

110 NW 1st Avenue
High Springs, Florida 32643



Telephone: (386) 454-1416
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**CITY COMMISSION MEETING
AGENDA
City Hall
110 N.W. 1st Avenue**

APRIL 9, 2015

7:30 PM

CALL TO ORDER: MAYOR SUE WELLER

INVOCATION:

PLEDGE OF ALLEGIANCE: MAYOR SUE WELLER

ROLL CALL: JENNY L. PARHAM, CITY CLERK

APPROVAL OF AGENDA

APPROVAL OF MINUTES: MARCH 26, 2015 MINUTES

UNFINISHED BUSINESS

1. **CONSIDER ORDINANCE 2015-03, AN ORDINANCE AMENDING CHAPTER 10 "ALCOHOLIC BEVERAGES" OF THE HIGH SPRINGS CODE OF ORDINANCES; LIFTING RESTRICTION ON TYPE OF ALCOHOL FOR SUNDAY ON-PREMISES CONSUMPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION.**
 - A. MAYOR OPENS PUBLIC HEARING FOR PUBLIC INPUT.
 - B. MAYOR CLOSES PUBLIC HEARING.
 - C. DISCUSSION AND CONSIDERATION IN PASSING OF ORDINANCE 2015-03 ON SECOND AND FINAL READING.
2. **DISCUSS AND DETERMINE THE POLICY FOR SUSPENDING SOLID WASTE COLLECTION FEES.**

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

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NEW BUSINESS

- 1. CONSIDER RESOLUTION 2015-B, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF SMALL, WOMEN OWNED AND MINORITY BUSINESSES FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF MINORITIES BY THE CITY OF HIGH SPRINGS; PROVIDING DEFINITIONS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE.**
- 2. DISCUSS CURRENT NOISE ORDINANCE AND CONSIDER DIRECTION TO STAFF.**
- 3. CONSIDER AWARDED BID TO REROOF WATER PLANT BUILDING.**
- 4. CONSIDER PURCHASE OF NEW HANDHELD WATER METER READING DEVICES.**
- 5. DISCUSSION, UPDATE AND VOTE ON HIGH SPRINGS FARMERS MARKET BIDS.**
- 6. DISCUSSION AND VOTE REGARDING NORTHEND'S OFFER OF JUDGMENT IN NORTHEND HOMELAND, LLC V. CITY OF HIGH SPRINGS.**
- 7. DISCUSSION AND VOTE REGARDING POTENTIAL OFFER OF JUDGMENT FROM CITY IN NORTHEND HOMELAND, LLC V. CITY OF HIGH SPRINGS.**
- 8. DISCUSSION AND VOTE ON FUNDING FOR COMMUNICATION EQUIPMENT FOR DISPATCH OPERATIONS.**

CITY ATTORNEY REPORT/UPDATE

CITY MANAGER REPORT/UPDATE

COMMENTS AND CONCERNS:

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

MOTION TO ADJOURN

PLEASE NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMMODATIONS TO PARTICIPATE IN CITY COMMISSION MEETINGS, SHOULD CONTACT THE OFFICE OF THE CITY CLERK, 110 N.W. 1ST AVENUE, HIGH SPRINGS, FLORIDA 32643, TELEPHONE (386)454-1416.

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CITY COMMISSION MEETING
MINUTES
March 26, 2015

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

Invocation by

Pledge of Allegiance

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

Staff Present: Ed Booth, City Manager
Jenny Parham, City Clerk
Jennifer Stull, Finance Director
Scott Walker, City Attorney

APPROVAL OF AGENDA

**Motion Commissioner Evans to approve the agenda.
Second Commissioner James.
Motion carried 5 – 0.**

APPROVAL OF MINUTES OF MARCH 12, 2015.

**Motion Commissioner Williams to approve the minutes of March 12, 2015.
Second Commissioner Evans.
Motion carried 5 – 0.**

Mayor Weller read a proclamation declaring April 2015 as National Child Abuse and Neglect Prevention Month. Mayor Weller presented the proclamation to the Women's Club who are selling pinwheels to raise awareness. A representative of the Women's Club presented pins and a certificate of appreciation to the commissioners.

UNFINISHED BUSINESS

1. **CONSIDER ORDINANCE 2015-02, AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, AMENDING THE CITY OF HIGH SPRINGS LAND DEVELOPMENT CODE, AS AMENDED, PURSUANT TO AN APPLICATION, LDC 15-01, BY THE CITY COMMISSION; RELATING TO AN AMENDMENT TO THE TEXT OF THE LAND DEVELOPMENT CODE; PROVIDING FOR AMENDING SECTION 7.02.01, ENTITLED DENSITY, AREA, HEIGHT AND BULK STANDARDS, TO ADD TABLE 7.02.01, ENTITLED TABLE OF REQUIRED DIMENSIONS; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE**

Attorney Walker reads Ordinance 2015-02 by title only. States appropriate motion would be to adopt Ordinance 2015-02 upon its reading by title only.

Mayor Weller opens the public hearing for comments. As there was no public input, Mayor Weller closed the public hearing.

**Motion Vice Mayor Jamison to adopt Ordinance 2015-02 on second and final reading.
Second Commission James.**

Roll call vote:

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

Motion carried 5 – 0.

CITIZEN REQUESTS AND COMMENTS

Bill Richards asked for a follow-up on the noise ordinance. Attorney Walker states there was not a statute that supersedes our ordinance.

Mayor Weller states we will put this on the next agenda for discussion in order to give direction.

Mr. Richards states there is a sign for the museum and police department east bound but not west bound. He also asked if you can use road by Hair and Nail Depot or if it is prohibited. City Manager to look into this.

Bob Barnas states he spoke to the city auditors, and the audit will be done in a couple of days. He stated there have not been follow ups on meetings. Spoke of the trash issue and no options being given to the citizens.

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Thomas DePeter spoke of the noise ordinance. He stated we shouldn't give up on this ordinance because it is difficult to enforce.

Paul Regensdorf stated he got a message from Nixle on a boil water notice but the area was not clear. Spoke of the city having savings due to turning dispatch over to the county and the need for a plan for those savings. Spoke of the critical need for water line repairs.

Mike Kearney stated he had met the new police chief today at the diner, disappointed there wasn't more citizens attending. In regards to the noise ordinance, he stated he has been attending the Florida Association for Code Enforcement meetings, most cities use the DB method for noise. The police department has a focus on the citizen's safety and the noise ordinance should be under code enforcement and we have a good piece of equipment we can use for this.

