TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

Regular meeting 2nd and 4th Thursdays each month at 6:00 p.m.

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

JAMES A. GRIFFITH
INTERIM CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

AGENDA
CITY OF PALATKA
April 9, 2015

CALL TO ORDER:

a. **Invocation** – The Reverend Kirby Kennedy, DD, Pastor; First Baptist Church of Palatka
b. **Pledge of Allegiance**
c. **Roll Call**

APPROVAL OF MINUTES – 03/16/15 Workshop and 03/26/15 Regular Meetings

1. **PUBLIC RECOGNITION/PRESENTATIONS**
   a. **PROCLAMATION** – Call Before You Dig Month – April, 2015 – Palatka Public Works Employees
   b. **PROCLAMATOIN** – U-Turn Anti-Drug & Alcohol Week – April 12 – 18, 2015 – Casey Caison
   c. **PROCLAMATION** – Aviation Appreciation Month – April, 2015 – John Youell, Airport Manager
   d. **VOLUNTEER RECOGNITION** – Airport Advisory Board Members Jud Neufeld, John Browning, Melissa Miller, Ken Johnson, Dana Jones, Hugh Rawls, Jeff Hathorn, Wayne McClain
   e. **VOLUNTEER RECOGNITION** - Azalea Festival Organizers, DPI, Inc. – Sam Deputy, Angela Murtagh, Kathy Griffin and Alice Cooper
   f. **RETIREMENT RECOGNITION** – Willie "Kool-Aid" Nelson – Streets Dept; 21 Years of Service
   g. **A RIDE TO GLORY** – Darcy Johnson Foundation

2. **PUBLIC COMMENTS** – (limited to 3 minutes – no action will be taken on topics of discussion)

3. **CONSENT AGENDA**
   *a. **Adopt Resolution No. 2015-11-22** authorizing the Interim City Manager to execute the FDOT State Highway System Lighting, Maintenance and Compensation Program Agreement
   *b. **Adopt Resolution No. 2015-11-23** declaring certain golf course restaurant equipment to be surplus and directing the City Manager to dispose of said property in accordance with City administrative Procedures
   *c. **Adopt Resolution No. 2015-11-24** authorizing the execution of a Professional Services Agreement with Mark G. Lawson to provide counsel and services for the initial phase to develop a Fire Service Fee Assessment
   *d. **Grant waiver of Class B Application Deadline and grant permission to exceed allowable noise levels for Special Events Permit No. 15-26;** U-Turn Community Outreach, April 18, 2015, 11 am. To 4 p.m. at John Theobold Sports Complex (Triangle Park) – Casey Caison, Agent for Southside Baptist Church, Applicant

* 4. **CITIZEN REQUEST** – Discussion on New Police Chief Search – Roxanne O. Weeks

* 5. **RESOLUTION** affirming support of the Palatka Housing Authority's application for the 2015 Federal Home Loan Bank of Atlanta Competitive Affordable Housing Program - Adopt

* 6. **DISCUSSION** of plans for a restaurant in connection with the Water Taxi Operation and Ship's Store at the Palatka Riverfront Park – ***tabled on 3/26/15 to a "time certain"***

*a. **Request** from Jeff Rawls to cease all negotiations with Boathouse Marina Group

7. **CITY MANAGER & ADMINISTRATIVE REPORTS**

8. **COMMISSIONER COMMENTS**

9. **ADJOURN**

*Attachment **Separate Cover

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FS 286.105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.

Upcoming Events:

April 11 – March of Dimes Walk for Babies
April 20 – Recreation Workshop 5:30 p.m.
April 23 – Fluoridation Workshop 4:00 p.m.
May 22 – 25 – Blue Crab Festival
May 25 – City offices closed to observe Memorial Day
July 4 – City offices closed to observe Independence Day

Board Openings:

Board of Zoning Appeals – 3 vacancies (at-large)
General Pension Board – 1 vacancy (Financial Exp)
Planning Board – 1 Vacancy (at large)
Putnam Co. Better Place Plan Oversight Committee Rep

CITY OF PALATKA

Proclamation

WHEREAS, aviation plays a critical role in the lives of our citizens, as well as in the operation of our businesses and agriculture; and

WHEREAS, the State of Florida has a significant interest in the continued vitality of aviation, aircraft and aerospace manufacturing, commercial service and community airports, and aviation education, there are 19 commercial service and 110 general aviation/community airports; and

WHEREAS, more than 8.5 percent of Florida Gross State Product results from businesses dependent upon aviation, Florida's commercial airports accommodate more than 143.5 million passengers annually, ranking Florida second in the nation; international airports in Florida accommodate more than 28 million international passengers annually, which is 19.5 percent of the total international passengers in the nation; and

WHEREAS, Florida's general aviation/community airports accommodate more than 9 million visitors and business travelers annually. Air cargo operations account for more than $6.6 billion in annual economic activity to Florida, which represents 8 percent of the nation's air cargo, in total, aviation represents more than $97 billion in annual economic activity; and

WHEREAS, numerous leading aviation companies have headquarters or a major presence in Florida. organizations like the Florida Airports Council, Florida Aviation Business Associations, Florida Aviation Aerospace Alliance, the Alliance for Aviation Across American, national Business Aviation Association, national Association of State Aviation Officials, Aircraft Owner's and Pilot's Association and National Sir Transportation Association recognize and promote the interests and importance of aviation in Florida and throughout the world.

NOW, THEREFORE, I, Terill L. Hill, Mayor of the City of Palatka, Florida, together with the members of the Palatka City Commission, hereby endorse and declare April 2015 as

AVIATION APPRECIATION MONTH

In the City of Palatka, and we call upon its citizens to observe this month with appropriate programs, ceremonies, and activities that honor the history, accomplishments, and contributions of aviation, as well as the contributions the members of the Palatka Airport Advisory Board make all year to the viability of the Palatka Municipal Airport.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Palatka, Florida on this 9th day of March, in the Year of Our Lord Two Thousand Fifteen.

Commissioners:
Mary Lawson Brown
Rufus Borom
Justin Campbell
James Norwood, Jr.

PALATKA CITY COMMISSION

Terrill L. Hill, MAYOR

CITY OF PALATKA

Proclamation

WHEREAS, Palatka and Putnam County have a high instance of crime, which is intimately related to the rate of drug and alcohol addiction amongst its citizens, which is related to poverty levels. Deaths caused by accidental drug overdoses of prescription drugs, which are easily obtainable, are increasing every year. The problem has grown to epidemic proportions among children and adults in Palatka and Putnam County; and

WHEREAS, nearly every family has been adversely affected by the drug and/or alcohol abuse addiction of a family member, whether a parent, child, grandparent, aunt, uncle or cousin; and

WHEREAS, substance use and mental disorders are serious public health problems. 23.1 million people aged 12 or older, or 9.1% of all Americans, need treatment for illicit substance or alcohol abuse or dependence, and that number increases every year. 9% of Americans needing treatment for substance abuse are receiving it, leaving 20.5 million people still in need. We must continue to reach the millions more who need help; treatment and recovery improve the community's welfare and provide a renewed outlook on life for those who struggle with substance use disorders and their family and friends; and

WHEREAS, it is not the sole responsibility of law enforcement to combat Putnam County's drug and alcohol addiction problem and resulting violent crime. Resources exist online and in our community to increase people's awareness of society's issues, and education is essential to overcoming misconceptions about treatment and how substance abuse affects children, families and our society; and

WHEREAS, Southside Baptist Church will host the U-Turn Anti-Drug and Alcohol Dependence Community Outreach on Saturday, April 18, 2015. The purpose of this event is to call together our community, citizens, families, church leaders & congregations, local government leaders, local, county and city law enforcement, mental health and drug coalitions who have been affected either personally or professionally by any facet of drug and alcohol addiction issues mentally, spiritually and/or physically.

NOW THEREFORE, I, Terill L. Hill, Mayor of the City of Palatka, together with the members of the Palatka City Commission, do hereby proclaim the week of April 12 through 18, 2015 as

U-TURN ANTI-DRUG AND ALCOHOL DEPENDENCE COMMUNITY OUTREACH WEEK

in the City of Palatka, and encourage all citizens to get involved and support this community-wide initiative, and to educate themselves and one another about the issues surrounding addiction, treatment and recovery, and how it helps improve the lives of family, friends, and the community as a whole.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixe[illegible] City of Palatka, Florida on this 9th day of April, in the Year of Our Lord Two Thousand [illegible]

Commissioners:
Mary Lawson Brown
Rufus Borom
Justin Campbell
James Norwood, Jr.

PALATKA CITY COMMISSION

By: Terill L. Hill, MAYOR

PALATKA, PUTNAM COUNTY, FLA. INCORPORATED

CITY OF PALATKA

Proclamation

WHEREAS, each year in Florida, lives are endangered, money and time are wasted and property is destroyed because people fail to locate underground facilities before beginning excavation or demolition; and

WHEREAS, "Call Sunshine," a one-call center that notifies participating utility agencies of plans to engage in excavation or demolition, is a free service to professional contractors as well as homeowners digging in their yard; and

WHEREAS, the one-call center provides a toll-free number to reduce damages to underground utility facilities, thereby preventing injury to persons and damage to property as well as reducing the loss of utility service to the public and the loss of time and money to both contractors and utilities; and

WHEREAS, in addition to saving time and money, the one-call system helps excavators comply with the safety rules and regulations of the construction industry; and

WHEREAS, anyone planning any type of excavation or demolition should notify "Call Sunshine" and, if a line must be located, personnel will be sent to mark the location of the line at no cost to the inquiring party.

