of the element of chance, or both.

(5) The term “computer simulation” includes simulations by means of a computer, computer system, video display, video system or any other form of electronic video presentation.

(6) The term “game” includes slot machines, poker, bingo, craps, keno, “fish”, any other type of game ordinarily played in a casino, a game involving the display of the results of a raffle, sweepstakes, drawing, contest or other promotion, lotto, sweepstakes, and any other game associated with gambling or which could be associated with gambling, but the term “game” does not necessarily imply gambling as that term may be defined elsewhere.

(7) The term “payoff” means cash, monetary or other credit, billets, tickets, tokens, or electronic credits to be exchanged for cash or to receive merchandise or anything of value whatsoever, whether made automatically from the machine or manually.

(8) The use of the word “gambling” in the term “simulated gambling device” as used in this Article is defined exclusively by this subsection and does not incorporate or imply any other legal definition or requirement applicable to gambling that may be found elsewhere.

(c) “Slot machine” has the same meaning as specified in Chapter 551, Florida Statutes.

**Sec. 26-404. - AREA OF ENFORCEMENT**

The City Council is acting herein as the governing body for the City, and this Ordinance shall be effective within the boundaries of the City.

**Sec. 26-405. - INTENT**

The City Council’s intent in adopting this Ordinance is to broadly prohibit the possession or use of simulated gambling devices not authorized for legal use under Florida law, including any related activity or behavior which can be reasonably construed to be the use of simulated gambling devices. Further, the Council in prohibiting simulated gambling devices in no way intends to locally approve the use of actual slot machines, other forms of casino gambling or other types of gambling devices. In addition, this prohibition is aimed directly at devices that simulate gambling activity, regardless of whether the devices or the simulations in and of themselves can be said to constitute gambling as that term may be defined elsewhere.

**Sec. 26-406. - PROHIBITION OF SIMULATED GAMBLING DEVICES**

It is unlawful for any person to manage, supervise, maintain, provide, produce, possess or use one or multiple simulated gambling devices for commercial, promotional or pecuniary gain or purpose. Each individual act to manage, supervise, maintain, provide, produce, possess or use a simulated gambling device constitutes a separate violation of this Ordinance.

**Sec. 26-407. - EXEMPTIONS**

(a) This Ordinance does not prohibit an individual’s personal, recreational, and non-commercial ownership, possession, play, operation or use of a device which could be construed to be a

simulated gambling device.

(b) This Ordinance does not prohibit the ownership, possession, play, operation or use of any device expressly permitted by Section 546.10 or other provision of the Florida Statutes and is not otherwise prohibited by Article X, Section 23 of the Florida Constitution and Chapter 551, Florida Statutes, in Broward and Miami-Dade County only are not permitted by this Ordinance.

(c) This Ordinance does not prohibit a religious or charitable organization from conducting a fund raising activity involving simulated gambling, provided the religious or charitable organization does not conduct the activity more than twice in one calendar year for no more than six (6) hours per fund raising activity, the organization provides advance written notice to the Police Department of the date, time, place, and nature of such activity and who will be conducting it, and the activity is not otherwise unlawful.

(d) This article does not apply to pari-mutuel facilities, operated by a holder of a pari-mutuel permit issued pursuant to F.S. ch. 550, and Fla. Admin. Code 61D, or to any devices or games therein.

#### **Sec. 26-408. - CONFLICT WITH STATE LAW**

Nothing in this Ordinance is intended to conflict with the provisions of the Florida Constitution or Chapter 849, Florida Statutes, concerning gambling. In the event of a direct and express conflict between this Ordinance and either the Florida Constitution or Chapter 849, Florida Statutes, then the provisions of the Florida Constitution or Chapter 849, Florida Statutes, as applicable, control.

**Sec. 26-409. - ENFORCEMENT; CIVIL REMEDIES**

(a) The Growth Management Department, the Fire Department, and the Police Department shall have concurrent jurisdiction to enforce the requirements of this Ordinance as follows:

(1) By the Lake City Code Enforcement Board pursuant to the authority granted by Florida Statutes, Chapter 162, and Article X, Chapter 26, of the City Code. However, in no instance shall a civil penalty less than \$250 per violation per day for a first violation be imposed and not less than \$500 per day for a repeat violation;

(2) By citation for civil penalties pursuant to the authority granted by Florida Statutes, Chapter 162 and Article X, Chapter 26, of the City Code, however, in no instance shall a civil penalty less than \$250 per violation per day for a first violation be imposed and not less than \$500 per day for a repeat violation;

(3) By action for civil penalties through a court of competent jurisdiction as provided for in Part II, Chapter 162, Florida Statutes;

(4) By an action for injunctive relief through a court of competent jurisdiction.

(b) Upon notice from any agency authorized to enforce this Ordinance, occupancy or operation of any structure or property where any simulated gambling device is being used or operated in violation of this Ordinance shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property or to his or her agent or to the person operating any establishment where any simulated gambling device is being used or operated in

violation of the Ordinance. Visiting, operating, or managing a location in violation of a cease and desist order constitutes a second degree misdemeanor, trespass after warning, in violation of Chapter 810, Florida Statutes. Failure to comply with the terms and conditions of a cease and desist order issued pursuant to this Ordinance shall constitute an additional violation of this Ordinance. Cease and desist orders may be lifted by the issuing agency upon demonstration that all simulated gambling devices have been removed and all applicable civil penalties have been paid.

(c) The provisions of this Ordinance may also be enforced through a private cause of action for injunctive relief filed by any adversely affected person, including the Office of the State Attorney. If such action is successful, a judgment for reasonable attorney's fees and costs may be awarded by the Court.

**SECTION 3.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION 4.** All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this ordinance are hereby repealed to the extent inconsistent herewith.

**SECTION 5.** It is the intention of the City Council of the City of Lake City, Florida, that the provisions of this ordinance shall become and be made a part of the Code of the City of Lake City, Florida, and the sections may be renumbered in order to accomplish such intentions.

**SECTION 6.** This ordinance shall take effect immediately upon its adoption.

**PASSED** upon first reading this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

**NOTICE PUBLISHED** on this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

**PASSED AND ADOPTED** on the second and final reading this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney


**Ordinance Number: 2021-2211**  
**Passed on first reading on December 20, 2021**

**Record of Vote on First Reading**

	For	Against	Absent	Abstain
Stephen Witt, Mayor/Council Member	<u>✓</u>	_____	_____	_____
Jake Hill, Jr., Council Member	<u>✓</u>	_____	_____	_____
Eugene Jefferson, Council Member	<u>✓</u>	_____	_____	_____
Todd Sampson, Council Member	<u>✓</u>	_____	_____	_____

**Certification**

I, Audrey Sikes, City Clerk for the City of Lake City, Florida, hereby certify that the above record vote is an accurate and correct record of the votes taken on the Ordinance by the City Council of the City of Lake City.

  
\_\_\_\_\_  
AUDREY E. SIKES, MMC  
City Clerk

**File Attachments for Item:**

7. City Council Ordinance No. 2021-2213 formerly known as 2022-2213 (final reading) - An ordinance of the City of Lake City, Florida, amending the City Code to add a new section numbered 86-110.17 to Article III, Chapter 86, which provides for the permanent closing, vacating, and abandoning of that portion of Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and east of SW James Montgomery Avenue, McFarlane Park Subdivision, a subdivision as per the plat thereof and recorded in Plat Book 423, page 604 of the public records of Columbia County, Florida; finding that the roadway was abandoned by the City; finding that the closing of the roadway will not adversely affect the public health, safety, or welfare; finding that it is in the best interest of the City and for the general welfare of its citizens to close the roadway; providing for a reservation of utility easements; providing for the repeal of conflicting ordinances; providing for severability; providing for inclusion into the City Code; and providing for an effective date.