NEW BUSINESS

1. **CONSIDER ORDINANCE 2015-03, AN ORDINANCE AMENDING CHAPTER 10 "ALCOHOLIC BEVERAGES" OF THE HIGH SPRINGS CODE OF ORDINANCES; LIFTING RESTRICTION ON TYPE OF ALCOHOL FOR SUNDAY ON-PREMISES CONSUMPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION.**

Attorney Walker reads Ordinance 2015-03 by title only. States the appropriate motion would be to pass Ordinance 2015-03 on first reading.

Mayor Weller opened the floor for public comment. No public comment.

Mayor Weller states this ordinance allows for alcohol to be served on Sunday between 1:00 p.m. to 11:00 p.m.; previously it only allowed for beer and wine.

**Motion Vice Mayor Jamison to adopt Ordinance 2015-03 on first reading.
Second Commissioner Evans.**

Roll call vote:

**Commissioner James – no
Commissioner Williams – no
Vice Mayor Jamison – yes
Mayor Weller – yes
Commissioner Evans – yes**

Motion carried 3 -2.

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

Mr. Barber requested the continued use of the Civic Center on Monday nights through the end of the year for a seniors program. States he would like to see this become a permanent program for High

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Springs.

**Motion Commissioner Williams to allow use of the Civic Center through the end of the year.
Second Commissioner James.**

Motion carried 5 – 0.

3. REVIEW MOWING AND MAINTENANCE BIDS AND CONSIDER AWARDING CONTRACT TO SUCCESSFUL BIDDER.

Mr. Booth presented bids for mowing services for a three year period.

Motion Commissioner Williams to approved the low bid from Boone Improvement, Inc. in the amount of \$154,710 for three years.

Second Commissioner Evans.

Thomas DePeter asked about the downtown area in the one bid.

Motion carried 5 – 0.

4. REVIEW THE 2009 HIGH SPRINGS HISTORIC TASK FORCE REPORT AND CONSIDER IMPLEMENTING RECOMMENDATIONS.

Mayor Weller states she placed this item on the agenda to discuss and determine if we are going to move forward with the recommendations.

Thomas DePeter stated that historic preservation is important for the city. He states you need a city planner that has experience and knowledge of historic preservation.

Suzie Clark spoke of how people recognize this as a historic town.

Paul Regensdorf spoke of the need to get a group together to make recommendations with legal assistance on how the board can be carved out. Spoke of the need for a planner.

General consensus to bring back names for the board at the second meeting in April.

Commissioner Evans states he would like to look into other options as he doesn't like the idea of another board to make it more difficult.

Attorney to come back at next meeting and let the commission know what the code calls for.

Mike Kearney stated being on the plan board is a difficult position; members depend on city staff for direction.

5. DISCUSS AND CONSIDER REQUEST FOR GRANT FUNDING FOR THE HIGH SPRINGS MUSEUM.

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Mayor Weller states the High Springs Museum had submitted a request to the CRA for funding in the amount of \$1,030 to paint the caboose, purchase concrete to secure railroad crossing signs by the

caboose, start a memorial brick program and provide a hand rail at the front entrance of the Community Center. States the CRA funds could not be used for these items.

Mayor Weller states we can take off \$100 for the mulch as it is already done. She states she feels the city should install the railing. She adds that we need to also put signs on the caboose; Do Not Climb on Caboose.

Mayor Weller stated that the total would actually be \$630.

**Motion Commissioner Evans to award \$630 to High Springs Museum.
Second Commissioner James.**

Suzie Clark stated that you cannot open up the caboose to public until it is ADA compliant.

Thomas DePETER questioned who the High Springs Museum was. Mayor Weller states they are a 501C3, not a city organization.

Commissioner Williams asked the attorney if there was an exemption with the ADA for historical buildings.

Vice Mayor Jamison question if it would be acceptable to word the motion to grant up to \$630.

**Motion amended by Commissioner Evans to grant up to \$630.
Second amended by Commissioner James.**

Motion carried 5 – 0.

CITY ATTORNEY REPORT/UPDATE

Gave an update on the Farmer's Market Pavilion; The bids came in higher than anticipated. Added there is an issue with Riverland Construction and whether there was a design/build contract. Stated that our records were researched and we could not find documentation that a contract was awarded to Riverland and they have been advised as such. USDA has been informed of the issue. He stated the city will be going out for bids; need to reject the previous bids.

Motorola and the financing company have been informed that we no longer need the equipment as we no longer provide dispatch services and that we would like to return the equipment as per the lease.

Advised of a letter received from an attorney regarding rails to trails procedure going on and High Springs having the option of condemnation, legal taking. Attorney Walker advised not to take action, that this is solicitation.

Advised of a foreclosure suit on a property that we have lien on.

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In regards to the Northend lawsuit we have received an offer of judgement for \$110,000. States his recommendation is not to accept and requested a motion to that effect. Mayor Weller stated we can put it on the next meeting's agenda.

Thomas DePeter asked if the thirty days is out before your next meeting and if there is time to have on the agenda.

Attorney Walker advises that the city has sent a letter and payment for five houses connected to the system that the developer had not received credit for and we have reserved funds for. Advises that the funds for the two homes that were connected during the moratorium have been reserved.

Attorney Walker states that if offers of judgement start back and forth between the parties, there is no reason we should not put out an offer of judgement to the other side.

Betty Schumpert stated she received a letter from an attorney regarding rails to trails. Attorney Walker states this is a solicitation letter, it is not a contingency fee case, and you pay hourly.

CITY MANAGER REPORT/UPDATE

We are going to modify the special event applications and use the city of Alachua's system as a template; staff will come back to the commission when they are completed.

In regards to an exception for garbage, no cities give exceptions for solid waste because of health and welfare. He recommends that if they have proof the electric service is going to be off for 6 months, then we could then not charge them for garbage. Mayor Weller states that she will put in an agenda request to have this on the agenda for the next meeting.

Advised the Alachua County Tourist Board requested our business plan on capital projects; states our only tourist attraction is BMX.

In regards to the sewer ordinance, we have not enforced the ordinance the same for everyone. States that he, the attorney's office and Mittauer are going to put together a comprehensive ordinance.

Gave an update on the broken water line on US HWY 441; advised that he has ordered a pump to assist us with the repairs of these water line breaks.

COMMENTS AND CONCERNS:

1. COMMISSIONERS

Vice Mayor James – nothing at this time.