NOW, THEREFORE, I, Terrill L. Hill, Mayor of the City of Palatka, Florida, together with the members of the Palatka City Commission, do hereby proclaim the month of April, 2015 as

CALL BEFORE YOU DIG MONTH

in the City of Palatka, and urge all citizens and contractors to use the "Call Sunshine" one-call center to locate underground facilities before beginning excavations or demolitions, in addition to all other appropriate safety precautions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Palatka to be affixed this 9th day of April, in the Year of Our Lord Two Thousand Fifteen.

Commissioners:
Mary Lawson Brown
Rufus Borom
Justin Campbell
James Norwood, Jr.

PALATKA CITY COMMISSION

By: Terrill L. Hill, MAYOR

Agenda Item

3a

CITY of Palatka FLORIDA

CITY COMMISSION AGENDA ITEM

SUBJECT:
Adopt Resolution No. 2015-12-23 authorizing the Interim City Manager to execute the FDOT State Highway System Lighting, Maintenance, and Compensation Program Agreement

SUMMARY:
The City of Palatka has for many years, cooperatively worked with the State of Florida to maintain the street lights on State roads which traverse through the City limits (SR 15, 19, and 20). The City agrees to maintain 192 of these street lights, pay for monthly electrical costs, and assume the cost of general maintenance (bulb replacement) and have ninety percent (90%) of the lights in operation on a regular basis. The City is then compensated at an annual rate of $258.86 per fixture. The 2015-16 contracts totals $44,731.01. This is a three (3%) increase over last year's contract. This is an annual contract.

RECOMMENDED ACTION:
Adopt a resolution which accepts the contract with FDOT for Highway System Lighting, Maintenance, and Compensation Program, and authorizes the Interim City Manager to execute it on behalf of the City.

ATTACHMENTS:

Description	Type
Resolution	Resolution
State Highway Lighting Agreement	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Reynolds, Matt	Approved	4/1/2015 - 1:46 PM
City Clerk	Driggers, Betsy	Approved	4/1/2015 - 4:44 PM

RESOLUTION No. 2015-10-

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST THE "2015/16 STATE HIGHWAY SYSTEM LIGHTING, MAINTENANCE AND COMPENSATION AGREEMENT 'EXHIBIT A' FOR CONTRACT #AN582" WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION

WHEREAS, the **City of Palatka,** hereinafter referred to as the **"Maintaining Agency,"** first entered into a **State Highway System Lighting, Maintenance and Compensation Agreement** with the **State of Florida Department of Transportation,** hereinafter referred to as "the **FDOT,"** on May 19, 2003; and

WHEREAS, the **FDOT** finds it is necessary for the **"Maintaining Agency"** to execute and deliver to the **FDOT** the Agreement identified as **"2015/16 State Highway System Lighting, Maintenance and Compensation Agreement Exhibit A for Contract No. AN582,"** hereinafter referred to as **'Exhibit A,' together with Exhibits "B" and "C"** as attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida **(the "Maintaining Agency")** as follows:

1. That **Allen Bush**, Interim City Manager of the City of Palatka, Florida, be hereby authorized and directed to execute and deliver **Exhibit A,** attached hereto and incorporated herein, to the **Florida Department of Transportation (FDOT);**
2. That **Betsy J. Driggers**, City Clerk of the City of Palatka, Florida, be hereby authorized and directed to attest **Exhibit A;** and
3. That a certified copy of this Resolution be forwarded to **FDOT** along with the executed **Exhibit A,** together with Exhibits "B" and "C" as attached hereto and incorporated herein.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, as the Maintaining Agency, this **9th day of April, 2015.**

CITY OF PALATKA

By:_____
Its MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

_____
CITY ATTORNEY

Centennial FDOT 1915 ★ 2015

Florida Department of Transportation

RICK SCOTT
GOVERNOR

1109 South Marion Avenue
Lake City, FL 32025

JIM BOXOLD
SECRETARY

March 30, 2015

City of Palatka
Michael J. Czymbor, City Manager
201 North 2nd Street
Palatka, Florida 32177

Contract:	AN582
Fin Proj. No.:	41441917804
Description:	State Highway Lighting Agreement
Renewal Period:	July 1, 2015 thru June 30, 2016

Maintaining Agency:

The Department has reviewed the proposed prorated budget allocation for the upcoming fiscal year which runs from July 1, 2015 through June 30, 2016 for the State Highway Lighting, Maintenance and Compensation program. The Department has determined the amount that you are currently eligible for under this program for the next year.

192 Street Lights x .9 x $258.86 = $44,731.01

The 90% multiplier used in the new formula shown in Exhibit B comes from paragraph 1.b. in your agreement which states that a minimum of 90% of the lights shall be operating and properly functioning.

In order to timely process the Department requires that you return Exhibit "A" and the Damage and Outage Report for the street lights that you are maintaining on the State Highway System on or before April 30, 2015.

Please sign and date: Exhibit "A" and return original signature to:

Florida Department of Transportation
District Maintenance Contracts Office – MS 2010
1109 South Marion Avenue
Lake City, Florida 32025-5874

If the Department does not receive the Exhibit "A" fully executed and the Damage and Outage Report you will not be eligible for reimbursement of your cost for the period from July 1, 2015 to June 30, 2016.

REMINDER: YOUR FISCAL YEAR 2014/15 INVOICE MAY BE SUBMITTED ON OR AFTER MAY 19, 2015.

If you should have any question, please feel free to contact Sandra Brink at (386) 961-7585 or email to: sandra.brink@dot.state.fl.us or Lisa Butler at (386) 961-7382 or email to: lisa.butler@dot.state.fl.us.

Sincerely,

Jennifer Curls
District Maintenance Contracts Administrator

EXHIBIT "A"

Contract AN582

Maintaining Agency: City of Palatka

Contact Person: Michael J. Czymbor

Contact Number & Email: 386-329-0104

mczymbor@palatka-fl.gov

Current Approved Amount for 2015/2016: $ 44,731.01

_____ _____

Maintaining Agency Signature Date

_____ _____

Typed Name Typed Title

ATTEST for Maintaining Agency:

_____

City Clerk

_____ _____

District Contracts Administrator Date

_____ _____

Director of Transportation Operations Date

EXHIBIT B

STATE HIGHWAY LIGHTING, MAINTENANCE AND COMPENSATION AGREEMENT

1.0 PURPOSE

This exhibit defines the method and limits of compensation to be made to the **Maintaining Agency** for the services described in this Agreement and Method by which payments will be made.

2.0 COMPENSATION

For the satisfactory completion of all services detailed in this Agreement, the Department will pay the **Maintaining Agency** the Total Lump Sum as indicated in Section 2 of the Agreement. The **Maintaining Agency** will receive one lump sum payment at the end of each fiscal year for satisfactory completion of service.

Total Lump Sum Amount for each Fiscal Year is calculated by taking all of the actual number of qualifying lights times 90% times the FY Unit Rate.

Example: 330 lights x 0.90 x $201.58 = $59,869.26

FY	12-13	$201.58
	13-14	$244.00
	14-15	$251.32

Beginning FY 14-15, the Unit Rate for each fiscal year will be 3% more than the Unit Rate from the previous fiscal year, unless otherwise specified in an amendment to this Agreement or changed through an update of this exhibit.

Exhibit C – Contract AN582
Street Lighting Inventory Report

STATE HIGHWAYSYSTEM LIGHTING, MAINTENANCE, AND COMPENSATION PROGRAM

Name of Maintaining Agency: City of Palatka
Maintaining Agency Contact person: Michael J Czymbor, City Manager
Contact phone number: 386-329-0104

State Road	From	To	# of Street Lights	Budget Amount
SR 15	East Side Memorial Br.	West Side Memorial Br.	16	
SR 15	West Side Memorial Br.	SR 100	87	
SR 15	SR 100	SR 19	7	
SR 20	SR 15	SR 19	18	
SR 19	US 17	Moody Rd	64	
		TOTAL	192	

*Total of 32 Lights are split between City of Palatka and Putnam County

*Total of 128 Lights are split between City of Palatka and Putnam County

Damage and Outage Report

STATE HIGHWAYSYSTEM LIGHTING, MAINTENANCE, AND COMPENSATION PROGRAM

Name of Maintaining Agency: _____

Maintaining Agency Contact person: _____

Contact phone number: _____

State Road	From	To	Date Reported	To Whom

Agenda Item

3b

CITY of Palatka FLORIDA

CITY COMMISSION AGENDA ITEM

SUBJECT:
Adopt Resolution 2015-11-22 declaring certain golf course restaurant equipment to be surplus and directing the City Manager to dispose of surplus property in accordance with City administrative procedures

SUMMARY:
The USDA funded renovations to the golf course restaurant operation involve the replacement of multiple pieces of restaurant equipment. The list of equipment that is no longer needed is attached. The is equipment has been removed and is in storage. Staff seeks to immediately dispose of it by online auction and use any revenue towards the renovation.