Passed on first reading on 01/03/2022

**ORDINANCE NO. 2021-2213**

**AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE CITY CODE TO ADD A NEW SECTION NUMBERED 86-110.17 TO ARTICLE III, CHAPTER 86, WHICH PROVIDES FOR THE PERMANENT CLOSING, VACATING, AND ABANDONING OF THAT PORTION OF LAUREL LANE LYING BETWEEN BLOCKS 17 AND 18 OF MCFARLANE PARK SUBDIVISION, AND EAST OF SW JAMES MONTGOMERY AVENUE, MCFARLANE PARK SUBDIVISION, A SUBDIVISION AS PER THE PLAT THEREOF AND RECORDED IN PLAT BOOK 423, PAGE 604 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA; FINDING THAT THE ROADWAY WAS ABANDONED BY THE CITY; FINDING THAT THE CLOSING OF THE ROADWAY WILL NOT ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY, OR WELFARE; FINDING THAT IT IS IN THE BEST INTEREST OF THE CITY AND FOR THE GENERAL WELFARE OF ITS CITIZENS TO CLOSE THE ROADWAY; PROVIDING FOR A RESERVATION OF UTILITY EASEMENTS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, McFarlane Park Subdivision, a subdivision recorded in Plat Book 423, Page 604, public records of Columbia County, Florida (herein “McFarlane Park, Subdivision”), contains various planned roadways that are neither open to nor used by the public; and

**WHEREAS**, maintenance of such unopened streets creates potential liability, additional work, and costs to the City of Lake City, Florida (hereinafter the “City”); and

**WHEREAS**, the City Council finds that a portion of Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and East of SW James Montgomery Avenue, has never been opened, maintained, improved, or used by the City or the public for any purpose; and

**WHEREAS**, the City Council finds that it is in the public interest to permanently close, vacate, and abandon that portion of Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and East of SW James

Montgomery Avenue, and that the closing of said streets will not prevent any lot in the subdivision from having ingress and egress to and from a public street; and

**WHEREAS**, notice has been given to all utility companies holding franchises from the City for review and comment with respect to the permanent closing, vacating, and abandonment of that portion of SW Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and East of SW James Montgomery Avenue.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

**Section 2.** The Code of the City of Lake City is hereby amended by adding a section 17, Article III, to be numbered Section 86-110.17 which section reads as follows:

**Section 86.110.7** That portion of SW Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and East of SW James Montgomery Avenue, McFarlane Park Subdivision, a subdivision recorded in Plat Book 423, Page 604, Public Records of Columbia County, Florida (herein “McFarlane Park Subdivision”), is hereby permanently closed, vacated, and abandoned.

**Section 3.** The City shall convey by Quit Claim Deed to the record title owner that portion of SW Laurel Lane which is closed, vacated, and abandoned to the centerline of the vacated street which abut their respective properties.

**Section 4.** The City hereby reserves a perpetual easement over, under and above each of the vacated, closed and abandoned streets for the purpose of using said rights of way for all public utilities, including but not limited to water, sewer, gas and communication lines, drainage facilities, and other public utility facilities, and related appurtenances.

**Section 5.** The Mayor is hereby authorized to execute and deliver said Quit Claim Deeds as authorized herein.

**Section 6.** All ordinances or parts of ordinances in conflict herewith are and the same are hereby repealed.

**Section 7.** If any section, subsection, sentence, clause or phrase of this ordinance or particular application thereof shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining section(s), subsection(s), sentences(s), clause(s) or phrases(s) under application shall not be affected hereby.

**Section 8.** It is the intention of the City Council of the City of Lake City, Florida, that the provisions of this ordinance shall become and be made a part of the code of the City of Lake City, Florida, and that the sections of this ordinance may be numbered appropriately in order to accomplish such intentions.

*[Remainder of this page left blank intentionally.]*

**Section 9.** This ordinance shall take effect immediately upon its adoption.

**PASSED** upon first reading this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

**NOTICE PUBLISHED** on this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

**PASSED AND ADOPTED** on the second and final reading this \_\_\_\_\_ day  
of \_\_\_\_\_ 2022.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

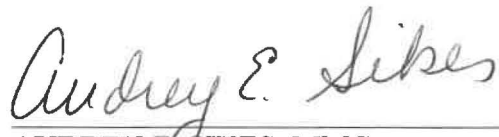
**Ordinance Number: 2021-2213/ f/k/a 2022-2213**  
**Passed on first reading on January 3, 2022**

**Record of Vote on First Reading**

	For	Against	Absent	Abstain
Stephen Witt, Mayor/Council Member	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Jake Hill, Jr., Council Member	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Eugene Jefferson, Council Member	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Todd Sampson, Council Member	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>

**Certification**

I, Audrey Sikes, City Clerk for the City of Lake City, Florida, hereby certify that the above record vote is an accurate and correct record of the votes taken on the Ordinance by the City Council of the City of Lake City.

  
\_\_\_\_\_  
AUDREY E. SIKES, MMC  
City Clerk

**File Attachments for Item:**

9. Discussion and Possible Action - Planning and Zoning Board (Mayor Stephen Witt)

On January 7, 2022 Daniel Adel resigned from the Planning and Zoning Board. The Board now has three board member vacancies.

DANIEL ADEL

957 SW Spring Street  
Lake City FL 32025

Received  
1-7-22  
JBD

January 6, 2022

Paul Dyal, Interim City Manager  
City of Lake City  
205 North Marion Avenue  
Lake City FL 32055

Dear Mr. Dyal:

Please accept this letter as notice of my immediate resignation from the office of the Board of Adjustment.

Due to continuing health concerns, I have made this decision; however, I would like to thank the City for the opportunity to have served in this capacity for several years.

I wish the City the best in its future planning and zoning projects.

Sincerely,



Daniel A. Adel

DAA/st

**File Attachments for Item:**

10. City Council Resolution No. 2021-192 - A resolution of the City Council of the City of Lake City, Florida, amending the composition of the Airport Master Plan Steering Group; providing for terms of appointments; providing for conflicts; and providing for an effective date.

**CITY COUNCIL RESOLUTION 2021-192**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE COMPOSITION OF THE AIRPORT MASTER PLAN STEERING GROUP; PROVIDING FOR TERMS OF APPOINTMENTS; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Lake City, Florida (hereinafter the “City”), entered into *Grant Agreement, Part 1 – Offer* (AIP Grant Number 3-12-0039-024-2020) with the FAA, receiving \$333,333.00, for the purpose of updating the Master Plan of the Lake City Gateway Airport (hereinafter the “Airport”); and

**WHEREAS**, the City Council through Resolution 2021-083, established the Airport Master Plan Steering Group and its composition of both City councilmembers and non-councilmembers; and

**WHEREAS**, the City Council has determined vacancies exist since the establishment of the Airport Master Plan Steering Group; and

**WHEREAS**, the City Council finds that it is in the best interest of the public to appoint members to the Airport Master Plan Steering Group as described below.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are true and accurate and adopted and are hereby made a part of this resolution.

**Section 2.** The following persons are hereby appointed as either councilmembers or non-councilmembers to serve on the Airport Master Plan Steering Group:

- i. Council member Jake Hill (chairperson)
- ii. Paul Dyal, Interim City Manager
- iii. Florence Straugh, Airport Manager
- iv. David Kraus, County Manager
- v. Stephen Coley, VP/General Manager of HAECO
- vi. Mike McKee, Executive Director of Media & Public Information of Florida Gateway College
- vii. Brandon Beil, President of Lake City Columbia County Chamber of Commerce
- viii. Donna Whitney, District Aviation Coordinator, FDOT
- ix. Nick Harwell, Airport Planning Manager, FDOT
- x. Hilary Maull, Program Manager, FAA

- xi. Jenny Iglesias-Hamann, Community Planner/Program Manager, FAA
- xii. Jay Vass, Pilot
- xiii. Andrew Holesko, CEO/Senior Planner, Passero Assoc., LLC
- xiv. Chris Johnson, Airport Planner II, Passero Assoc., LLC
- xv. Brad Wente, Vice-President/Southeast Services Director, Passero Assoc., LLC
- xvi. Mikko J. Huttunen, FAA Community Planner

**Section 3.** Term of Appointment. All members of the foregoing advisory committee are appointed until the adoption and filing of the completed Airport Master Plan. Vacancies occurring on a standing committee for reasons other than the expiration of a member's term shall be filled in the same manner as the original appointments are made and shall be filled for the unexpired terms of the member whose place has become vacant.

**Section 4.** Conflict. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

**Section 5.** Effective Date. This resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** at a meeting of the City Council on this \_\_\_\_ day of January 2022.

### **CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

**File Attachments for Item:**

11. City Council Resolution No. 2022-005 - A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of Amendment Number One to the contract between the City and Wetland Solutions, Inc. for the Ichetucknee Springs Water Quality Improvement Project; providing for the addition of tasks related to the bidding and construction phases associated with the gravity pipeline portion of the project; providing for additional costs not-to-exceed \$51,445.00; and providing for an effective date.