Commissioner Evans – nothing at this time.

Commissioner Williams advises that there have been flowers taken from the cemetery. Thank you to Mr. Booth and the city for the help with the marker for Douglas High School.

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2. MAYOR

Advised that we did not have a Proclamation for Florida's Arbor Day and, wants to have one for National Arbor Day and plant a tree. Mayor Weller adds that we need to work on getting our Tree Board back together; asked other commissioners to come up with citizens to serve on this board.

Stopped by the diner towards the end of the Meet the Chief for Coffee; it was a good meeting and good information; there is a Citizen Survey the police department is doing and encouraged citizens to fill out.

Motion Commissioner Evans to adjourn.

Second by Commissioner James.

Mayor Weller adjourned the meeting at 8:35 p.m.



Commission Agenda Item Request Form

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

MEETING DATE: APRIL 9, 2015

SUBJECT: CONSIDER ORDINANCE 2015-03, AN ORDINANCE AMENDING CHAPTER 10 "ALCOHOLIC BEVERAGES" OF THE HIGH SPRINGS CODE OF ORDINANCES; LIFTING RESTRICTION ON TYPE OF ALCOHOL FOR SUNDAY ON-PREMISES CONSUMPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION.

AGENDA SECTION: UNFINISHED BUSINESS

DEPARTMENT:

PREPARED BY: CITY CLERK

RECOMMENDED ACTION: ADOPTION OF ORDINANCE 2015-03 ON SECOND AND FINAL READING.

COST: NO ADDITIONAL COST

Summary

AT THE MARCH 26, 2015 MEETING, THE CITY COMMISSION READ AND ADOPTED ORDINANCE 2015-03 ON FIRST READING. THIS ORDINANCE IS NOW BEING PRESENTED ON SECOND AND FINAL READING.

ATTACHMENTS: ORDINANCE 2015-03

REVIEWED BY CITY MANAGER:

A handwritten signature in black ink, appearing to be "A. B.", written over a horizontal line.

ORDINANCE 2015-03

AN ORDINANCE AMENDING CHAPTER 10 "ALCOHOLIC BEVERAGES" OF THE HIGH SPRINGS CODE OF ORDINANCES; LIFTING RESTRICTION ON TYPE OF ALCOHOL FOR SUNDAY ON-PREMISES CONSUMPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION

WHEREAS, Chapter 10 of the High Springs Code of Ordinances regulates the sale of alcoholic beverages within the City limits; and

WHEREAS, the City Commission previously amended Chapter 10 in Ordinance 2008-34 to allow for the sale of alcohol during specific hours on Sunday for malt beverages and unfortified beverages; and

WHEREAS, the City Commission held a public workshop on January 13, 2015, to discuss and hear public comment on revising Chapter 10 of the High Springs Code of Ordinances; and

WHEREAS, the Commission has determined that removing regulatory barriers to business, such as restrictions on the sale of alcoholic beverages for the purpose of attracting new business will encourage growth and development of the City, enhance economic prosperity, diversity, and opportunity; and

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

WHEREAS, the City Commission of the City of High Springs has determined that it is desirable to amend Section 10-2 of the High Springs Code of Ordinances to allow liquor to be sold during certain hours on Sunday.

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

Section 1: Section 10-2 of the High Springs Code of Ordinances entitled "Hours of Sale" is hereby amended to read as follows (words ~~struck through~~ have been deleted, and words underlined have been added):

- (a) Packaged sales for off-premises consumption of malt beverages and unfortified wine shall be permitted on Monday through Saturday, inclusive, between the hours of 7:00 a.m. and 12:00 midnight, and on Sunday between the hours of 1:00 p.m. and 11:00 p.m.
- (b) Packaged sales for off-premises consumption of all alcoholic beverages except malt beverages and unfortified wine shall be permitted on Monday through Saturday, inclusive, between the hours of 7:00 a.m. and 12:00 midnight.
- (c) Sales for on-premises consumption of alcoholic beverages in any business holding a beverage license, which business derives at least 51 percent of its gross revenue from the sale of food and nonalcoholic beverages, shall be permitted on Monday through Thursday, inclusive, and Saturday

between the hours of 7:00 a.m. and 12:00 midnight, and on Friday between the hours of 7:00 a.m. and 2:00 a.m. immediately following, and Sunday between the hours of 1:00 p.m. and 11:00 p.m. ~~In addition, sales for on-premises consumption of malt beverages and unfortified wine in any business holding a beverage license, which business derives at least 51 percent of its gross revenue from the sale of food and nonalcoholic beverages, shall be permitted on Sunday between the hours of 1:00 p.m. and 11:00 p.m.~~ When December 31 occurs on a Saturday through Thursday, sales of all alcoholic beverages on those days shall be permitted to continue until 2:00 a.m. immediately following.

- (d) Sales for on-premises consumption of alcoholic beverages in any business holding a beverage license, which business derives less than 51 percent of its gross revenue from the sale of food and nonalcoholic beverages, shall be permitted on Monday through Thursday, inclusive, and Saturday, between the hours of 7:00 a.m. and 12:00 midnight, and on Friday between the hours of 7:00 a.m. and 2:00 a.m. immediately following. When December 31 occurs on a Monday through Thursday or Saturday, such sales of alcoholic beverages on those days shall be permitted to continue until 2:00 a.m. immediately following. When December 31 occurs on a Sunday, such sales of alcoholic beverages shall be permitted from 6:00 p.m. of the Sunday until 2:00 a.m. immediately following.

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

Section 3: PRESERVATION OF RIGHTS AND DUTIES. The repealing provisions of this Ordinance do not affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of the repeal.

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

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

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

First reading was held on the 26th day of March, 2015.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of High Springs, Florida, at a regular meeting, this 9th day of April, 2015.

BY THE MAYOR OF THE CITY OF HIGH SPRINGS, FLORIDA

Sue Weller, Mayor

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

Jenny L. Parham, City Clerk

APPROVED AS TO FORM AND
LEGALITY:

S. Scott Walker, City Attorney



Commission Agenda Item Request Form

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

MEETING DATE: April 9, 2015

SUBJECT: Waste Collection Fee Options

AGENDA SECTION: Continued Business

DEPARTMENT:

PREPARED BY: Sue Weller

RECOMMENDED ACTION: Discuss and Determine the Policy for Suspending Waste Collection Fees

Summary

In January 2015 discussion took place on the issue of suspending waste collection fees when citizens are on vacation as well as allowing citizens to opt out of paying waste collection fees. The City Manager was requested to bring back a report and recommendations on this issue.