RECOMMENDED ACTION:
Adopt the resolution declaring certain golf course restaurant equipment to be surplus and directing the City Manager to dispose of surplus property in accordance with City administrative procedures.

ATTACHMENTS:

Description	Type
Resolution - GC Surplus Equipment	Resolution
Surplus Request	Cover Memo
Dishes	Backup Material
Fryer	Backup Material
Gas Flat Top	Backup Material
Refridgerators	Backup Material
Stove	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Grants & Projects	Griffith, Jonathan	Approved	4/1/2015 - 12:02 PM
City Clerk	Driggers, Betsy	Approved	4/1/2015 - 1:19 PM
City Manager	Bush, Allen	Approved	4/1/2015 - 2:51 PM
Finance	Reynolds, Matt	Approved	4/1/2015 - 3:10 PM
City Clerk	Driggers, Betsy	Approved	4/1/2015 - 4:44 PM

RESOLUTION NO. 2015

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, DECLARING CERTAIN PROPERTY TO BE SURPLUS AND DIRECTING THE CITY MANAGER TO DISPOSE OF SURPLUS PROPERTY IN ACCORDANCE WITH CITY ADMINISTRATIVE PROCEDURES

WHEREAS, Florida Statute 274.05 provides government units with the authority to classify as surplus any of it property that has not been otherwise lawfully disposed of, that is obsolete, or the continued use of which I uneconomical or inefficient, or which serves no useful function, and to dispose of said property through sale or donation;

WHEREAS, The City of Palatka (the City) owns certain property described as follows:

	Item/Description	Quantity	Invent.#
1.	Trystar Fryer	1	-
2.	Gas- flat top stove (24" x 18")	1	-
3.	Six (6) burner gas stove and oven	1	-
4.	Woods-Freezer	1	03579
5.	GE-Refridgerator	1	07967
6.	Amana-Freezer	1	-
7.	Ice Machine	1	8104
8.	Coca-Cola brand refrigerator	1	-
9.	Kegerator	1	8124
10.	Dishes	n/a	-
11.	Chaffing pans	n/a	-

WHEREAS, this property has become obsolete over time; and

WHEREAS, City Staff has recommended that the property be deemed surplus items; and

WHEREAS, the City Commission has determined that it is in the best interest of the City to declare the property described herein to be surplus property for disposal in accordance with administrative procedures.

NOW, THEREFORE, Be it resolved by the City Commission of the City of Palatka, Florida, as follows:

Section 1: The above recitals are true and correct, and are incorporated herein by reference;
Section 2: The property described herein is declared to be surplus property to be disposed of in accordance with administrative procedures;
Section 3: The City Manager is hereby authorized to dispose of the surplus property in a manner consistent with administrative procedures, and to amend the City's inventory accordingly.

PASSED AND ADOPTED this 9th Day of April, 2015, by the City Commission of the City of Palatka, Florida.

PALATKA CITY COMMISSION

By: _____
Its MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

_____
CITY ATTORNEY

SURPLUS PROPERTY REQUEST

To: City Manager

From: Jonathan Griffith, Project Manager / Grants Administrator

Dept: Golf Course

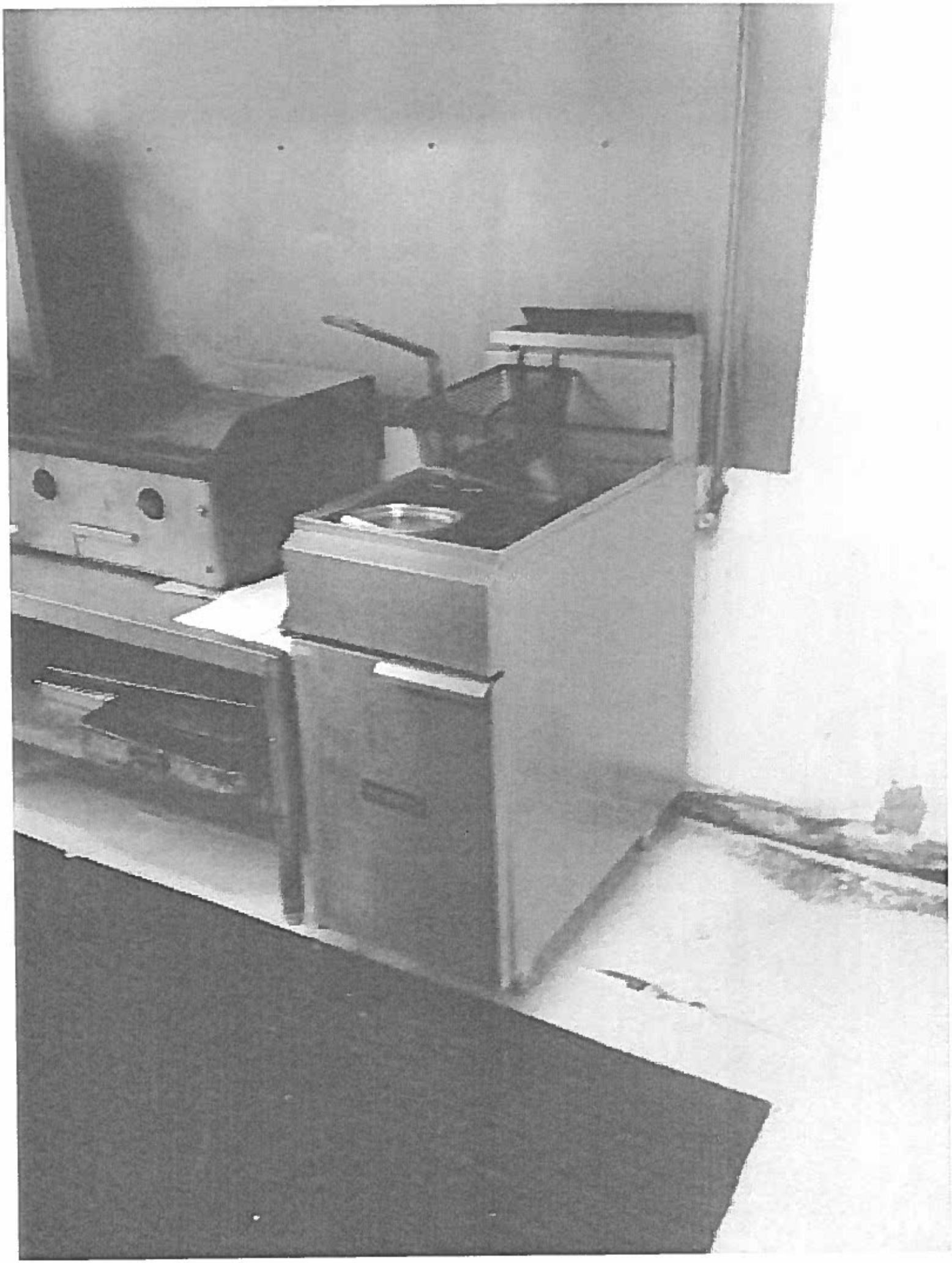
CC: Betsy Driggers, City Clerk; Matt Reynolds, Finance Director