**CITY COUNCIL RESOLUTION NO. 2022-005**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER ONE TO THE CONTRACT BETWEEN THE CITY AND WETLAND SOLUTIONS, INC. FOR THE ICHETUCKNEE SPRINGS WATER QUALITY IMPROVEMENT PROJECT; PROVIDING FOR THE ADDITION OF TASKS RELATED TO THE BIDDING AND CONSTRUCTION PHASES ASSOCIATED WITH THE GRAVITY PIPELINE PORTION OF THE PROJECT; PROVIDING FOR ADDITIONAL COSTS NOT-TO-EXCEED \$51,445.00; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake City, Florida (hereinafter the “City”) and Wetlands Solutions, Inc., (hereinafter “Wetland Solutions”), entered into the *Contract Between City of Lake City, Florida and Wetland Solutions, INC. for Engineering Services Related to the Ichetucknee Springs Water Quality Improvement Project* (hereinafter the “Contract”), authorized by City Council Resolution No. 2020-031; and

**WHEREAS**, the *Scope of Services* drafted by Wetland Solutions on February 17, 2020 provided for additional tasks that did not receive appropriations; and

**WHEREAS**, the City desires to continue the project by appropriating funds to complete Tasks 2.2, 3.2, and 3.3, each of which are identified in the Contract, with Wetland Solutions; and

**WHEREAS**, the city administration and Wetland Solutions have determined that it is in the respective best interests to enter into Amendment One to the Contract for a price increase not-to-exceed fifty-one thousand four hundred forty-five dollars and zero cents (\$51,445.00) in compensation for Tasks 2.2, 3.2, and 3.3 combined; and

**WHEREAS**, the City Council finds it to be in the best interests of the City to enter into *Amendment One to the Contract between City of Lake City, Florida and Wetland Solutions, Inc., for Engineering Services Related to the Ichetucknee Springs Water Quality Project* (hereinafter “Amendment One”) for the addition of

Tasks 2.2, 3.2, and 3.3 to the original project in accordance with the terms and conditions of Amendment One and the Contract.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are all true and accurate and are hereby made a part of this resolution.

**Section 2.** The City is hereby authorized to enter into Amendment One with Wetland Solutions for a price not-to-exceed fifty-one thousand four hundred forty-five dollars and zero cents (\$51,445.00).

**Section 3.** The City Manager and City Attorney are authorized to make such reasonable changes and modifications to Amendment One as may be deemed necessary to be in the best interest of the City and its citizens. Provided, however, that any such changes or modifications shall not cause the payment to Wetland Solutions to exceed the Amendment price. The Mayor is authorized and directed to execute and deliver Amendment One in the name of, and on behalf of, the City with such changes, amendments, modifications, omissions, and additions made by the City Manager and City Attorney. Execution by the Mayor and Wetland Solutions shall be deemed to be conclusive evidence of approval of such changes, amendments, modifications, omissions, and additions.

*[Remainder of this page intentionally left blank.]*

**Section 4.** Effective Date. This resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** by the City Council on this \_\_\_\_\_ day of January 2022.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

**AMENDMENT ONE TO THE CONTRACT BETWEEN CITY OF LAKE CITY,  
FLORIDA AND WETLAND SOLUTIONS, INC., FOR ENGINEERING SERVICES  
RELATED TO THE ICHETUCKNEE SPRINGS WATER QUALITY  
IMPROVEMENT PROJECT**

This Amendment One is made and entered into this \_\_\_\_ day of January 2022 by and between the City of Lake City, Florida, a political subdivision of the State of Florida, (hereinafter referred to as “City”) and Wetland Solutions, Inc., (hereinafter referred to as “Contractor”).

**WHEREAS**, on April 6, 2020, the City and Contractor entered into the *Contract Between City of Lake City, Florida and Wetland Solutions, INC. for Engineering Services Related to the Ichetucknee Springs Water Quality Improvement Project* (hereinafter referred to as the “Contract”); and

**WHEREAS**, the Contractor has cited variations in the project and based on said variations, the Contractor seeks an amendment to the Contract, specifically, an additional fifty-one thousand four hundred forty-five dollars and zero cents (\$51,445.00) in compensation for the completion of Tasks 2.2, 3.2, and 3.3 combined and set forth in the document dated February 17, 2020, titled *Ichetucknee Quality and Quantity Enhancement Project (IQ2EP)* attached to and made a part of the Contract; and

**WHEREAS**, as authorized by Article 16 of the Contract, the City desires to have the Contractor proceed with the Bid Alternate.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

1. Additional compensation in the amount of fifty-one thousand four hundred forty-five dollars and zero cents (\$51,445.00) for the completion of Tasks 2.2 (\$11,960.00), 3.2 (\$14,205.00), and 3.3 (\$25,280.00) shall be authorized, all of which are identified in the document dated February 17, 2020, titled *Ichetucknee Quality and Quantity Enhancement Project (IQ2EP)* attached to and made a part of the Contract, a copy of which is attached hereto as “Exhibit A” for reference.

*[Remainder of this page intentionally left blank.]*

2. Except as otherwise herein provided, the terms, conditions, and covenants included in the Contract shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment as of the day and year first written above.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

ATTEST:

**Wetland Solutions, INC.**

By: \_\_\_\_\_  
Scott Knight,  
Vice President

By: \_\_\_\_\_  
Christopher H. Keller,  
President

## SCOPE OF SERVICES

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# Ichetucknee Quality and Quantity Enhancement Project (IQ<sup>2</sup>EP)

PREPARED FOR: Cody Pridgeon - City of Lake City

DATE: February 17, 2020

## Project Introduction

The Ichetucknee Springs Water Quality Improvement Project (ISWQIP) converted the largest of the City of Lake City's (City) sprayfields to a groundwater recharge wetland to improve water quality. The City now owns and operates the largest groundwater recharge wetland in North Florida, which provides substantial water quality improvement to Ichetucknee Springs. This project represented a new type of full-scale project for the region that benefits the City's and region's population. The Ichetucknee Quality and Quantity Enhancement Project (IQ<sup>2</sup>EP), expands those benefits by providing additional water quality improvement, enhanced wetland operations, and increased recharge to the Floridan Aquifer. Wetland Solutions, Inc. (WSI) worked with the City to develop the original ISWQIP and assisted the City with operations, water quality monitoring, and technical assistance since the project was constructed. The City and WSI also worked on the development of a funding application to the Florida Department of Environmental Protection (FDEP) to complete a subsequent phase of the initial project to improve treatment, operations, and disposal capacity of the original project.

This project includes two primary project components. The first project component is the design, permitting and construction of pipes and valves to allow treated effluent to flow to the wetland by gravity. This modification will result in more consistent flow to the wetland, improved treatment, increased reliability, and reduced operational costs. The second project component will be the design and permitting of a gravity recharge well. This modification will provide increased disposal capacity, allowing more water to receive wetland treatment rather than being discharged to the remaining two sprayfields. In addition to increased water quality treatment, the recharge well will reduce total evapotranspiration from the sprayfield, maximizing aquifer recharge. Finally, this modification will increase wetland effluent management capacity and improve wetland operation by allowing for improved management of stormwater during periods with high rainfall.

Following FDEP approval of funding for this project, the City issued a competitive solicitation to choose a project team and selected the WSI Team (WSI, ASRus, Jones Edmunds, Hydrogeo Consulting, and GSE Engineering) to complete this project. This scope of services describes the work that will be a part of this contract and the level of effort associated with completion of the project. This scope of services specifically covers Task 1 (Preconstruction Activities), Task 2 (Bidding and Contractor Selection), and Task 3 (Project Management) of the approved Grant Agreement. The City will, with assistance from the WSI Team, select a contractor to complete the construction phase activities with oversight from the WSI Team. Following project construction,

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professional services will continue until final permits are issued and the project becomes fully operational.

## **Scope of Services**

### ***Task 1 – Preconstruction Activities***

Preconstruction activities for this project include wetland performance modeling, gravity flow modification design, gravity recharge well design, and associated permitting activities. Each of these tasks is further described in more detail in the following subtasks.

#### **Subtask 1.1 – Preliminary Engineering**

Preliminary engineering will include data collection to complete the detailed design of the gravity flow modifications, recharge well, and the intake structure associated with the well. Data collection will include survey of existing infrastructure in the vicinity of the gravity line modifications to allow for detailed design and tie-in to existing piping. Geotechnical samples will be taken to evaluate subsurface conditions in the area where the intake structure for the well will be constructed.

This subtask will include review of existing data for the treatment features at the site including yard piping, reclaimed treatment infrastructure, existing wetland inflows and as-builts. This review will also include refinement of the initial gravity flow feasibility study completed by Jones Edmunds (under a previous contract) to further refine gravity flow modification needs relative to wetland cell inflow structures. This effort will also include review of applicable regulations to modify the existing facility permit.

Wetland modeling and performance will be evaluated relative to flow modifications and increased inflows. This will include assessment of the current performance of the system and wetland modeling under higher loading rates, between 3 and 4.5 MGD, anticipated as a part of this project. The initial wetland model will be enhanced based on the actual system performance. This evaluation will also consider water quality sampling that will be necessary to support recharge well permitting and development of a water quality database for the project.

To develop the recharge well design this subtask will include a well inventory within the area of review. This task will also include a review of applicable regulations and development of a permitting summary for the recharge well.