ATTACHMENTS:

REVIEWED BY CITY MANAGER:

A handwritten signature in black ink, appearing to be "S. Weller", written over a horizontal line.



Commission Agenda Item Request Form

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

MEETING DATE: APRIL 9, 2015

SUBJECT: CONSIDER RESOLUTION 2015-B, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF SMALL, WOMEN OWNED AND MINORITY BUSINESSES FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF MINORITIES BY THE CITY OF HIGH SPRINGS; PROVIDING DEFINITIONS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE.

AGENDA SECTION: NEW BUSINESS

DEPARTMENT: CITY CLERK

PREPARED BY: CITY CLERK

RECOMMENDED ACTION: ADOPTION OF RESOLUTION 2015-B.

COST: NONE

Summary

AS REQUIRED FOR THE CDBG GRANT PROCESS, THE COMMISSION WILL CONSIDER A RESOLUTION ADOPTING POLICY RELATING TO UTILIZING SMALL BUSINESSES, WOMEN AND MINORITY OWNED, FOR THE ADMINISTRATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANTS.

ATTACHMENTS: RESOLUTION 2015-B

REVIEWED BY CITY MANAGER:

A handwritten signature in black ink, appearing to be "J. B. S.", written over a horizontal line.

RESOLUTION 2015-B

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF SMALL, WOMEN OWNED AND MINORITY BUSINESSES FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF MINORITIES BY THE CITY OF HIGH SPRINGS; PROVIDING DEFINITIONS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of High Springs desires to establish a policy supporting small, women owned and minority businesses, and

WHEREAS, the City Commission of the City of High Springs recognizes an opportunity to affirmatively support small, women owned and minority business in those programs directly funded by the U.S. Department of Housing and Urban Development; and

WHEREAS, the City Commission of the City of High Springs desires to bring the percentage of minorities employed by the City more closely in line with its percentage of minorities who live in the City; and

WHEREAS, the City Commission of the City of High Springs recognize the need to adopt an action plan to implement such goals;

WHEREAS, the City Commission of the City of High Springs recognizes the City as an Equal Employment Opportunity Employer; and

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

1. Policy Relating to the Employment of Small, Women Owned and Minority Businesses.

It shall be the policy of the City Commission of the City of High Springs when soliciting for projects that involve Community Development Block Grant federal funding to require each department, agency, entity, or agent of the City to promote and assist small, women owned and minority businesses in gaining entry to do business with the City of High Springs. By assisting small, women owned and minority businesses, the City will help to expand and develop the small, women owned and minority section in and around the City of High Springs.

For projects assisted by programs providing direct financial assistance from the U.S. Department of Housing and Urban Development (hereinafter "HUD"), the City will include the Section III clause of the Housing and Urban Development Act of 1968 in all contracts for work connected with the projects. The City will also comply with the Section III clause in the administration of Community Development Block Grant programs, which requires:

1. To the greatest extent feasible, opportunities for training and employment are given to low income project area residents;

2. To the greatest extent feasible, contract for work in connection with the project will be awarded to businesses located in, or owned in substantial part by persons residing in the project area;

3. Certifying that parties to the contracts are under no obligation, which would prevent them from complying;

4. Insuring that the contractor will send labor organizations with which he or she has had a collective bargaining agreement a notice stating his or her commitments under this section and post this notice in places available to employees;

5. Insuring that the contractor will include a "Section III Clause" in every subcontract;

6. Insuring that the contractor will not subcontract with anyone that has previously violated "Section III" requirements;

7. Obligate the contractor to provide a preliminary statement of work force needs prior to signing the contract;

8. Include "Section III" requirements in Community Development Block Grant bid invitations and contract specifications;

9. Cooperate with the Secretary of Housing And Urban Development in obtaining compliance from the recipient of the grant's contractors;

10. Submit to compliance reviews by the HUD when necessary; and

11. Permit HUD access to all required records, accounts, reports, books, etc.

It is understood however, that while every opportunity will be afforded to small and minority businesses to enable them to bid on the City of High Springs's Community Development Block Grant federally funded projects, contracts will continue to be awarded to the lowest or best responsible bidder.

2. Policy Relating to the Employment of Minorities by The City of High Springs.

It shall be the goal of the City Commission of the City of High Springs to attempt to increase the percentage of minority City employees at the rate of .1 percent of the City's total employee base, per year until the percentage of minority City employees is equal to that of the minority City population.

The City of High Springs is an equal opportunity employer. No person shall be unlawfully excluded from consideration for employment because of race, creed, color, religion, national origin, ancestry, sex, age, veteran status, familial status, handicap or genetic.

The City will attempt to attain the goal by doing the following:

1. The City will advertise every open position in a newspaper of general circulation within the City prior to filling the open position when the position has not already

been filled through existing procedures or policies providing for promotion from within and from Job Service applicants.

2. Stating in every advertisement that the City is an equal opportunity employer and does not discriminate in its hiring practice.

While The City of High Springs will attempt to attain the minority employment goal stated herein the following is understood:

1. The City of High Springs will attempt to hire the best qualified person for each available position, regardless of race.

2. While the City of High Springs will attempt to attain the employment goal set forth herein; the goal is only that and the City accepts no liability if the goal stated herein is not reached.

3. Definitions.

1. SMALL BUSINESS-An independently owned and operated business concern which employs twenty-five (25) or fewer permanent full-time employees, and which has a net worth of not more than one million dollars as applicable to sole proprietorships; the one million dollar net worth requirement shall include both personal and business investments.

2. WOMEN BUSINESS ENTERPRISES-Any small business concern which is organized to engage in commercial transaction, which is at least fifty-one (51) percent owned by women and whose management and daily operations are controlled by such person. A minority business enterprise may primarily involve the practice of a profession.

3. MINORITY BUSINESS ENTERPRISES-Any small business concern which is organized to engage in commercial transaction, which is at least fifty-one (51) percent owned by minority persons and whose management and daily operations are controlled by such person. A minority business enterprise may primarily involve the practice of a profession.

4. CERTIFIED MINORITY BUSINESS ENTERPRISES-A business enterprise which has been certified by the State of Florida Department of General Services to be a minority business enterprise in accordance with the provision of the Small and Minority Business Assistance Act of 1985.