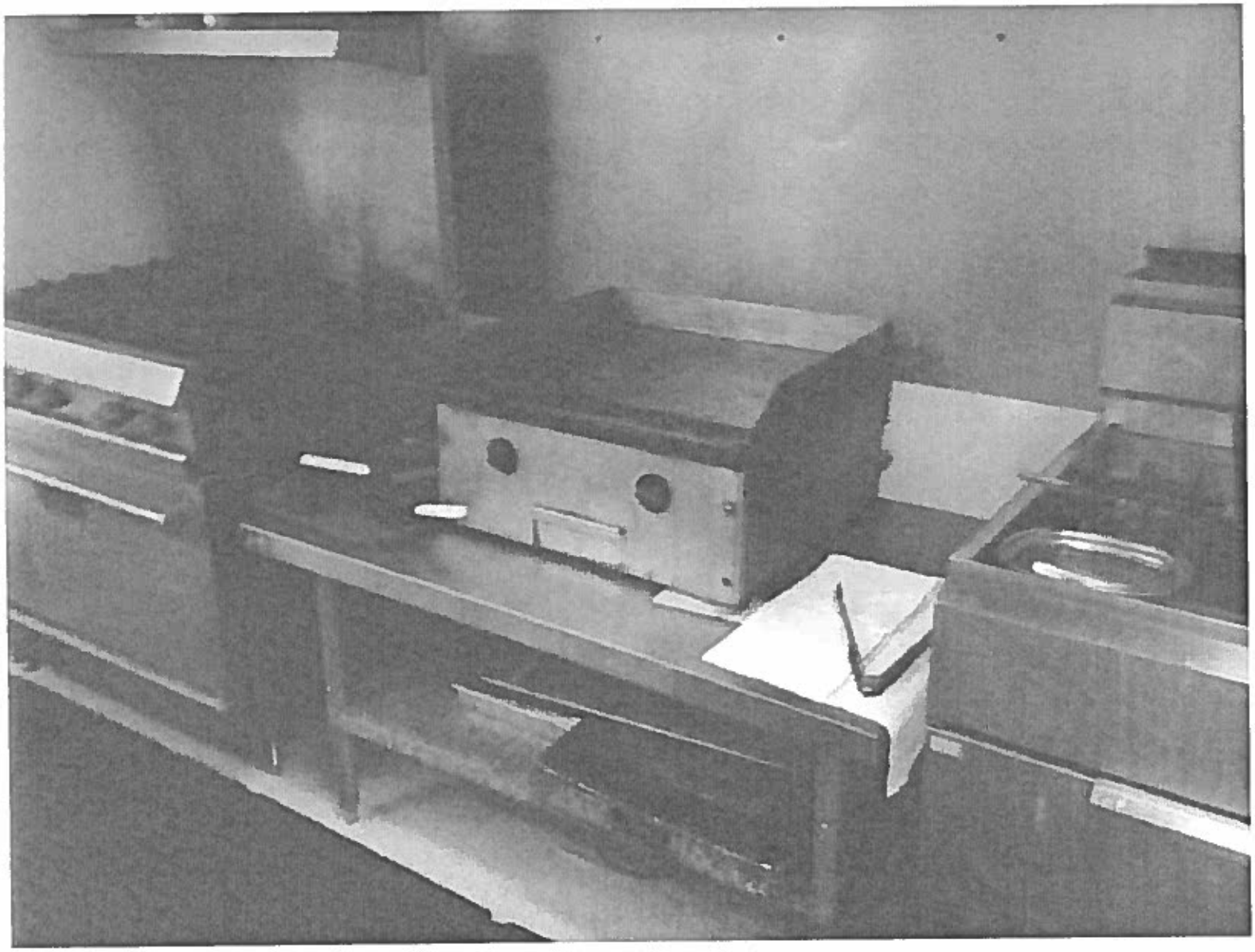
Date: 3/30/2015

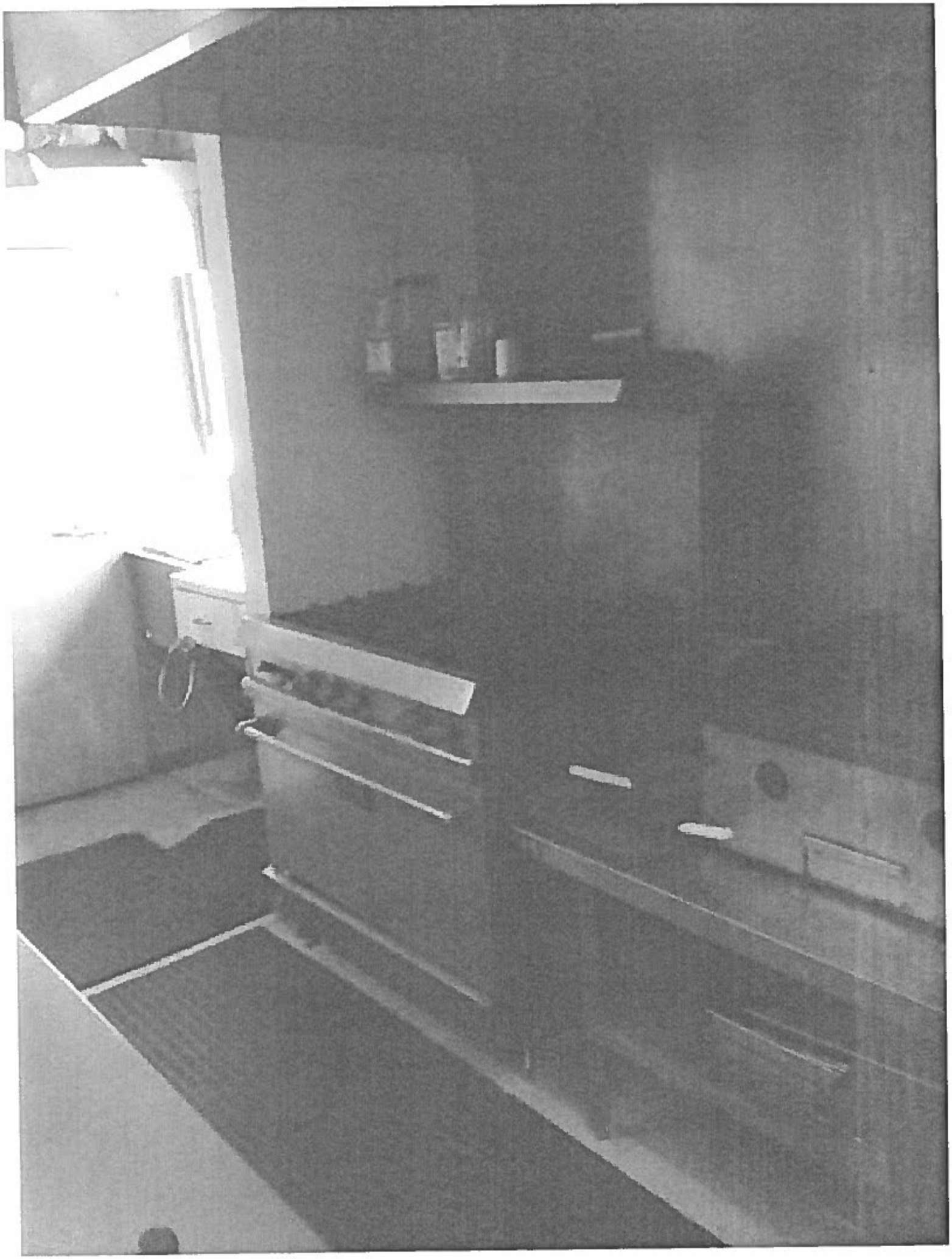
This is a request to declare the following property as surplus, for disposal: (attach extra sheet if necessary)

Item/Description		Quantity	Invent. Control/Serial No.
1.	Trystar Fryer	1	-
2.	Gas- flat top stove (24" x 18")	1	-
3.	Six (6) burner gas stove and oven	1	-
4.	Woods-Freezer	1	03579
5.	GE-Refridgerator	1	07967
6.	Amana-Freezer	1	-
7.	Ice Machine	1	8104
8.	Coca-Cola brand refrigerator	1	-
9.	Kegerator	1	8124
10.	Dishes	n/a	-
11.	Chaffing pans	n/a	-

DISPOSITION: All surplus property will be disposed of at on-line auction. If you have an alternative disposal request, please state your request here (attach another sheet if necessary):







Agenda Item

3c

CITY of Palatka FLORIDA

CITY COMMISSION AGENDA ITEM

SUBJECT:
Adopt Resolution No. 2015-11-24 authorizing the execution of a a Professional Services Agreement with Mark. G. Lawson to provide counsel and services for the initial phase to develop a Fire Service Fee Assessment

SUMMARY:
Proposal presented to enter into an agreement with Mark G. Lawson, P.A. for the initial phase of the fire services fee assessment.

Attachment 1 - Slide show presentation prepared by Financial Director for budget workshop and new commissioner's workshop attached

Attachment 2 - Fire services assessment proposal from Mark G. Lawson firm, professional services agreement, and fire protection assessment work order.

RECOMMENDED ACTION:
Adopt the resolution authorizing the execution of a contract with Mark G. Lawson, P.A. for development of a Fire Service Fee Assessment

ATTACHMENTS:

Description	Type
Proposal, Agreement & Work Order	Exhibit
Slide Show Presentation	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Fire	Lambert, Mike	Approved	3/31/2015 - 10:36 AM
City Clerk	Driggers, Betsy	Approved	3/31/2015 - 3:58 PM
City Manager	Bush, Allen	Approved	4/1/2015 - 11:40 AM
Finance	Reynolds, Matt	Approved	4/2/2015 - 8:40 AM

MARK G. LAWSON, P.A.
P.O. Box 14043
Tallahassee, Florida 32317-4043
Facsimile (850) 807-2987

Mark G. Lawson
Board-Certified in City, County and Local Government Law
Telephone (850) 591-5630
Email: MLawson@MarkGLawson.com

James C. Dinkins
James C. Dinkins, P.A., Of Counsel
Telephone (239) 810-2682
Email: JDinkins@MarkGLawson.com

March 18, 2015

City of Palatka
ATTN: Mr. Matt Reynolds, Finance Director
201 North 2nd Street
Palatka, Florida 32177

Re: Fire Services Assessment Proposal

Mr. Reynolds:

Pursuant to your conversation today with Mr. Lawson, we agreed to honor our original letter dated September 8, 2014, and further adjust the initial payment downward as agreed. Except as modified the attachments are the same as shared in September.

Thank you for your phone call regarding a contemplated Fire Services Assessment and your request that our firm provide further information regarding the provision of professional services related to the development and implementation of special assessment programs to fund fire protection services, facilities, and programs. We stand ready to begin work immediately to assist the City in accomplishing its stated goals in a responsive, timely manner.