#### **Deliverables**

- Electronic copies (PDFs) and points file (.TXT or .XYZ) of any survey data collected.
- Electronic copy (PDF) of geotechnical engineering report.
- Electronic copy (PDF) of updated gravity flow technical memorandum.
- Electronic copy (PDF) of wetland performance technical memorandum.
- Electronic copy (PDF) of area-of-review and well inventory technical memorandum.
- Electronic copies (PDFs) of laboratory reports for water quality data.

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### **Subtask 1.2 – FDEP Pre-Application Meeting**

This subtask is to complete the preparation for a pre-application meeting with the FDEP for permitting through the Underground Injection Control (UIC) Program and the Wastewater Program. The purposes of this meeting will be to establish requirements for the recharge well, sampling necessary to support permitting, and next steps in the permitting process. Presentation materials will be developed to address the following:

- The proposed well location.
- The proposed well construction details (depths, diameters, materials).
- Proposed target water quality improvements.

#### **Deliverables**

- Electronic copies (PDFs) of draft and final pre-application meeting presentation slides.
- Electronic copy (PDF) of pre-application meeting minutes.

### **Subtask 1.3 – UIC Permit Application**

Based on the FDEP pre-application meeting the UIC permit application will be developed. It is expected that this effort will involve development of a conceptual intake figure and draft permit application for a Class V well construction and testing permit. The well construction and testing permit will allow construction and operational testing of the well. The duration of the permit is anticipated to be five years. An operation permit application will be prepared under a future work authorization. The UIC Class V well construction and testing permit package is anticipated to include the following:

- Maps showing the proposed well location, improvements to divert water to the well, and monitoring well locations.
- Drawings showing construction details of the proposed well and monitoring wells.
- Area of review (AOR) for the proposed well based on analytical calculations of expected recharge well radius of influence of the recharge operations.
- Well inventory (prepared in task 1.1) and other AOR considerations.
- Characterization of ambient groundwater quality and surface water quality at the project area based on existing data gathered in 1.1.
- Description and cross-sections of local and regional geology.
- Drilling and testing plan.
- This task provides for a response to one FDEP request for additional information (RAI).
- This task includes collection and analysis of water quality data to support the permit application.

#### **Deliverables**

- Electronic copy (PDFs) of draft and final UIC permit application package.
- Electronic copy (PDF) of the RAI.

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#### **Subtask 1.4 – Recharge Well Design**

In conjunction with the permit being processed the recharge well design will begin. This effort will include design of the well and associated technical specifications. This subtask will also include design drawings and technical specifications for the well intake structure.

The final design for the recharge well will be developed as 60% and final design plans and technical specifications. The design will be summarized and explained in the basis of design report developed for the recharge well.

##### **1.4.1 – 60% Design of Recharge Well and Intake**

The project team will prepare two sets of technical specifications and drawings to the 60% level for City approval. One set will include drilling and testing of the recharge well and associated monitoring wells, and the other set will include the intake structure and associated surface facilities and appurtenances. The design will include an intake with coarse wire screen and adjustable weir to control a flow down the well. The intake design will operate by gravity and will not require the use of a pump. The intake design will not include telemetry controls on equipment, filtration will be limited to coarse wire screens, and there will be no pump, siphon, or chemical feed included in the design. The design is anticipated to include 10-15 sheets. Following submittal of the 60% design and technical specifications, a review meeting will be held with the City to review comments. The schedule includes two weeks for City review.

##### **1.4.2 – Final Design of Recharge Well and Intake**

The project team will incorporate the comments from the 60% design to produce the final plans and specifications. The basis of design report will also be finalized based on comments received during the 60% design review meeting. The final documents will form the basis of the bid package.

#### **Deliverables**

- Electronic copy (PDFs) of draft and final basis of design report.
- Electronic copy (PDFs) of 60% design drawings.
- Electronic copy (PDFs) of 60% design specifications.
- 60% Design Review Meeting
- Electronic copy (PDF) of 60% design review meeting minutes.
- Electronic copy (PDF and CAD) of final design drawings.
- Electronic copy (PDF) of final design specifications.
- Final Design Review Meeting

#### **Subtask 1.5 – Gravity Pipeline Design**

This subtask will include development of the design and technical specifications associated with gravity pipeline modifications. This will include development of a basis of design report that describes the modifications and project goals. The design and technical specifications will be developed as 60% and final design plans and technical specifications.

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#### **1.5.1 – 60% Design of Gravity Pipeline Modifications**

The project team will prepare plans and technical specifications to the 60% level for City approval. The design will include the piping, valves, and appurtenances necessary to convey treated effluent from the existing gravity line that serves the filtration unit to the 24-inch main that feeds the wetlands and sprayfields. If determined feasible during the modeling update (Task 1.1), the design will also include the option to route effluent through the public access reuse (PAR) system disk filters and relocated chlorine contact chamber (future) prior to discharge to the wetlands. Also, if feasible, the design will include improvements to the wetland cell inflow piping to maximize gravity flow delivery. A basis of design report will be prepared summarizing the design development. The design is anticipated to include up to 10 sheets. Following submittal of the 60% design and specifications, a review meeting will be held with the City to review comments. The schedule includes two weeks for City review.

#### **1.5.2 – Final Design of Gravity Pipeline Modifications**

The project team will incorporate the comments from the 60% design to produce the final plans and specifications. The basis of design report will also be finalized based on comments received during the 60% design review meeting. The final documents will form the basis of the bid package, should the City elect to bid this component of the work.

##### **Deliverables**

- Electronic copies (PDFs) of draft and final basis of design report.
- Electronic copy (PDFs) of 60% design drawings.
- Electronic copy (PDFs) of 60% design specifications.
- 60% Design Review Meeting
- Electronic copy (PDF) of 60% design review meeting minutes.
- Electronic copy (PDF and CAD) of final design drawings.
- Electronic copy (PDF) of final design specifications.
- Final Design Review Meeting

#### **Subtask 1.6 – Operational/Startup Technical Assistance**

This subtask will be used to develop the data record necessary to support recharge well permitting. This task will also be used to assist the City with operation before, during, and after construction through project completion. An updated operation and maintenance manual (OMM) will also be developed as part of this subtask. This document will describe the design, intended initial operation, as well as troubleshooting.

##### **Deliverables**

- Electronic copies (PDFs) of draft and final O&M manual.

### ***Task 2 – Bidding and Contractor Selection***

This task will be used to develop documents necessary for the City to issue a solicitation for construction, answer contractor questions, and assist the City in selection. This task is subdivided

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into separate subtasks for the two project components given the anticipated differences in project schedule.

#### **Subtask 2.1 – Bidding and Contractor Selection (Recharge Well)**

This subtask covers bidding and drilling contractor selection for the gravity recharge well. This task includes compiling of bid documents to be issued with the request for proposals (RFP). These documents will include the front-end documents provided by the City, final design plans, technical specifications, and wording to be included in the RFP. Following issuance of the RFP the WSI Team will attend a pre-bid meeting to discuss the project with potential contractors and a site visit to show the project site. During the proposal process the WSI Team will address bid addenda as needed.

#### **Subtask 2.2 – Bidding and Contractor Selection (Gravity Pipeline – if not performed by City)**

This subtask covers bidding and contractor selection for the gravity pipeline. Included in this task is compiling of front-end documents to be issued with the request for proposals (RFP). These documents will include the final design plans, technical specifications, and wording to be included in the RFP. Following issuance of the RFP the WSI Team will attend a pre-bid meeting to discuss the project with potential contractors and a site visit to show the project site. During the proposal process the WSI Team will address bid addenda as needed.

### ***Task 3 – Project Management***

The final project task will cover the project management, construction oversight for both project components, associated permit modifications, and construction certification. The following four subtasks are a part of this project.

#### **Subtask 3.1 – Construction Oversight (Recharge Well)**

This subtask of the project will cover construction activities associated with the recharge well. This will include drilling oversight during well construction as well as development of the well completion report. The construction oversight will also include resident observation during construction of the intake diversion structure that will allow water to be conveyed to the gravity recharge well. Finally, this subtask will include certification of construction completion. Specific tasks provided will include the following:

- Assist with one pre-construction meeting, attended by the well drilling contractor and City staff.
- Coordinate with City staff for construction observation during drilling events. Construction of the recharge well and monitoring wells is assumed to take 10 weeks and will require nearly complete coverage by a qualified hydrogeologist due to FDEP UIC permit requirements. Daily drilling reports will be prepared for each site visit per permitting requirements.
- Prepare and submit to FDEP weekly summary reports as required by the UIC permit.
- Prepare and submit to FDEP casing seat requests based on review and interpretation of hydrogeologic data collected during well construction and testing.
- Provide review of well construction specifications and prepare design clarifications, as needed.

- 
- Answer requests for information (RFIs) by the well construction contractor.
  - Facilitate inspections for certification of final completion of construction.
  - Support the development and review of as-built record drawings.
  - Pay application review and approval.
  - Prepare well testing procedures during drilling and review well performance testing documentation.