5. MINORITY PERSON-A person whose race is Black, American Indian, Alaskan Native, Asian or Pacific Islander.

4. Action Plan.

In that the City of High Springs will continuously seek to administer programs funded in part or in total by allocations directly or indirectly from the U.S. Department of Housing and Urban Development, the City desires to enhance the opportunities for small and minority businesses and local businesses to participate in Community Development Block Grants with the City.

To accomplish this objective, the City Commission of the City of High Springs, Florida, establishes and implements the following steps to facilitate the deployment of affirmative action in expenditures for contractual services, commodities and construction contracts on Community Development Block Grant federally funded projects:

1. To utilize the news media, State Department of General Services list of small, women owned or minority business concerns, local advertising services, citizen's advisory boards, regional planning Commissions, listings by federal agencies, and other appropriate sources to identify small, women owned and minority business concerns for possible involvement with the City Community Development Block Grant federally funded contracts.

2. To maintain and update the listing of small, women owned and minority business concerns and notify them of Community Development Block Grant federally funded contracting opportunities with the City.

3. To maintain records (copies of memoranda, general correspondence, etc.) to document that all steps in the action plan have been followed.

4. To establish or utilize an existing position to function as the equal opportunity officer to coordinate the implementation of the Affirmative Action Plan with operators of Community Development Block Grant federally funded City administered projects and programs.

5. Effective Date.

This resolution shall take effect immediately upon its adoption.

DULY PASSED AND ADOPTED by the City Commission of the City of High Springs, Florida at a regular meeting on this 9th day of April, 2015.

Sue Weller, Mayor

ATTESTED:

Jenny Parham, City Clerk



Commission Agenda Item Request Form

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

MEETING DATE: April 9, 2015

SUBJECT: Noise Ordinance

AGENDA SECTION: New Business

DEPARTMENT:

PREPARED BY: Sue Weller

RECOMMENDED ACTION: Request City Manager and City Attorney to Review and Report to the Commission suggested changes to the Noise Ordinance addressing enforcement issues.

Summary

At a recent Commission meeting an issue was raised concerning the difficulty in enforcing the provisions of the City's Noise Ordinance. It was suggested that the Noise Ordinance be rewritten to provide more objective standards so as to more easily allow for its enforcement.

ATTACHMENTS:

REVIEWED BY CITY MANAGER:

A handwritten signature in black ink, appearing to be "S. Weller", written over a horizontal line.



Commission Agenda Item Request Form

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

MEETING DATE: APRIL 9, 2015

SUBJECT: CONSIDER AWARDDING BID TO REROOF WATER PLANT BUILDING

AGENDA SECTION: NEW BUSINESS

DEPARTMENT: PUBLIC WORKS

PREPARED BY: JENNY L. PARHAM

RECOMMENDED ACTION: AWARD LOW BID OF \$10,450 FROM MAC JOHNSON ROOFING

Summary

PUBLIC WORKS HAS PLACED A RFP FOR THE REROOFING OF THE WATER PLANT BUILDING. THE FOLLOWING BIDS WERE RECEIVED:

OLD WORLD CRAFTSMEN INC	\$19,000
PERRY ROOFING CONTRACTORS	\$11,130 BASE
REPLACE DAMAGED WOOD	\$ 2.35 PER SF
REPLACE WOOD BLOCKING	\$ 2.95 PER BF
MAC JOHNSON ROOFING	\$10,450

ATTACHMENT: BIDS AND BID SUMMARY

REVIEWED BY CITY MANAGER:

A handwritten signature in black ink, appearing to be "J. Parham", written over a horizontal line.

110 NW 1st Avenue
High Springs, Florida 32643



Telephone: (386) 454-1416
Facsimile: (386) 454-2126
Web: <http://city.highsprings.com>

CITY OF HIGH SPRINGS BID OPENING LOG SHEET

Project Name: RE-ROOF WATER PLANT
Bid Opening: APRIL 2, 2015 @ 2:30 PM

Bidder	Total Bid Amount	Comments
Old World Craftsmen Inc	\$19,000	
Perry Roofing Contractors	Base 11,130 2urwarr 890	Replace wood blocking 2.95 per SF Replace damaged wood 2.35 per SF
Mac Johnson Roofing	\$10,450	

Bids Opened By: Jenny Parham Date: 04/02/15
 Bids Opened By: [Signature] Date: 04/02/15

Old World Craftsmen, Inc.

P.O. Box 710 Lake City, FL 32056

Phone: 386/758-3264 Fax: 386/754-9487

Date: April 2, 2015

Project: Reroof Water Treatment Plant Bldg
17380 NW US Hwy 441, High Springs, FL

Roof Proposal

Submitted by:
Jeff Ganskop, Old World Craftsmen, Inc.

Proposal Submitted to:
Courtney Odum
City of High Springs

Proposed price to reroof Water Treatment Plant

\$ 19,000.00



Relax.

You've found your roofer.

Job Name:

**High Springs Water
Treatment Plant**

Prepared For:

**Mr. Ed Booth, City Manager
City of High Springs
386-454-1416
ebooth@highsprings.us**

Prepared By:

**Ken Dixon
Commercial Account Manager
Office: 352-373-2724 x 136
Cell: 352-339-1722
Email: kdixon@perryroofing.com**

Report Date:

March 31, 2015

Roof Size:

810 SF

Perry Roofing Contractors
2505 NW 71st Place
Gainesville, FL 32653

Toll Free: 1-800-487-6637
Office: 352.373.2724
Fax: 352.375.8604

www.perryroofing.com

Project Name: High Springs Water Treatment Plant
Project Location: 17380 NW US Hwy 441
High Springs, FL 32643

Project Manager: Brian Klepp
Sales Representative: Ken Dixon

Existing Conditions:

Roof System: coal tar pitch built-up roof with stone surfacing
Roof Deck: wood
Roof Slope: none

Our Recommendations:

Your roof appears to have no slope. We therefore have included the cost to install new tapered roof insulation in our base price. This insulation would be sloped from the center of the roof out to the roof edges. Additionally, because the existing roof is a stone surfaced coal tar pitch built-up roof, we will need to tear-off the existing roof prior to installing your new roof. This work is also included in our proposal.

This proposed TPO roof assembly is eligible for a 15 year NDL warranty which covers both material and labor with a 45-mil TPO roof membrane system. A 20 year NDL warranty is also an option with the substitution of a 60-mil TPO roof membrane. This optional cost is outlined below.