Our firm provides experienced, well-thought-out, and professional answers to apportionment amongst all tax parcels in your community for fire protection services, employs high quality expertise in breaking down budget expenditures for each program, and will quickly (within 30 days) show the City how it can develop assessments and reveal rate structures and detailed net revenue options for decision-makers that can be revenue sufficient, fair, equitable, legally defensible and publicly acceptable. Best of all, we are careful and confident, and have demonstrated success and current successful relationships with local governments. So much so, we are willing to work substantially at risk!

We note with great interest that the City participates in the concept of cooperative purchasing. We already have been competitively selected for such an opportunity available through the City of Inverness for fire protection. Accordingly, we make available to the City a proposal that has already been selected through a competitive procurement process and in which the City can participate without the need for a separate competitive solicitation.

Our approach to fire assessment engagements includes delivery of an executive summary detailing a straightforward, readily-implemented assessment methodology, preparation of the necessary implementing documents, extraordinary and comparatively inexpensive public notice and communications, attendance at public hearings and meetings, and expedited judicial validation of the recommended assessment approach. Our initial work product will provide a written analysis which supports a legally sufficient program, and the ability to determine precise rates for every individual tax parcel in your community. Note that while our approach involves careful budget analysis of each unique jurisdiction and expert use and manipulation of the standard public database prepared and maintained by the county property appraiser, the work involved with developing implementing and validating a special assessment program is essentially a litigation exercise, such that the City would be engaging the Firm to act as its special counsel. If engaged by the City as special counsel, the Firm would collaborate with your City Attorney, the Finance Director, Public Works Director and Fire Chief throughout the process, and upon the City's approval, with (i) Real Estate Research Consultants, Inc. ("RERC") in preparing the necessary evidentiary predicate, and related budget analysis and (ii) Ennead, LLC ("Ennead") to address parcel data, initially obtain and prepare a functional assessment roll which is immediately a powerful decision-making tool – all to develop precise quality control of exemplary funding examples. In our special counsel capacity, we would assume a facilitative role as lead counsel and coordinate the efforts of RERC and Ennead and provide the necessary legal advice and documentation and deliver to the City a very effective public administration tool to fund operations and capital, and a carefully documented approach that then can promptly be judicially approved as available to underwrite or be pledged to debt for capital. Our job is to make a defensible public and legal record so your program is sound and repeatable.

Our initial work can be accomplished within as little as 30 days. Please see Tasks 1-5 in the exemplary work order provided. If, after you review the written summary of funding levels and precise means to determine what any project owner will be charged, you determine not to go forward our engagement will end. However, if you decide to proceed, we will thereafter work at risk until you have a judicially approved program.

The power of the public administration tool we advance is that in future years the apportionment approach need not be judicially approved again and the City will have thereafter the extraordinary flexibility to adjust the amount or rate of the assessments, and the use of the public database developed by the local property appraiser becomes self-correcting and without controversy. This also protects the City from claims for refunds if the law changes.

The principals of MGLPA, RERC and Ennead enjoy a long and distinguished history of serving the needs of public sector clients. In addition to submitting the attached exemplary documents (and through a successful cooperative purchasing authorization via the City of Inverness, standardized pricing available statewide) for fire protection related services, we are submitting our response to the City of Inverness RFP, which outlines our experience and qualifications to perform the type of work the City envisions.

We are offering the services described in the attached documents at a rate discounted from that described in the City of Inverness RFP response. In part, we have reduced rates to limit the City's risk in relation to ongoing litigation regarding the City of Cape Coral's fire assessment program, which was designed by another law firm. While we fully expect an outcome that does not negatively affect the fire assessment program we offer, we also understand that the City should properly seek to reduce its risk, where possible, of an adverse ruling. Accordingly, we have discounted the initial payment to $10,000, plus demonstrated expenses, which will account for services provided by experts who will be paid before the validation proceeding to avoid any appearance of bias. We understand that this will allow you to secure our services at an amount below your projected budget, and we hope that this will allow the City to pursue a fire assessment program with our firm prior to a final decision in the Cape Coral case.

Of particular importance for the City, MGLPA, RERC and Ennead have developed an approach to fire assessment apportionment which dispenses with the burdensome and complicated data sets (call records, land use categories, etc.) required by typical demand-based methodologies. As further described herein, the approach utilizes a simple, two-tiered methodology which achieves an appealing balance between the political difficulties involved with imposing a special assessment and the typical considerations expressed by property owners concerned with inequitable benefit allocation.

We look forward to the opportunity to meet with you to discuss the City's needs and answer any questions you might have about the services we offer. Please do not hesitate to contact us regarding this or any other matter.

Sincerely,

MARK G. LAWSON, P.A.

James C. Dinkins
Attorney of Counsel

PROFESSIONAL SERVICES AGREEMENT

THIS PROFESSIONAL SERVICES AGREEMENT is entered into as of this 1st day of _____ 20___ between the City of Palatka, Florida, a municipal corporation of the State of Florida, by and through its City Commission, situated at 201 N. 2nd Street, Palatka, Florida 32177 (the "City"), and the law firm of Mark G. Lawson, P.A. (the "Firm" or "MGLPA").

WHEREAS, the City desires assistance with the development and refinement of a non-ad valorem revenue source to provide funding for the community's fire protection program; and

WHEREAS, the City desires to engage Mark G. Lawson, P.A. as special counsel to assist and advise the City in the development of strategies, planning and implementation of such revenue source, together with related activities and objectives, and other local government matters; and

WHEREAS, the City, with the concurrence of its staff and City Attorney, has authorized and directed the engagement and use of the Firm as special counsel to the City.

NOW, THEREFORE, it is agreed as follows:

1. **SPECIAL COUNSEL SERVICES.** The Firm will provide legal services as special counsel to the City as provided for herein. The contemplated legal services are to be provided in conjunction with the efforts and input of the City's counsel, designated consultants, experts, officials, and staff of the City. Such legal services and assistance are to be provided on an hourly or negotiated fee basis by separate work orders as provided herein and shall generally include the following:

(A) sharing the Firm's and it principal's experiences and prior exposure in home rule special assessment and other local government revenue development programs, including programs which finance the planning, development and implementation of fire related essential services and capital programs;

(B) providing advice in developing a strategy to address methodology and procedural issues associated with implementing and refining non-ad valorem revenue sources to fund the community's fire protection program;

(C) facilitating the development of appropriate ordinances, resolutions, interlocal or other agreements and documents to collaboratively and cooperatively achieve the City's objectives, including implementation;

(D) providing research and advice;

(E) rendering of written memoranda or opinions when necessary;

(F) attending workshops, public meetings, and hearings as necessary; and

(G) providing assistance in the prosecution or defense of litigation, including validation proceedings and all documents associated therewith, and on appeal, if necessary.

2. **COMPENSATION FOR SPECIAL COUNSEL SERVICES.** The Firm will be compensated for legal services at negotiated fees and/or hourly rates as authorized by specific work orders.

(A) The Firm will be compensated for legal services at the following discounted hourly rates for local governmental clients:

(1) Firm attorneys at a blended rate of $295 per hour; and

(2) Firm legal assistants, paralegals or law clerks at the rate of $75 per hour.

(B) Any negotiated fee for legal services shall include a scope of services and fee structure authorized by the City in writing as provided for herein.

(C) In addition to any negotiated fees or hourly rates, the Firm shall be entitled to receive reimbursement for actual costs incurred, such as computer printing or photocopies, long distance telephone charges, travel expenses and overnight delivery charges. Any requested or necessary travel expenses will be reimbursed in accordance with Section 112.061, Florida Statutes.

(D) The Firm shall bill the City periodically, but not more often than monthly, and provide an itemized statement of fees and costs incurred to date. All invoices shall be submitted to, approved and processed for payment by, the Contract Administrator as designated herein.

(E) The Firm shall only provide services upon direction and authorization to do so by the Contract Administrator as provided herein or pursuant to authorized written work orders.

3. **ACKNOWLEDGMENT AND USE OF NECESSARY CONSULTANTS; APPROVAL PROCEDURE.**

(A) The achievement of the City's objectives as contemplated herein will necessarily require more than legal expertise. Subject to the recommendation of the Contract Administrator and the approval of the City, the Firm shall have the authority to use or retain on behalf of the City such additional consultants, experts, or counsel that it deems necessary to implement the objectives and programs of the City. Such approval shall be first requested in writing and shall include a scope of services and method of compensation for each additional consultant, expert, or counsel requested. If requested, statements for fees and costs incurred by any approved consultant, expert, or counsel, shall be first reviewed by the Firm and, upon approval, submitted to the Contract Administrator for payment. Such review by the Firm shall be conducted at no charge to the City.

(B) At the outset, the City acknowledges its use of Real Estate Research Consultants, Inc., a GAI Company, and Ennead, LLC for the purposes of providing professional services to the City and other local government officials in conjunction with the planning, development and implementation of fire protection related essential services and capital funding programs for the City and to implement the objectives and programs of the City. For engagements involving an hourly fee basis, Real Estate Research Consultants, Inc. will bill at the rate of $250 per hour and Ennead, LLC, will bill at a rate of $165 per hour.