A well completion report will be prepared following construction activities. The report will be signed and sealed by a Florida-registered Professional Geologist. The City will be provided with one electronic copy of the report for submittal to FDEP as required by permit.

#### **Subtask 3.2 – Pipeline Permit Modification**

The WSI Team will modify the existing wastewater permit to include conveyance of water to the wetland by gravity. These permit modifications will be made prior to construction of the gravity pipeline modifications beginning.

#### **Subtask 3.3 – Construction Oversight (Gravity Pipeline)**

The WSI Team will provide construction phase oversight of the gravity pipeline modifications. This will include construction administration and resident observation during construction. Following construction completion this will include certification of the construction. Specific tasks include the following:

- Coordinate with City staff for construction observation. Construction of the gravity pipeline modifications is assumed to take 6 weeks. Daily reports will be prepared for each site visit.
- Prepare design clarifications, as needed.
- Answer requests for information (RFIs) by the construction contractor (if bid) or City (if self-performed).
- Facilitate inspections for certification of final completion of construction.
- Support the development and review of as-built record drawings.

#### **Subtask 3.4 – Project Management**

This subtask will include all project management activities related to the project. These are expected to include as-needed project meetings, regular progress meetings, attendance at meetings with the City and/or the FDEP, project management, and administration. This will also include developing and submitting supporting material for grant reporting for the City to provide to the FDEP.

#### **Deliverables**

- Electronic copies (PDFs) of minutes from progress meetings.
- Monthly invoicing reports including explanation of the work completed during the invoice period; an appraisal of the schedule; if behind schedule, a proposed recovery plan and revised schedule; and an outline of proposed activities during the next invoice period.

## Assumptions

WSI has made the following assumptions in preparing this scope:

- The City is responsible for all permit application fees.
- The proposed recharge well will not require pumps, electricity, fine filtration, or additional pre-treatment before injection by gravity flow.
- The UIC permit will not require analysis of additional treatment alternatives or other modifications to the proposed intake and well.

## Fee

**Exhibit 1** summarizes estimated costs for the tasks described above. Work will be billed and compensated on a time and materials basis, based on the attached rate schedule (**Exhibit 2**) and will be invoiced monthly. WSI will not work beyond the authorized amount without additional authorization from the City. **The initial request for Commission approval is for Tasks 1.1 – 1.6 and Task 3.4, totaling \$565,475.**

**Exhibit 1. Estimated Time and Materials Costs**

Task	Description	Hours	Cost	Expenses	Total
1.1	Preliminary Engineering	249	\$32,200	\$10,250 <sup>1</sup>	\$42,450
1.2	FDEP Pre-application Meeting	80	\$11,615	\$200	\$11,815
1.3	UIC Permit Application	992	\$120,820	\$56,580 <sup>2</sup>	\$177,400
1.4	Recharge Well Design	576	\$84,050	--	\$84,050
1.5	Gravity Pipeline Design	480	\$71,790	--	\$71,790
1.6	Operation and Startup Technical Assistance	248	\$31,220	--	\$31,220
<b>Grant Task 1 – Preconstruction Activities</b>		<b>2,625</b>	<b>\$351,695</b>	<b>\$67,030</b>	<b>\$418,725</b>
2.1	Bidding and Contractor Selection (Well)	109	\$14,880	\$100	\$14,980
2.2	Bidding and Contractor Selection (Pipeline)	--	--	--	--
<b>Grant Task 2 – Bidding and Contractor Selection</b>		<b>109</b>	<b>\$14,480</b>	<b>\$100</b>	<b>\$14,980</b>
3.1	Well Construction Oversight	1,205	\$153,490	--	\$153,490
3.2	Pipeline Permit Modification	97	\$14,205	--	\$14,205
3.3	Pipeline Construction Oversight	204	\$25,280	--	\$25,280
3.4	Project Management	1,045	\$144,900	\$1,850	\$146,750
<b>Grant Task 3 – Project Management</b>		<b>2,551</b>	<b>\$337,875</b>	<b>\$1,850</b>	<b>\$339,725</b>
<b>Grand Total</b>		<b>5,285</b>	<b>\$704,450</b>	<b>\$68,980</b>	<b>\$773,430</b>
<sup>1</sup> Expense is allowance for surveying and geotechnical investigations					
<sup>2</sup> Includes equipment and laboratory analysis for water quality investigations related to UIC permitting.					

**Exhibit 2. Labor Cost Schedule for Consulting Services**

Firm	Staff	Role	Billing Rate (\$/hr)
WSI	Chris Keller, PE	Project Manager - Senior Engineer	\$150
	Ron Clarke	Senior Environmental Scientist	\$115
	Scott Knight, PhD, PE	Project Engineer	\$105
ASRus	Mark McNeal, PG	Professional Geologist	\$180
	Pete Larkin, PG	Project Hydrogeologist	\$150
	Romy Lahera, PG	Project Hydrogeologist	\$120
	Mike Weatherby, PG	Project Hydrogeologist	\$120
Jones Edmunds	Tom Friedrich, PE	Senior QC Engineer	\$225
	Fred Hoyt, PE	PM Lead Engineer	\$225
	John Horvath	Senior Engineer	\$215
	Amy Goodden	Project Engineer	\$170
	TBD	Construction Resident Observer	\$155
	TBD	Quality Control Professional	\$120
	TBD	Cad Designer	\$115
	TBD	Editor	\$85
	TBD	Administrative Assistant	\$85

**Schedule**

The preliminary project schedule is attached as Exhibit A.

**Effective Date of Authorization**

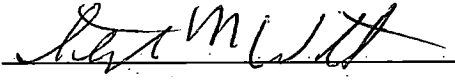
This scope of work is effective on the date of execution and WSI is authorized to begin work upon receipt of written authorization from the City of Lake City.

In witness of this agreement, the parties below provide their approval.