Scope of Work:

Furnish and install a TPO roof system including:

- Tear-off existing stone surfaced built-up roof down to the wood deck beneath and cart debris from premises.
- Install new ½" plywood strip along roof edge. (Sound nailable substrate presumed to secure plywood to).
- Mechanically fasten new 1/4" per foot tapered roof insulation over existing wood deck.
- Mechanically fasten new 45-mil white TPO roof membrane over existing new tapered roof insulation.
- Flash existing plumbing vent pipes and exhaust fan with new TPO membrane.
- Install ¼" Densdeck over existing metal panel between roof elevations and flashing wall with new TPO flashing membrane. This method will produce the best overall seal for this wall.
- Fabricate and install new brown 24 gauge Kynar-coated galvanized steel drip edge at roof perimeter. This metal has a 20-year finish to resist rust compared to bare galvanized metal.
- Costs associated with permits, equipment, freight, supervision, and landfill.
- Manufacturer's 15 year No Dollar Limit (NDL) warranty which covers both material and labor.

Base Price: \$ 11,130.00

Options:

- | | | Initial |
|---|-----------------|----------------|
| • Upgrade to a manufacturer's 20 year NDL warranty and 60-mil TPO membrane. | ADD: \$890.00 | _____ |
| • Recover the existing roof instead of reroofing. | NO PRICE CHANGE | _____ |

Initial: _____

Unit Pricing:

- Replace damaged wood roof deck. ADD: \$ 2.35 per SF
- Replace pressure treated wood blocking. ADD: \$ 2.95 per BF

Exclusions:

- No work at any roof areas not specifically mentioned in this proposal.
- No HVAC or plumbing work.
- No job-specific engineering.
- No blocking, nailers, or sheathing except as specifically mentioned in scope of work above.

Payment Terms

Payment to be made as follows: 25% payment due upon contract signing, balance due net 30 days upon job completion.

All materials guaranteed to be as specified. All work to be completed in workmanship like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays. We are fully covered by Workmen's Compensation Insurance.

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. There will be a charge of 1-1/2% per month for amounts remaining unpaid 30 days after billing. By the signature of the customer or its agent below, customer agrees to pay a reasonable attorney's fee and court costs in the event this account is placed in the hands of an attorney for collection.

Initial: _____



Limitations and Liabilities

LIABILITY:

Perry Roofing, Inc. will exercise reasonable care when performing the work, but cannot be held responsible in any manner for damage to sidewalks and driveways, foliage, septic tanks, shrubbery, screening, pipes or cables above or below ground. Customer is urged to cover furniture and otherwise protect their property. We cannot accept responsibility for any damages done to the roof by plumbers, electricians, air conditioner technicians, fumigators or any other tradesmen. Perry Roofing, Inc. shall not held liable for debris coming through exposed wood ceilings or exposed ceilings of any kind; nor for any vibration of the building, its structural or decorative components that may result in damage to the structure and its contents; nor for matching the shape, color, size and brand of any existing roofing materials, such as, but not limited to: metals, shingles, cement tile smooth roofs, granular surface roofs, etc. being uneven in color, and for changing color; nor for the painting of any wood, metals, tile repair painting, etc.; nor for matching method of installation style and appearance or existing roofing materials; nor for any breaking of screening and rain gutters and awnings. Any smooth surface roof must be repainted at least every 2 or 3 years at additional cost to customer. Owner to provide right to ingress and agrees to include written permission from the owner of neighboring property that must be used to access for workmen or machinery. Owner is to provide water and necessary electricity.

INSURANCE:

Perry Roofing, Inc. shall comply with all laws relating to Workmen’s Compensation in the State of Florida and shall carry \$1,000,000 General Liability and \$5,000,000 Umbrella Liability insurance, \$1,000,000 Worker’s Comp insurance, insuring during the progress of the work, any liability which may be imposed by law upon Perry Roofing, Inc. due to accidents arising from such operations. With respect to any products utilized or incorporated into any work specified in this contract, Perry Roofing, Inc. makes no warranties, express or implied, as to merchantability, fitness for a particular purpose, or any other matters.

UNFORESEEN CONDITIONS:

This contract is based solely on visual conditions. If unforeseen conditions should arise that could not be determined by visual inspection, then such additional work shall be performed on a firm bid basis or time plus material basis at the sole discretion of Perry Roofing, Inc. Where more than one existing roof must be removed from atop another roof and the original roof was stuck to the deck, and if insulation is hidden under the roofing felts, add \$36.00 per hour per man to contract price, plus additional materials and crane costs on jobs that require a crane, unless stated otherwise on the face of the contract.

NOTE 1: Prices quoted herein do not include the cost of any repairs to the woodwork, roof deck, structural components, plumbing, electrical, painting, waterproofing or the disconnection and removal or raising of any equipment on the roof, which if required will become an “extra charge” over and above the quotations herein and will be billed on a time and material basis.

NOTE 2: FL Building code may require HVAC equipment to be raised. Please consult licensed HVAC contractor for specific requirements for your roof top systems.

Signature of Perry Representative: _____
Ken Dixon, Commercial Account Manager

Date of Signature: _____

Signature of Building Representative: _____

Date of Signature: _____

Signature of Perry Executive: _____

Date of Signature: _____

Initial: _____



MAC JOHNSON ROOFING, INC

ROOFING CONTRACTOR CCC1325497

PO Box 367 Newberry, FL 32669
(352) 472-1365 FAX (352) 472-1369
(866)376-4943



3/30/2015

To: City Of High Springs
Project: Water Treatment Plant
High Springs, FL

Mac Johnson Roofing, Inc. proposes to supply labor and materials for the above listed project as follows:

- Obtain Roof Permit.
- Tear off existing roof down to roof deck and dispose of waste in an approve landfill.
- Supply and install 1/8" Tapered insulation.
- Supply and install a SA Liberty Base sheet.
- Supply and install a GAF Cold Adhered Gran FR roof system.
- Supply and install Flashings at all roof penetrations.
- Fabricate and install 26 ga painted eave drip.
- Clean roof and grounds daily.
- 2 year workmanship warranty 15 year Manufacturers warranty .

NOTE: PRICING GOOD FOR THIRTY DAYS THEREAFTER, MAY BE SUBJECT TO MANUFACTURES PRICE INCREASES.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving additional cost will be executed only upon written orders and become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, delays beyond our control. This proposal subject to acceptance within 60 days and is void thereafter at the option of the undersigned.