4. **DISCLOSURE.** The Firm has disclosed to the City that it currently serves as general counsel and special counsel to numerous counties, municipalities and special districts throughout Florida, and that it has, and may in the future, serve as counsel in public finance or other transactions involving local governmental entities, redevelopment agencies, and other private or public economic development entities within or near the City and throughout Florida. After consultation with other counsel, the City waives any conflicts, if any, resulting from such representations. As well, the parties hereto acknowledge and agree that such representations, and the Firm's role as described herein to any other party, is not likely to create or cause any actual conflict, and service as counsel to other Firm clients in such regard will not per se be construed as a conflict or be objectionable to the City.

5. **CONTRACT ADMINISTRATION.**

(A) For ease and convenience of administration, the City shall from time to time designate one or more persons to provide policy direction and instructions to the Firm in the administration of its duties hereunder, approving and authorizing work orders and all other matters necessary to administer this Agreement on behalf of the City (the "Contract Administrator"). The initial Contract Administrator directed and authorized to act on behalf of the City shall be the City Attorney, City Manager, or his or her respective designee.

(B) The Firm shall also be entitled to reasonably rely upon direction received from the designated Contract Administrator, the City Attorney, the Fire Chief, or other designee of the City Manager.

(C) The Firm and Contract Administrator are hereby directed and authorized to process the initial work order associated with a the feasibility of a fire protection assessment program under this Agreement in substantially the form presented on even date. Subsequent amendments to the foregoing work orders or subsequent work orders shall be in substantially similar format and approved by the Contract Administrator.

6. **GENERAL.**

(A) This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. This Agreement may be amended only by a written agreement entered into by the parties. This Agreement also conforms with the cooperative purchasing provision for the same professional services and pricing made uniformly available to all local governments in Florida in City of Inverness (Fire Protection Advice and Services) No. ADMIN 2013-1, making the

services described therein and the pricing structure in the Firm's response independently available to other local governments. Any such use or reliance upon any cooperative purchasing opportunity is otherwise independent of any such Agreement with the City of Inverness.

(B) This Agreement may be terminated with or without cause by the Contract Administrator or by the Firm at any time upon thirty (30) days' written notice. In the event of termination and unless directed otherwise, the Firm shall assume responsibility for completion of and shall be compensated for all representation requested prior to the notice of termination. Provided, however, the Contract Administrator may terminate this Agreement for breach by the Firm with such notice as may be reasonable under the circumstances. In the event of termination without cause, the Firm shall be compensated in accordance herewith for reasonable time and expenses, expended prior to the date of termination.

(C) This Agreement may be executed in multiple counterparts.

(D) This Agreement shall become effective when executed by all of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Professional Services Agreement as of the date and year first above written.

MARK G. LAWSON, P.A.

By: _____
Authorized Signatory

CITY OF PALATKA, FLORIDA

By: _____
City Manager

APPROVED AS TO FORM:

By: _____
City Attorney

FIRE PROTECTION ASSESSMENT
WORK ORDER No. 2014-1

TO: Mark G. Lawson, P.A.
Attention: Mark G. Lawson and James C. Dinkins

FROM: City Manager
City of Palatka, Florida

1. **SCOPE OF SERVICES.** Mark G. Lawson, P.A. (the "Firm" or "MGLPA") is hereby directed and authorized to:

Task 1. Acquire and analyze relevant data and documentation including master parcel list, millage coding documentation, fire protection budgets, interlocal agreements, fire and assessment related statutes, ordinances and resolutions to determine those expenses which may be lawfully recovered through a fixed and variable cost recovery special assessment on a per tax parcel basis.

Task 2. Develop a preliminary non-ad valorem assessment roll including all tax parcels proposed for assessment.

Task 3. Consider and analyze case law and general law requirements and deadlines; and collaborate with City Staff and officials to develop a detailed critical events schedule including key dates for necessary actions and deliverables.

Task 4. Be prepared to travel to and meet individually with City staff and officials, elected officials and the City Attorney to carefully explain in person (or by conference call if requested) in a series of educative sessions or conferences, the pros, cons, nuances, public relations, legal, practical and financial implications of every aspect of program implementation – both short and long term, and collections alternatives and protocols. Collegially evaluate and share how the City is staffed and positioned to assume operational control of the program, so that the program becomes repeatable and cost effective in future revenue cycles. Field and, if necessary, further research, every question and promptly provide answers and advise based upon the demonstrated experience of all of the professionals involved.

Task 5. Prepare and present to the City Commission, City Manager, City Attorney, and Fire Chief a written executive summary report summarizing the budget analysis, proposing an apportionment methodology and providing funding (amount) scenarios consistent with recommendations as provided by City Staff. The executive summary report will detail a variety of net revenue results for extraordinary decision-making purposes; and will allow for the resultant determination of the proposed assessment for any specific tax parcel. The executive summary will provide prompt, fully researched and documented answers, based upon research,

analysis, and demonstrated use and legal sufficiency of both a legally defensible and politically palatable apportionment of costs to all developed and undeveloped tax parcels. The net revenue information will be based upon focused analysis of which classes or types of proposed budget expenditures can be assessed as a part of a non-ad valorem assessment regime. The firms and the City acknowledge the work to develop the executive summary will exceed the value of the initial fee described in Section 4.(a) hereof and will be provided, in part, at-risk, but is necessary to promptly and authoritatively present a powerful, flexible and educative decision-making tool for the City.

Task 6. Reasonably prepare in advance ordinances, resolution(s) or other documents necessary to authorize and initiate the process required for the special assessment program. This is to be done so that if the City Council proceeds the City can proceed immediately.

Task 7. Appear before the City Council to present any required procedural and directory resolutions.

Task 8. Update non-ad valorem assessment roll according to direction of the City Council.

Task 9. Update and refine the executive summary report to serve as evidentiary predicate for imposition of special assessments, if necessary.

Task 10. Facilitate required notices with City Staff.

Task 11. Prepare a final assessment resolution levying assessments, approving the assessment roll and directing the initial use of the billing method for the initial fiscal year of imposition. This task will be subject in some respects to timing and direction from the City as to the fiscal year periods it wishes to fund, but the work will be able to be focus upon implementation of funding, if possible, for the current or immediately following fiscal year.

Task 12. Appear and assist the City Council with a required public hearing to present the final assessment resolution; and, adoption thereof.

Task 13. Prepare and present the documentation necessary to file and prosecute an expedited proceeding on behalf of the City in order to obtain judicial determination as to the validity of the revenue to be derived from the assessment program to be used to finance and pay for capital, including preparation of all necessary resolutions, pleadings and documentation.

Task 14. If necessary, represent the City in any appeal proceeding, including preparation of all necessary briefs and documentation and conducting oral argument before the Florida Supreme Court.

Task 15. If directed to do so, facilitate finalization and direct billing of the assessment roll (subject to favorable validation and/or appeal outcome), or by use of the Uniform Collection Method.

Task 16 Facilitate compliance with any statutory prerequisites necessary for subsequent collection of the assessments on the annual property tax bill (likely FY 2015-16 and beyond). Depending on timing and direction, confirm or facilitate execution of agreements with tax collector and property appraiser as required by Section 197.3632, Florida Statutes, for collection of the special assessments on the annual property tax bill. This task will also be subject in some respects to timing issues and subsequent direction from the City as to the first fiscal year periods it intends to fund using the Uniform Collection Method.

2. **ACKNOWLEDGMENT OF USE OF NECESSARY CONSULTANTS.** Pursuant to the Professional Services Agreement, the City directs and authorizes the use and collaboration with Real Estate Research Consultants, Inc. ("RERC")[1], and Ennead, LLC ("Ennead") for the purpose of working with the City to develop and implement the subject funding program. In such capacity, RERC and Ennead shall not be deemed clients or subcontractors of the Firm, but also in privity with the City.

3. **COMPENSATION.** Fees will be based upon hourly rates as follows:

MGLPA	$295.00 per hour for attorneys; $75.00 per hour for legal assistants and law clerks
RERC	$250.00 per hour
Ennead	$165.00 per hour

In addition to such rates, the professionals shall be entitled to reimbursement for actual costs incurred, but not exceeding that provided by Chapter 112, Florida Statues.

4. **PARITIALLY CONTINTGENT NEGOTIATED FEE.** The Firm, RERC and Ennead recognize the financial circumstances facing Florida communities and local governments in the wake of the current national economic downturn and the reduction in property tax receipts and other revenues emanating from a substantial decline and the continued general depression of property values. Notwithstanding anything herein to the contrary, the City and the firms have and do hereby agree to undertake the work effort contemplated in this Work Order based upon a negotiated and partially contingent fee as follows:

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[1] RERC is currently undergoing a name change process to reflect their association with GAI Consultants, Inc., and RERC services may be provided pursuant to this Work Order at the above rates under a different name.