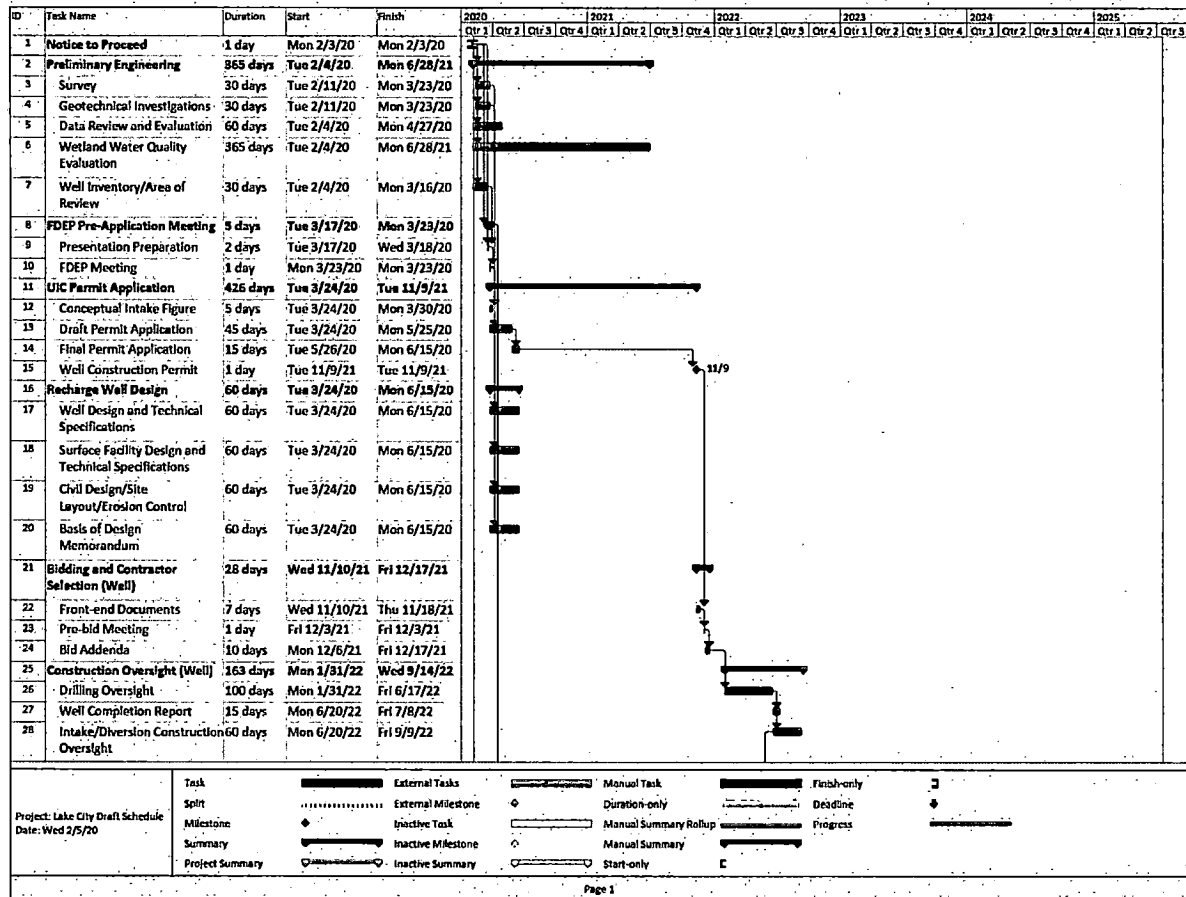
**Wetland Solutions, Inc.**

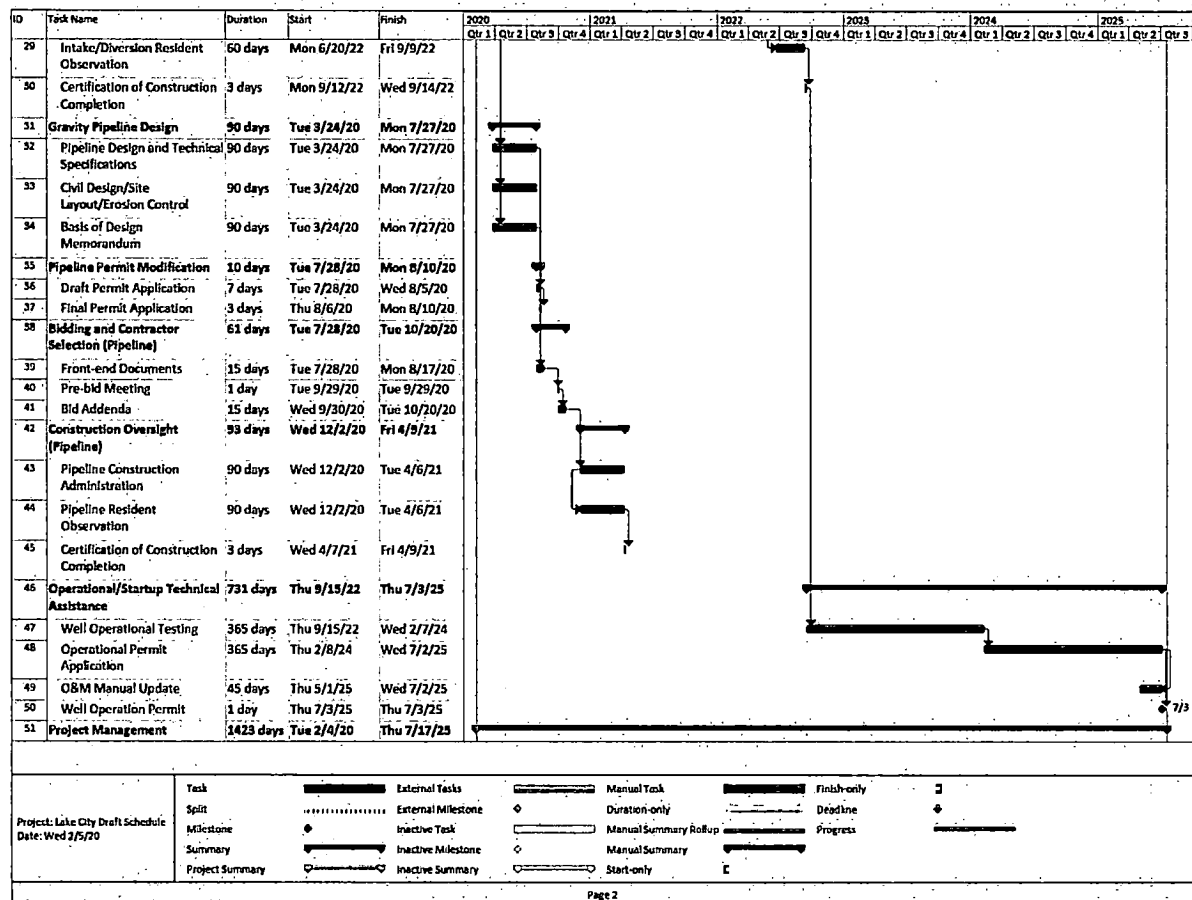
By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**City of Lake City**

By:   
Title: Mayor  
Date: 4/6/20

# EXHIBIT A





**File Attachments for Item:**

12. City Council Resolution No. 2022-007 - A resolution of the City Council of the City of Lake City, Florida authorizing the execution of the Second Amendment to the Memorandum of the Agreement with the Suwannee River Water Management District authorized by City Council Resolution No. 2020-114; providing for an extension of the deadlines for completion of the agreement to February 28, 2022; providing for conflicts; and providing for an effective date.

**CITY COUNCIL RESOLUTION NO. 2022-007**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH THE SUWANNEE RIVER WATER MANAGEMENT DISTRICT AUTHORIZED BY CITY COUNCIL RESOLUTION NO. 2020-114; PROVIDING FOR AN EXTENSION OF THE DEADLINES FOR COMPLETION OF THE AGREEMENT TO FEBRUARY 28, 2022; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake City, Florida (hereinafter the "City") and the Suwannee River Water Management District (hereinafter "District") entered into a Memorandum of Agreement (hereinafter the "MOA"), authorized by City Council Resolution No. 2020-114; and

**WHEREAS**, the City and District desire to modify the MOA pursuant to the terms and conditions contained in the *Second Amendment to Memorandum of Agreement Between Suwannee River Water Management District and City of Lake City* (hereinafter the "Amendment Two"), a copy of which is attached hereto; and

**WHEREAS**, the City Council finds that it is in the best interest of the City and its citizens to enter into the Amendment Two.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

**Section 2.** The City is hereby authorized to enter into the Amendment Two with the District and the Mayor is authorized to execute the Amendment Two for and on behalf of the City.

**Section 3.** Conflict. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

**Section 4.** Effective Date. This resolution shall take effect upon its adoption.

**PASSED AND ADOPTED** at a meeting of the City Council this \_\_\_\_ day of January 2022.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

**SECOND AMENDMENT  
TO MEMORANDUM OF AGREEMENT  
BETWEEN  
SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
AND  
THE CITY OF LAKE CITY**

THIS AMENDMENT is entered upon final execution date by and between the Suwannee River Water Management District, a special taxing district organized under Chapter 373, Florida Statutes, whose address is 9225 CR 49, Live Oak, Florida 32060, (hereinafter the "DISTRICT"), and the City of Lake City, a political subdivision of the State of Florida, whose address is 205 N Marion Street, Lake City, Florida, 32055 (hereinafter the "COOPERATOR").

WITNESSETH:

**WHEREAS**, on July 10, 2019, DISTRICT and COOPERATOR entered into Memorandum of Agreement 18/19-202 for a Cost-Share Agreement for the Gwen Lake Project, (hereinafter the "AGREEMENT"), and

**WHEREAS**, on May 29, 2020, said contract was extended by letter to expire on February 28, 2021; and

**WHEREAS**, on May 27, 2021, said contract was extended to expire on June 28, 2021; and

**WHEREAS**, on December 1, 2021 the COOPERATOR notified the DISTRICT in a letter dated November 29, 2021 that they had experienced delays in obtaining materials and staff changes and requested an extension and

**WHEREAS**, DISTRICT and COOPERATOR now desire to amend said contract to extend the contract end date to February 28, 2022 to complete post-construction deliverables.

**NOW THEREFORE**, in consideration of the terms and conditions set forth herein DISTRICT and COOPERATOR do covenant and agree as follows:

The AGREEMENT is hereby amended, altered, and changed as follows:

EXHIBIT C paragraph 3. shall be replaced by the following.

3. All installations, deliverables and requests for reimbursements are to be completed no later than February 28, 2022.

In all other aspects the AGREEMENT shall remain the same and is hereby ratified by the parties.

(The remainder of the page is intentionally left blank)

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT, as of the day and year first specified above.

EXECUTED by the COOPERATOR on \_\_\_\_\_,

By \_\_\_\_\_

Print Name \_\_\_\_\_

As Its \_\_\_\_\_

EXECUTED by the DISTRICT on \_\_\_\_\_,

SUWANNEE RIVER WATER

MANAGEMENT DISTRICT

By \_\_\_\_\_

Hugh Thomas

As Its Executive Director

**File Attachments for Item:**

13. City Council Resolution No. 2022-008 - A resolution of the City Council of the City of Lake City, Florida, authorizing the execution of Amendment Number One to Agreement SG059 with the Florida Department of Environmental Protection; providing for the reimbursement of allowable costs associated with the removal of sand and grit from the St. Margarets Wastewater Treatment Facility; providing for an extension of the agreement to April 30, 2023; providing for the acceptance of \$564,144.00 in additional funding; and providing for an effective date.