Any rotten decking or lumber replacement will be done as an add to contract amount unless otherwise noted in proposal. Plywood to be replaced at \$60.00 a sheet installed and wood work to be performed at \$50.00 a man hour plus materials and taxes.

A carrying charge of 1.5% per month will be added to any unpaid balance after 30 days. The customer will be responsible for all reasonable costs of collection, including attorney's fees.

Mac Johnson Roofing, Inc. appreciates the opportunity to submit this proposal. We look forward to working with you toward the successful completion of your project.

Quote for above listed project..... **\$10,450.00**

Daniel Byrd
Commercial Estimator

Accepted by: _____
Date: _____



Commission Agenda Item Request Form

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

MEETING DATE: March 12, 2015

SUBJECT: Purchase New Handheld

AGENDA SECTION: NEW BUSINESS

DEPARTMENT: Water Department/Finance

PREPARED BY: FINANCE DIRECTOR

RECOMMENDED ACTION: Purchase New Handheld

COST: \$8,000.00

Summary

See Attached-Revised Capital Outlay

ATTACHMENTS:

REVIEWED BY CITY MANAGER: 

Revised Capital Outlay Fiscal/IT

	Budget 2014-2015	Budget 2015-2016	Budget 2016-2017	Budget 2017-2018
Capital Outlay	\$ 50,000.00	\$ 28,000.00	\$ 15,000.00	\$ 10,000.00
Expenditures				
Training Cost -Springbrook	\$ 3,500.00			
Implementation/Travel Springbrook	\$ 7,500.00			
Upgrades	\$ 4,200.00			
Migration Mgt./Training staff	\$ 9,343.00	\$ 6,313.00	\$ 6,313.00	\$ 3,283.00
Training/Consulting, Proj Management, Conversion	\$ 7,900.00			
Conversion Contingency	\$ 9,500.00			
Handhelds	\$ 8,000.00			
Total Cost	<u>\$ 49,943.00</u>	<u>\$ 6,313.00</u>	<u>\$ 6,313.00</u>	<u>\$ 3,283.00</u>
Difference	\$ 57.00	\$ 21,687.00	\$ 8,687.00	\$ 6,717.00

From: Courtney Johnson <Courtney@foldsandwalker.com>
Sent: Wednesday, April 1, 2015 2:54 PM
To: Jenny Parham; Jennifer Stull
Cc: Scott Walker
Subject: RE: Agenda Items

Jenny,

If it is not too late, can I make a modification below, and an addition?

1. Discussion **and vote** on High Springs Farmers Markets Bids;
4. Discussion and vote on funding for communication equipment for Dispatch Operations (can we include this contract in the packet?)

Let me know if you have any questions.

Thanks,

Courtney

<https://outlook.office365.com/owa/?ver=16.0.650.15&cver=16.0.660.11&cf=1&vC=0&forc...> 4/2/2015

From: Courtney Johnson
Sent: Tuesday, March 31, 2015 2:11 PM
To: 'Jenny Parham'
Cc: Scott Walker
Subject: Agenda Items

Jenny,

1. Discussion and update of High Springs Farmers Market Bids; and
2. Discussion and vote regarding Northend's Offer of Judgment in Northend Homeland, LLC v. City of High Springs (See Attachment); and
3. Discussion and vote regarding potential Offer of Judgment from City in Northend Homeland, LLC v. City of High Springs

Let me know if you need anything else.

Thanks,

Courtney

Courtney Johnson, Esq.
Folds & Walker, LLC
527 East University Avenue
Gainesville, FL 32601
(352) 372-1282
(352) 375-9960
www.foldsandwalker.com

FOLDS & WALKER, LLC

IN THE CIRCUIT COURT, EIGHTH
JUDICIAL CIRCUIT, IN AND FOR
ALACHUA COUNTY, FLORIDA

NORTHEND HOMELAND, LLC,
a Florida limited liability company,

Plaintiff,

Case No. 01-2013-CA-4397

v.

Division: K

CITY OF HIGH SPRINGS, Florida,
a Florida municipality,

Defendant.

OFFER OF JUDGMENT / PROPOSAL FOR SETTLEMENT

Pursuant to §768.79, Florida Statutes, and Rule 1.442, Florida Rules of Civil Procedure, Plaintiff, NORTHEND HOMELAND, LLC, a Florida Limited Liability Company (Plaintiff, NORTHEND HOMELAND), proposes to settle all claims it has against Defendant, CITY OF HIGH SPRINGS, FLORIDA, a Florida municipality (Defendant, CITY), and all claims Defendant, CITY has against Plaintiff, NORTHEND HOMELAND, in this case, for the sum of One Hundred Ten Thousand and 00/100's Dollars (\$110,000.00) paid to Plaintiff, NORTHEND HOMELAND, as follows:

1. **Party making the proposal:** Plaintiff, NORTHEND HOMELAND.
2. **Party to whom the proposal is made:** Defendant, CITY.
3. **Identity of the claim(s) this proposal is attempting to resolve:** Plaintiff, NORTHEND HOMELAND, makes this proposal in order to resolve any and all claims which Plaintiff, NORTHEND HOMELAND has or may have against Defendant, CITY, and any and all claims which Defendant, CITY has or may have

against Plaintiff, NORTHEAD HOMELAND, for all liability and damages asserted as to any and all matters referred to in the above-captioned lawsuit.

4. **Relevant conditions of this proposal:** If Defendant, CITY accepts this proposal, Defendant, CITY and Plaintiff, NORTHEAD HOMELAND shall agree to:
 - (a) Execute a mutual release and settlement agreement discharging any and all claims Plaintiff, NORTHEAD HOMELAND has or may have against Defendant, CITY, and any and all claims which Defendant, CITY has or may have against Plaintiff, NORTHEAD HOMELAND, for all liability and damages; and
 - (b) Execute a Joint Stipulation to Dismiss, with Prejudice, all claims raised, or could have been raised by either party as to any and all matters referred to in the above-captioned lawsuit; and
 - (c) Bear their own attorney fees related to this matter.
5. **Total amount of this proposal:** One Hundred Ten Thousand and 00/100's Dollars (\$110,000.00) paid to Plaintiff, NORTHEAD HOMELAND by Defendant, CITY.
6. **Punitive damages:** Plaintiff currently does not claim punitive damages from Defendant and Defendant does not currently claim punitive damages from Plaintiff in the above-captioned lawsuit. However, the payment designated in paragraph five (5) above includes settlement of any claim or contemplated claims by Plaintiff and Defendant for punitive

damages against each other as to any and all matters referred to in the above-captioned lawsuit.