(a) The firms will undertake all of the foregoing tasks for a single initial lump sum professional services fee of $20,000[2] and actual and verifiable costs (not to exceed $5,000) to be paid within fifteen (15) days of delivery of the executive summary report described in Task 5;

(b) The City shall pay all reasonable costs incurred by the firms on a monthly basis (upon provision of appropriate reimbursement back-up and detail for audit purposes);

(c) The firms shall submit itemized hourly statements for all work if the firms are directed to proceed beyond Task 5, but may for convenience and upon mutual agreement of firms and the City, in its sole discretion, apply alternative agreed upon negotiated fees for same;

(d) The City shall pay an additional contingent lump sum based upon the aggregate hourly (or, if agreed to by the firms and the City, negotiated fees) work for all professional services and unpaid costs for all tasks (with a credit for the initial fee paid in accordance with Item 4(a) above) following a successful judicial validation (i.e. the judicial determination assessment revenues can be used to buy and finance capital equipment or improvements) and any appeal therefrom, if any, or a policy decision by the City to not proceed further at any time after directing the firms to proceed beyond Task 5; such amount shall be due and payable notwithstanding any subsequent policy decision not to impose or collect the assessments; and,

(e) If the firms are directed to proceed beyond Task 5 and the final judgment contemplated in Item 4(d) is not obtained upon appeal, no lump sum for additional professional services beyond those outlined in Item 4(a) will be charged.

If the firms are directed to proceed beyond Task 5, a single invoice may be provided by the Firm on a periodic basis including invoices for all expenses incurred by the Firm, RERC, Ennead, and any other authorized consulting expertise during the course of this work order. All invoices will provide appropriate reimbursement backup and detail required by the City for audit purposes.

This negotiated fee reflects a circumstantial discount and contingent payment agreement warranted by the size and demographics of the City, the City's direction and intent to proceed to develop, and if determined after Task 5 to proceed immediately to impose and validate the use of the assessments and collect same using either the direct billing method or the tax bill collection method authorized by section 197.3632, Florida Statutes, as may be necessary in order to accomplish the City's objectives and the legal, administrative and policy circumstances which surround the imposition of the contemplated special assessments.

The foregoing negotiated fee structure does not cover amounts for the cost of published notices, printing or mailing, fees or charges of the property appraiser or tax collector, or similar

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[2] If the City determines to execute this Work Order prior to April 15, 2015, this amount will be reduced to $10,000.

expenses associated with assessment implementation, roll presentation via the internet, transcription fees or filing fees all of which will be the responsibility of the City, or any additional work not described above or for other engagements.

4. **WORK ORDER BUDGET.** The initial budget appropriation for this Work Order shall be the amount of $25,000 ($20,000[3] initial lump sum fee and a budgeted allowance for up to $5,000 in demonstrated expenses). The City acknowledges that additional costs and honoring the contingent fee if it determines to proceed will require an additional budget appropriation after Tasks 1-5 herein.

Authorized by:

_____

Title: Contract Administrator

Date: _____

And accepted by:

_____

Mark G. Lawson, P.A.

Date: 4-1-2015

[3] Pursuant to Footnote 2 in Item 4(a) above, the initial lump sum will be $10,000 if the City determines to execute this Work Order prior to April 15, 2015.

Fire Assessment Fee (F.S 170.201)

2013 Florida Municipal Ad Valorem Tax Profile						
Municipality	County	Population Estimates	County Millage Rate	School District Millage Rate	Municipal Millage Rate	TOTAL COMBINED MILLAGE RATE
Greenville	Madison	805	10	7.42	9.0555	26.4755
Marineland	Flagler	5	6.5753	7.442	10.0000	26.0173
Micanopy	Alachua	600	9.049	8.402	8.0000	25.4510
Palatka	**Putnam**	**10,230**	**8.9**	**7.356**	**9.1749**	**25.4309**
Jasper	Hamilton	2,978	10	7.992	7.1677	25.1597
Interlachen	Putnam	1,365	8.9	7.356	8.7993	25.0553
Crescent City	Putnam	1,518	8.9	7.356	8.5914	24.8474
Waldo	Alachua	969	9.049	8.402	7.3226	24.7736
Zolfo Springs	Hardee	1,818	8.554	7.382	8.5540	24.4900
Cross City	Dixie	1,713	10	7.434	7.0000	24.4340

1) Palatka has the 4th highest **combined city, county and school district** millage rate of the 410 municipalities in the State of Florida.

Fire Assessment Fee (F.S 170.201)

2013 Florida Municipal Ad Valorem Tax Profile

Municipality	County	Population Estimates	Municipal Millage Rate
Marineland	Flagler	5	10.0000
Briny Breezes	Palm Beach	420	10.0000
Highland Park	Polk	234	9.9755
Mangonia Park	Palm Beach	1,868	9.8000
Biscayne Park	Miami-Dade	3,133	9.7000
Apalachicola	Franklin	2,258	9.6852
Howey-in-the-Hills	Lake	1,083	9.6147
Mascotte	Lake	5,158	9.6147
New Port Richey	Pasco	14,868	9.5799
Lauderdale Lakes	Broward	33,322	9.5000
West Park	Broward	14,286	9.4200
Melbourne Village	Brevard	662	9.2554
Palatka	**Putnam**	**10,230**	**9.1749**

1) Palatka has the 13th highest millage rate of the 410 municipalities in the State of Florida.

Fire Assessment Fee (F.S 170.201)

- Under the authority of Florida Statutes 170.201, municipalities are authorized to levy and collect special assessments to fund capital improvements and municipal services, including, but not limited to, fire protection, emergency medical services, garbage disposal, sewer improvement, street improvement, and parking facilities.
- If the Police Department and Fire Department were funded solely by Ad Valorem Property Taxes, it would require a millage rate of 16.999 just to fund those two departments.
- The Fire Department proposed budget of $1,918,988 equates to a millage rate of 5.3176. If the entire Fire Department were funded by a Fire Assessment Fee, the millage rate could be reduced from 9.1749 to 3.8573 and the General Fund would remain revenue neutral.
- If the City dropped the millage rate to 3.8573, its ranking on the millage rate list would fall from the 13th highest to 249th out of the total 410 municipalities in the State.

Fire Assessment Fee (F.S 170.201)

- There are two types of methodologies used to assess Fire Assessment Fees:
- Demand approach:
  - Calculates a percentage of service calls (fire only) that are attributable to certain types of property (restaurants, retail, residential, etc) and bases a portion of the city-wide total assessment fee on the percentage of service calls for the respective type of property
- Service availability approach:
  - Uses a two-tiered approach in which a portion of the costs attributable to the City's continual readiness to provide fire protections services are shared equally among all tax parcels on a per tax parcel basis (Tier 2), and a portion of the remaining costs are shared in accordance with the relative value of improvements (not land) for each tax parcel in the City as compared to the value of improvements for all tax parcels in the City (Tier 1).
- Service availability approach is cheaper overall due to it being the easier methodology to implement as well as having the potential for City staff to recalculate the two tiers each year based upon the certified taxable value of each property. The demand approach requires a substantial amount of work to compile the extensive amount of data and calculate the percentages for each type of property.

Fire Assessment Fee (F.S 170.201)

- Under the service availability two-tiered approach, the base fee for each parcel and the fee per $1,000 of improvements can be balanced as the City Commission so chooses.
- The base rate for each parcel could make up the majority of the total amount of the annual Fire Assessment Fee or the fee per $1,000 of improvements could be used to make up the majority of the total amount in order to reduce the base rate as low as possible.
- The City may choose to exempt those certain classes of property owners that are currently exempt from Ad Valorem property taxes such as schools, governmentally-owned property, non-profit organizations, religious organizations, etc.

Fire Assessment Fee (F.S 170.201)

- Collection methods:
  - Uniform method
    - The annual fee is placed on the property's tax bill. This is allowed under Section 197.3632 of Florida Statutes
  - Separate bill
    - The City would prepare and mail out a separate bill for the annual Fire Assessment Fee.
    - Under this method, the prior year assessment fees could be rolled into the following years tax bill if the City chooses to do so.
  - Utility bill
    - The City of Tallahassee chose to split up the annual fire assessment fee for each property to a monthly amount and place it on the monthly utility bill.
  - Combination of methods
    - Some cities have chosen to utilize the separate bill method and to only place unpaid fire assessment fees for prior years on the tax bills.

Fire Assessment Fee (F.S 170.201)

- Implementing a Fire Assessment Fee offers a significant tax equity tool which will reduce dependence on the City's general fund alone as the sole source of funding for fire protection services. It will also reduce the demand on the City's other legally available funds and it is intended to achieve a more equitable, balanced, sustainable and dedicated means of funding the City Fire Department's service mission over time.
- The use of a special assessment is but a single aspect of the larger annual budgetary process. A fire service assessment provides an equity tool to pay for costs that might otherwise be paid for with legally available general funds or the imposition of property taxes. The fire assessments are an equitable alternative to the use of property taxes. Whether, and to what extent, fire service assessment revenues are used is a part of the overall annual budget process each year, the fire service assessment is a means to create an annual funding source to deal with overall funding shortfalls identified in the City's budget process.