**CITY COUNCIL RESOLUTION NO. 2022-008**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER ONE TO AGREEMENT SG059 WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING FOR THE REIMBURSEMENT OF ALLOWABLE COSTS ASSOCIATED WITH THE REMOVAL OF SAND AND GRIT FROM THE ST. MARGARET'S WASTEWATER TREATMENT FACILITY; PROVIDING FOR AN EXTENSION OF THE AGREEMENT TO APRIL 30, 2023; PROVIDING FOR THE ACCEPTANCE OF \$564,144.00 IN ADDITIONAL FUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake City, Florida (hereinafter the "City") and Florida Department of Environmental Protection, (hereinafter the "Department"), entered into the *State of Florida Department of Environmental Protection Standard Grant Agreement* (hereinafter the "Contract"), authorized by City Council Resolution No. 2021-042; and

**WHEREAS**, the City and the Department desire to modify the Agreement pursuant to the terms and conditions in the *Amendment No. 1 to Agreement No. SG059 Between Florida Department of Environmental Protection and City of Lake City* (hereinafter the "Amendment"), a copy of which is attached hereto as "Exhibit A"; and

**WHEREAS**, the City Council finds it to be in the best interests of the City to enter into the Amendment.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are all true and accurate and are hereby made a part of this resolution.

**Section 2.** The City is hereby authorized to enter into *Amendment No. 1 to Agreement No. SG059 Between Florida Department of Environmental Protection and City of Lake City*.

**Section 3.** The City Manager and City Attorney are authorized to make such reasonable changes and modifications to the Amendment as may be deemed necessary to be in the best interest of the City and its citizens. Provided, however, that any such changes or modifications shall not cause the additional funding or the reimbursement period to be modified from the original terms and conditions provided for in the Amendment. The Mayor is authorized and directed to execute and deliver the Amendment in the name of, and on behalf of, the City with such changes, amendments, modifications, omissions, and additions made by the City Manager and City Attorney. Execution by the Mayor and the Department shall be deemed to be conclusive evidence of approval of such changes, amendments, modifications, omissions, and additions.

**Section 4.** Effective Date. This resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** by the City Council on this \_\_\_\_\_ day of January 2022.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

**AMENDMENT NO. 1  
TO AGREEMENT NO. SG059  
BETWEEN  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND  
CITY OF LAKE CITY**

This Amendment to Agreement No. SG059 (Agreement), is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and City of Lake City (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for St. Margaret WWTF Sand and Grit Removal (Project), effective March 29, 2021; and,

WHEREAS, funding in the amount of \$322,000 was provided under Line Item 1605 of the 2016-2017 General Appropriations Act for this Project; and,

WHEREAS, \$564,144 in additional funding for this Project is provided under Line Item 1600 of the 2018-2019 General Appropriations Act; and the total funding for this Agreement is now \$886,144; and,

WHEREAS, an extension of the Agreement is needed to remove additional sand and grit from the North Basin and begin removal from the South Basin; and,

WHEREAS, the parties wish to amend the Agreement as set forth herein; and,

WHEREAS, certain provisions of the Agreement need revision.

NOW THEREFORE, the parties agree as follows:

1. The Agreement is effective until April 30, 2023. The reimbursement period for this Agreement begins on February 1, 2021 and ends at the expiration of the Agreement. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.
2. **Attachment 3, Grant Work Plan**, is hereby deleted in its entirety and replaced with **Attachment 3-1, Revised Grant Work Plan**, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to **Attachment 3** shall hereinafter refer to **Attachment 3-1, Revised Grant Work Plan**.
3. **Attachment 5, Special Audit Requirements**, is hereby deleted in its entirety and replaced with **Attachment 5-1, Revised Special Audit Requirements**, attached hereto and made a part of the Agreement. All references in the Agreement to **Attachment 5**, shall hereinafter refer to **Attachment 5-1, Revised Special Audit Requirements**.
4. All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistency may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

The parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

CITY OF LAKE CITY

STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

By: \_\_\_\_\_  
Trina Vielhauer, Division Director

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

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

\_\_\_\_\_  
Jillian Bates, DEP Grant Manager

\_\_\_\_\_  
Sandra Waters, DEP QC Reviewer

List of attachments/exhibits included as part of this Amendment:

Specify Type	Letter/ Number	Description (include number of pages)
Attachment	3-1	Revised Grant Work Plan (1 Page)
Exhibit	5-1	Revised Special Audit Requirements (6 Pages)

**ATTACHMENT 3-1  
REVISED GRANT WORK PLAN**

**PROJECT TITLE:** St. Margaret WWTF Sand and Grit Removal

**PROJECT LOCATION:** The Project will be located in the City of Lake City within Columbia County; Lat/Long (30.171140, -82.643930). St. Margaret Wastewater Treatment Facility (WWTF); WAFR ID FLA113956.

**PROJECT BACKGROUND:** City of Lake City (Grantee) has documented sand and grit at the WWTF. Removing the sand and grit will not only restore the capacity of the system but will also improve treatment and increase the plant's efficiency.

**PROJECT DESCRIPTION:** The Grantee will contract with a company that has the necessary equipment to remove sand and grit from wastewater treatment facilities while the facility remains in operation. The ultimate disposal of the sand and grit removed is the responsibility of the Grantee and must be in compliance with applicable laws and rules.

**TASKS:**

All documentation should be submitted electronically unless otherwise indicated.

**Task 1: Sand and Grit Removal Service**

**Deliverables:** The Grantee will remove at least 80 % of the volume of sand and grit from each tank that has at least 10 % sand and grit by volume at the Grantee's wastewater treatment facility.

**Documentation:** The Grantee will submit a final report documenting the volume of sand and grit removed.

**Performance Standard:** The Department's Grant Manager will review the documentation to verify that the deliverables have been completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

**Payment Request Schedule:** The Grantee may submit a payment request for cost reimbursement following the conclusion of the task.

**PROJECT TIMELINE & BUDGET DETAIL:**

The tasks must be completed by, and all documentation received by, the corresponding task end date. Cost reimbursable grant funding must not exceed the budget amounts as indicated below.

Task No.	Task Title	Budget Category	Grant Amount	Task Start Date	Task End Date
1	Sand and Grit Removal Service	Contractual Services	\$886,144	02/01/2021	10/31/2022
Total:			\$886,144		

Note that, Section 8.h. of Attachment 1, authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of the Department if the Legislature reduces or eliminates appropriations. Extending the contract end date carries the risk that funds for this project may become unavailable in the future. This should be a consideration for the Grantee with this and future requests for extension.

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Revised Special Audit Requirements  
(State and Federal Financial Assistance)**

**Attachment 5-1**

The administration of resources awarded by the Department of Environmental Protection (*which may be referred to as the "Department", "DEP", "FDEP" or "Grantor", or other name in the agreement*) to the recipient (*which may be referred to as the "Recipient", "Grantee" or other name in the agreement*) may be subject to audits and/or monitoring by the Department of Environmental Protection, as described in this attachment.

**MONITORING**

In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F-Audit Requirements, and Section 215.97, F.S., as revised (see "AUDITS" below), monitoring procedures may include, but not be limited to, on-site visits by DEP Department staff, limited scope audits as defined by 2 CFR 200.425, or other procedures. By entering into this Agreement, the recipient agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Department of Environmental Protection. In the event the Department of Environmental Protection determines that a limited scope audit of the recipient is appropriate, the recipient agrees to comply with any additional instructions provided by the Department to the recipient regarding such audit. The recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer (CFO) or Auditor General.

**AUDITS**

**PART I: FEDERALLY FUNDED**

This part is applicable if the recipient is a State or local government or a non-profit organization as defined in 2 CFR §200.330

1. A recipient that expends \$750,000 or more in Federal awards in its fiscal year, must have a single or program-specific audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F. EXHIBIT 1 to this Attachment indicates Federal funds awarded through the Department of Environmental Protection by this Agreement. In determining the federal awards expended in its fiscal year, the recipient shall consider all sources of federal awards, including federal resources received from the Department of Environmental Protection. The determination of amounts of federal awards expended should be in accordance with the guidelines established in 2 CFR 200.502-503. An audit of the recipient conducted by the Auditor General in accordance with the provisions of 2 CFR Part 200.514 will meet the requirements of this part.
2. For the audit requirements addressed in Part I, paragraph 1, the recipient shall fulfill the requirements relative to auditee responsibilities as provided in 2 CFR 200.508-512.
3. A recipient that expends less than \$750,000 in federal awards in its fiscal year is not required to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F-Audit Requirements. If the recipient expends less than \$750,000 in federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F-Audit Requirements, the cost of the audit must be paid from non-federal resources (i.e., the cost of such an audit must be paid from recipient resources obtained from other federal entities).
4. The recipient may access information regarding the Catalog of Federal Domestic Assistance (CFDA) via the internet at [www.cfda.gov](http://www.cfda.gov)

## PART II: STATE FUNDED

This part is applicable if the recipient is a nonstate entity as defined by Section 215.97(2), Florida Statutes.