7. **Attorney fees, costs & interest:** The amount included in paragraph five (5) above includes settlement of any claim or contemplated claim by Plaintiff and Defendant for attorney's fees from each other. Additionally, the payment designated in paragraph five (5) above includes settlement of any and all costs and interest that Plaintiff or Defendant claim or contemplate claiming against each other as to any and all matters referred to in the above-captioned lawsuit.
8. **Joint proposal:** This proposal is being made by Plaintiff, NORTHEND HOMELAND to Defendant, CITY.
9. **Non-monetary conditions of this proposal:** See item nos. 3, 4, and 6-8, supra, for any non-monetary conditions of this proposal.

This proposal shall remain open for thirty (30) days after service of it upon Defendant. If the proposal is not accepted within said period, it shall be deemed rejected, and Plaintiff will seek all remedies available as provided in §768.79, Florida Statutes and Rule 1.442, Florida Rules of Civil Procedure Florida Statutes, to which Plaintiff may become entitled, including an award of attorney fees and costs incurred by Plaintiff in

prosecuting its claim and defending against Defendant's claims in the above-captioned lawsuit.

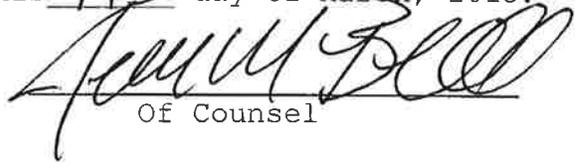
SCRUGGS & CARMICHAEL, P.A.

By: 

Jefferson M. Braswell, Esquire
Florida Bar No. 800996
One S.E. First Avenue
Gainesville, FL 32601
Phone (352) 376-5242
Fax (352) 375-0690
Attorneys for Plaintiff
NORTHEND HOMELAND, LLC
braswell@scruggs-carmichael.com
tedder@scruggs-carmichael.com

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served on the following addressee(s) by email this 19th day of March, 2015.


Of Counsel

Attorneys for Defendant
City of High Springs
Folds and Walker, LLC
S. Scott Walker, Esquire
Florida Bar No. 394939
Courtney W. Johnson, Esquire
Florida Bar No. 46178
527 E. University Avenue
Gainesville, FL 32601
(352) 372-1282
scott@foldsandwalker.com
courtney@foldsandwalker.com
eservice@foldsandwalker.com

City of High Springs-Motorola Equipment Lease

Courtney Johnson <Courtney@foldsandwalker.com>

Wed 4/1/2015 2:57 PM

To: Ed Booth <ebooth@highsprings.us>; Jennifer Stull <jstull@highsprings.us>; Jenny Parham <jparham@highsprings.us>;
Cc: Scott Walker <scott@foldsandwalker.com>;

1 attachment

Ltr from Richard Storfer re Motorola Lease 3-27-15.pdf;

Dear Ed,

Please find attached correspondence our office received today on behalf of Bank of America regarding the City's equipment lease for the dispatch communications. The letter requests we provide documentation on the City's non-appropriation of funds for the equipment lease.

I have asked Jenny to place this item on the Agenda for discussion with the Commission. Please let me know if you have any questions.

Thanks,

Courtney

Courtney Johnson, Esq.
Folds & Walker, LLC
527 East University Avenue
Gainesville, FL 32601
(352) 372-1282
(352) 375-9960
www.foldsandwalker.com



PRIVILEGE AND CONFIDENTIALITY NOTICE: This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and is legally privileged. The contents of this e-mail message and any attachments are intended solely for the party or parties addressed and named in this message. This communication and all attachments, if any, are intended to be and to remain confidential, and it may be subject to the applicable attorney - client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and its attachments. Do not deliver, distribute, or copy this message and or any attachments if you are not the intended recipient. Do not disclose the contents or take any action in reliance upon the information contained in

RICE PUGATCH ROBINSON & SCHILLER, P.A.

101 N.E. THIRD AVENUE, SUITE 1800
FORT LAUDERDALE, FLORIDA 33301
TELEPHONE: (954) 462-8000
FACSIMILE: (954) 462-4300

www.rprsllaw.com

March 27, 2015

Scott Walker, Esq.
Folds & Walker, LLC
527 E. University Avenue
Gainesville, Florida 32601

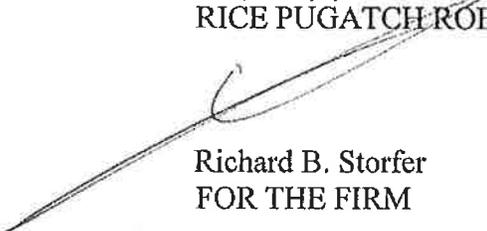
Re: Equipment Lease-Purchase Agreement by and between City of High Springs and Motorola Solutions, Inc., dated August 6, 2012 (the "Lease")

Mr. Walker:

Please be advised that this firm has the pleasure of representing Banc of America Leasing & Capital, LLC and contacts you on its behalf. We are in receipt of your March 18, 2015 letter regarding the requested termination of the Lease based upon non-appropriation of funds. My client requests that the City of High Springs provide evidence of such non-appropriation before committing to the termination. We do not expect a lengthy delay in approving termination if everything is in order but this documentation is required in order to receive authorization.

Thank you for your anticipated cooperation.

Very truly yours,
RICE PUGATCH ROBINSON & SCHILLER, P.A.


Richard B. Storfer
FOR THE FIRM

cc: Ms. Veronika Rager

RICE PUGATCH ROBINSON & SCHILLER, P.A.

101 N.E. THIRD AVENUE, SUITE 1800
FORT LAUDERDALE, FLORIDA 33301
TELEPHONE: (954) 462-8000
FACSIMILE: (954) 462-4300

www.rprslaw.com

March 27, 2015

Scott Walker, Esq.
Folds & Walker, LLC
527 E. University Avenue
Gainesville, Florida 32601

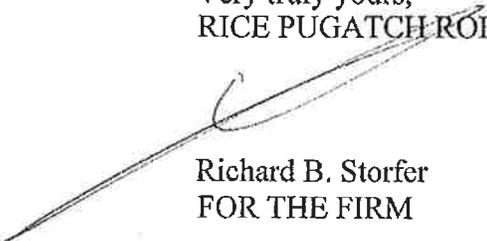
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Richard B. Storfer
FOR THE FIRM

cc: Ms. Veronika Rager