1. In the event that the recipient expends a total amount of state financial assistance equal to or in excess of \$750,000 in any fiscal year of such recipient (for fiscal years ending June 30, 2017, and thereafter), the recipient must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, F.S.; Rule Chapter 69I-5, F.A.C., State Financial Assistance; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. EXHIBIT 1 to this form lists the state financial assistance awarded through the Department of Environmental Protection by this agreement. In determining the state financial assistance expended in its fiscal year, the recipient shall consider all sources of state financial assistance, including state financial assistance received from the Department of Environmental Protection, other state agencies, and other nonstate entities. State financial assistance does not include federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.
2. In connection with the audit requirements addressed in Part II, paragraph 1; the recipient shall ensure that the audit complies with the requirements of Section 215.97(8), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.
3. If the recipient expends less than \$750,000 in state financial assistance in its fiscal year (for fiscal year ending June 30, 2017, and thereafter), an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. In the event that the recipient expends less than \$750,000 in state financial assistance in its fiscal year, and elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the non-state entity's resources (i.e., the cost of such an audit must be paid from the recipient's resources obtained from other than State entities).
4. For information regarding the Florida Catalog of State Financial Assistance (CSFA), a recipient should access the Florida Single Audit Act website located at <https://apps.fldfs.com/fsaa> for assistance. In addition to the above websites, the following websites may be accessed for information: Legislature's Website at <http://www.leg.state.fl.us/Welcome/index.cfm>, State of Florida's website at <http://www.myflorida.com/>, Department of Financial Services' Website at <http://www.fldfs.com/> and the Auditor General's Website at <http://www.myflorida.com/audgen/>.

## PART III: OTHER AUDIT REQUIREMENTS

*(NOTE: This part would be used to specify any additional audit requirements imposed by the State awarding entity that are solely a matter of that State awarding entity's policy (i.e., the audit is not required by Federal or State laws and is not in conflict with other Federal or State audit requirements). Pursuant to Section 215.97(8), Florida Statutes, State agencies may conduct or arrange for audits of State financial assistance that are in addition to audits conducted in accordance with Section 215.97, Florida Statutes. In such an event, the State awarding agency must arrange for funding the full cost of such additional audits.)*

## PART IV: REPORT SUBMISSION

1. Copies of reporting packages for audits conducted in accordance with 2 CFR Part 200, Subpart F-Audit Requirements, and required by PART I of this form shall be submitted, when required by 2 CFR 200.512, by or on behalf of the recipient directly to the Federal Audit Clearinghouse (FAC) as provided in 2 CFR 200.36 and 200.512
  - A. The Federal Audit Clearinghouse designated in 2 CFR §200.501(a) (the number of copies required by 2 CFR §200.501(a) should be submitted to the Federal Audit Clearinghouse), at the following address:

By Mail:

Federal Audit Clearinghouse  
Bureau of the Census  
1201 East 10th Street  
Jeffersonville, IN 47132

Submissions of the Single Audit reporting package for fiscal periods ending on or after January 1, 2008, must be submitted using the Federal Clearinghouse's Internet Data Entry System which can be found at <http://harvester.census.gov/facweb/>

2. Copies of financial reporting packages required by PART II of this Attachment shall be submitted by or on behalf of the recipient directly to each of the following:

- A. The Department of Environmental Protection at one of the following addresses:

By Mail:

**Audit Director**

Florida Department of Environmental Protection  
Office of Inspector General, MS 40  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Electronically:

[FDEPSingleAudit@dep.state.fl.us](mailto:FDEPSingleAudit@dep.state.fl.us)

- B. The Auditor General's Office at the following address:

Auditor General  
Local Government Audits/342  
Claude Pepper Building, Room 401  
111 West Madison Street  
Tallahassee, Florida 32399-1450

The Auditor General's website (<http://flauditor.gov/>) provides instructions for filing an electronic copy of a financial reporting package.

3. Copies of reports or management letters required by PART III of this Attachment shall be submitted by or on behalf of the recipient directly to the Department of Environmental Protection at one of the following addresses:

By Mail:

**Audit Director**

Florida Department of Environmental Protection  
Office of Inspector General, MS 40  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Electronically:

[FDEPSingleAudit@dep.state.fl.us](mailto:FDEPSingleAudit@dep.state.fl.us)

4. Any reports, management letters, or other information required to be submitted to the Department of Environmental Protection pursuant to this Agreement shall be submitted timely in accordance with 2 CFR 200.512, section 215.97, F.S., and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

**Attachment 5-1**

3 of 6

5. Recipients, when submitting financial reporting packages to the Department of Environmental Protection for audits done in accordance with 2 CFR 200, Subpart F-Audit Requirements, or Chapters 10.550 (local governmental entities) and 10.650 (non and for-profit organizations), Rules of the Auditor General, should indicate the date and the reporting package was delivered to the recipient correspondence accompanying the reporting package.

## **PART V: RECORD RETENTION**

The recipient shall retain sufficient records demonstrating its compliance with the terms of the award and this Agreement for a period of **five (5)** years from the date the audit report is issued, and shall allow the Department of Environmental Protection, or its designee, Chief Financial Officer, or Auditor General access to such records upon request. The recipient shall ensure that audit working papers are made available to the Department of Environmental Protection, or its designee, Chief Financial Officer, or Auditor General upon request for a period of **three (3)** years from the date the audit report is issued, unless extended in writing by the Department of Environmental Protection.

## EXHIBIT – 1

FUNDS AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

*Note: If the resources awarded to the recipient represent more than one federal program, provide the same information shown below for each federal program and show total federal resources awarded*

<b>Federal Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following:</b>					
<b>Federal Program A</b>	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category
				\$	
<b>Federal Program B</b>	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category
				\$	

*Note: Of the resources awarded to the recipient represent more than one federal program, list applicable compliance requirements for each federal program in the same manner as shown below:*

<b>Federal Program A</b>	First Compliance requirement: i.e.: (what services of purposes resources must be used for)	
	Second Compliance requirement: i.e.: (eligibility requirement for recipients of the resources)	
	Etc.	
	Etc.	
<b>Federal Program B</b>	First Compliance requirement: i.e.: (what services of purposes resources must be used for)	
	Second Compliance requirement: i.e.: (eligibility requirement for recipients of the resources)	
	Etc.	
	Etc.	

*Note: If the resources awarded to the recipient for matching represent more than one federal program, provide the same information shown below for each federal program and show total state resources awarded for matching.*

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Matching Resources for Federal Programs:					
Federal Program A	Federal Agency	CFDA	CFDA Title	Funding Amount	State Appropriation Category
Federal Program B	Federal Agency	CFDA	CFDA Title	Funding Amount	State Appropriation Category

*Note: If the resources awarded to the recipient represent more than one state project, provide the same information shown below for each state project and show total state financial assistance awarded that is subject to section 215.97, F.S.*

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:						
State Program A	State Awarding Agency	State Fiscal Year <sup>1</sup>	CSFA Number	CSFA Title or Funding Source Description	Funding Amount	State Appropriation Category
Original Agreement	FDEP	2016-2017	37.075	Small Community Wastewater Treatment Grants	\$322,000	143276
Amendment 1	FDEP	2018-2019	37.075	Small Community Wastewater Treatment Grants	\$564,144	143276
State Program B	State Awarding Agency	State Fiscal Year <sup>2</sup>	CSFA Number	CSFA Title or Funding Source Description	Funding Amount	State Appropriation Category
Total Award					\$886,144	

*Note: List applicable compliance requirement in the same manner as illustrated above for federal resources. For matching resources provided by the Department for DEP for federal programs, the requirements might be similar to the requirements for the applicable federal programs. Also, to the extent that different requirements pertain to different amount for the non-federal resources, there may be more than one grouping (i.e. 1, 2, 3, etc.) listed under this category.*

For each program identified above, the recipient shall comply with the program requirements described in the Catalog of Federal Domestic Assistance (CFDA) [[www.cfda.gov](http://www.cfda.gov)] and/or the Florida Catalog of State Financial Assistance (CSFA) [<https://apps.fldfs.com/fsaa/searchCatalog.aspx>], and State Projects Compliance Supplement (Part Four: State Projects Compliance Supplement) [[https://apps.fldfs.com/fsaa/state\\_project\\_compliance.aspx](https://apps.fldfs.com/fsaa/state_project_compliance.aspx)]. The services/purposes for which the funds are to be used are included in the Agreement's Grant Work Plan. Any match required by the Recipient is clearly indicated in the Agreement.

<sup>1</sup> Subject to change by Change Order.

<sup>2</sup> Subject to change by Change Order.