Fire Assessment Fee (F.S. 170.201)

- Using data from the Florida League of Cities 2013 annual survey, a search was performed for cities with comparable population, general fund budget size and employee figures.
  - Ranges used for the search were 3,500 to 20,000 in population, $3,000,000 to $25,000,000 General Fund budget amount and 50 to 300 full time employees.
- Out of 83 cities that responded "yes" to the question of having a fire assessment fee in place, 8 comparable cities were found and are listed below (in order by general fund budget amount, smallest to largest):
  - Newberry (pop. 4,957)
  - Brooksville (pop. 7,702)
  - Sebring (pop. 10,560)
  - Tavares (pop. 14,054)
  - Lake City (pop. 12,057)
  - Oldsmar (pop. 13,583)
  - St. Augustine (pop. 13,092)
  - Bartow (pop. 17,316)

Fire Assessment Fee (F.S. 170.201) (continued)

- Substantial amounts of information for each comparable city were gathered from the Florida League of Cities survey as well as the Census Bureau and the State of Florida Office of Economic and Demographic Research

- This data was compiled into a spreadsheet where an average for each category of information was calculated in order to easily compare the data to the City of Palatka

- Due to the size and amount of data included, the entire spreadsheet cannot be included in this presentation however the complete spreadsheet can be provided upon request

Fire Assessment Fee (F.S. 170.201)

	Palatka	Other Cities Average
In labor force	52.1%	56.5%
Not in labor force	47.9%	43.5%
Percent Unemployed	15.1%	12.9%
Median household income (dollars)	$21,156	$39,451
Mean household income (dollars)	$33,569	$52,166
Median family income (dollars)	$28,692	$49,883
Mean family income (dollars)	$41,103	$64,340
Per capita income	$14,700	$21,645
All families below poverty level	31.9%	16.1%
All people below poverty level	40.6%	21.7%
Assessed Value	$697,913,688	$1,011,612,379
Total Exemption Value	**$330,165,735**	**$353,223,710**
Total Taxable Value	$367,747,953	$658,388,669
Government Exemption vs. Assessed Value %	**31.0%**	**17.1%**
Institutional Exemption vs. Assessed Value %	6.6%	6.6%
Homestead Exemption vs. Assessed Value %	**8.2%**	**10.0%**
Total Exemption vs. Assessed Value %	**47.3%**	**35.4%**

Fire Assessment Fee (F.S. 170.201)

	Palatka	Other Cities Average
Population	10,203	11,665
GF Budget	$10,734,984	$13,462,207
Reserve Policy	5%	12%
GF Reserves	$536,749	$1,681,688
Taxes Levied	$3,342,470	$3,425,253
Percent of Taxes vs Total GF Budget	32.77%	30.72%
Millage	**9.1749**	**5.1139**
Residential Homestead	**12.99%**	**20.19%**
Residential Non-Homestead	19.96%	20.21%
Residential Vacant Lots	1.35%	2.62%
Non-Residential Commericial	**43.16%**	**27.20%**
Non-Residential Industrial	2.27%	5.58%
Non-Residential Institutional	4.43%	2.13%
FT Employees	138	177
Firefighters	23	22
Police Officers	36	29

Agenda Item

3d

CITY of Palatka FLORIDA

CITY COMMISSION AGENDA ITEM

SUBJECT:
Grant waiver of Class B Application Deadline and grant permission to exceed allowable noise levels for Special Events Permit No. 15-26: U-Turn Community Outreach, April 18, 2015 from 11 a.m. to 4 p.m. to be held at the John Theobold Sports Complex (Triangle Park) - Southside Baptist Church, Applicant; Casey Casion, Agent

SUMMARY:
Mr. Caison has made application for this event. Although Class B special events can be approved by the Special Events Coordinator, this application contains requested waivers requiring City Commission approval, in this case reducing the application deadline from 60 to 19 days, and allowing the event to exceed maximum noise levels.

RECOMMENDED ACTION:
Grant permission to exceed allowable noise levels at the Theobold Sports Complex during the U-Turn Community Outreach on Saturday, April 18, 2015 from 11 a.m. until 4 p.m.

ATTACHMENTS:

Description	Type
Application	Backup Material

PPLICATION # 15-24

(circle one below)

CLASS A PERMIT – Filing Deadline: 60 days prior to event
CLASS B PERMIT - Filing Deadline: 60 days prior to event
CLASS C PERMIT - Filing Deadline: 30 days prior to event

CITY OF PALATKA
APPLICATION FOR USE OF PARKS, RECREATIONAL AREAS,
RIVERFRONT PARK AND OTHER AREAS WITHIN THE CITY LIMITS

1. NAME AND ADDRESS OF APPLICANT/ORGANIZER
   a. SOUTHSIDE BAPTIST CHURCH
   b. CONTACT PERSON CASEY CAISON TELEPHONE 386-937-5391
   c. _____ FAX # _____
2. NAME AND ADDRESS OF PERSON, CORPORATION OR ASSOCIATION SPONSORING THE ACTIVITY, IF DIFFERENT FROM ABOVE
   _____
   a. CONTACT PERSON _____ TELEPHONE _____
   b. _____ FAX # _____
3. DESCRIPTION AND/OR NAME OF PROPOSED ACTIVITY 4-Turn Community Outreach
4. _____
5. **DATE & HOURS** OF DESIRED USE: APRIL 18TH 2015 11:00AM TO 4:00PM
6. PORTION FOR WHICH PERMISSION IS DESIRED (City Dock, Amphitheater, Gazebo, etc.)
   JOHN THEOBOLD SPORTS COMPLEX, 120 CARTER RD, PALATKA - COUNTY OWNED
7. ROAD CLOSURES: N/A
8. REQUEST FOR NOISE VARIANCE(Dates and Times): ~~N/A~~ 4/18/15 11am-4pm C.C.
9. REQUEST FOR ALCOHOL VARIANCE(Dates,Times,Location): N/A C.C
10. ESTIMATE OF ANTICIPATED ATTENDANCE 1000
11. NUMBER AND TYPE OF AUXILIARY VEHICLES/EQUIPMENT N/A C-C
    _____
12. ARTICLE IV SPECIAL EVENT ORDINANCE: FEES
    a. CLASS A: ___ **$300.00- 1,001 to 80,000 in attendance per day**
    b. CLASS B: X **$100.00 per day Up to 1,000 persons per day**
    c. CLASS C: ___ **$50.00 per day** (Limited impact on traffic, parking etc.) Events such as Weddings, Fishing tournaments with less than 40 boats. Etc.
    d. Any private entity/business(es) who are holding a function on private property that impacts neighboring businesses/residents within the City limits and, impacts City services will be assessed a fee amount accordingly. (7% Sales Tax)
13. OTHER COSTS : Fees will be determined at the pre-assessment meeting with the organizers and the City Department Heads.
14. Arrangements for police services are **REQUIRED** for fishing tournaments with 70 boats or more. Fishing Tournaments and other large event organizers are required to arrange for auxiliary vehicle/trailer parking per accompanying guidelines.

MAR 31 2015

IMPORTANT INFORMATION

THIS FORM IS INTENDED FOR RESERVATION PURPOSES ONLY AND DOES NOT CONSTITUTE PERMISSION FOR USES DISALLOWED UNDER PALATKA'S MUNICIPAL CODE. PERMISSION GRANTED FOR USE OF PUBLIC PROPERTY COVERS MUNICIPAL PARK AREAS AND OTHER AREAS WITHIN THE CITY LIMITS. IT DOES NOT INCLUDE PERMISSION TO CLOSE PUBLIC STREETS OR HINDER PRIVATE PROPERTY. **Organizers are required to** contact the City of Palatka Building & Zoning Department office at 386-329-0103 for pre-planning purposes. ORGANIZERS/APPLICANTS WILL BE NOTIFIED WITHIN 30 DAYS OF ANY COMMENTS THEY MAY HAVE PERTAINING TO THIS EVENT'S ANTICIPATED IMPACT WITHIN THE CITY LIMITS.
Acceptance of your application should in no way be construed as final approval or confirmation of your request.

Sec. 50-145. Any person or organization granted permission shall be bound by all park/city rules and regulations and all applicable ordinances as fully as though the same were inserted in this document, except for such rules and regulations as may be waived by such document or the City Commission.

Sec. 50-146. The person or persons to whom permission for use of city property is issued shall be liable for any loss, damage or injury sustained by any person whatsoever by reason of the negligence of the person or persons to whom such permission shall have been issued. Event liability insurance, naming the City of Palatka as an additional insured, is required prior to public events. Event liability insurance naming the City of Palatka as an additional insured is also required if a private event is taking place that will impact the City and the use of City Services.

The applicant(s) agrees to hold harmless and indemnify the City of Palatka, its officers, agents and employees against any loss, damage or expense (including all costs and reasonable attorney's fees) suffered by the City of Palatka for:

1.) Any breach of the terms of the permit or any inaccuracy in or breach of any representation, warranty or covenant made by the applicant(s) to the City of Palatka as an inducement to the granting of the permit.
2.) Any claims, suits, actions, damages or cause of actions for any personal injury, loss of life or damages to personal or real property sustained by reason of, result of, or by presence of the applicant(s) on public property by applicant's agents, employees, invitee and/or any other persons.

ARTICLE V NOISE CONTROL Sec. 30-101 – 30-109: Permission for use of city property does not grant an automatic exemption to exceed maximum allowable noise levels. Complaints of adverse effects upon the community or surrounding neighborhood may result in revoking permission for use of City property for this activity.

10. CERTIFICATION: I HAVE READ AND UNDERSTAND THE ABOVE CONDITIONS UNDER WHICH THE CITY OF PALATKA HAS GRANTED PERMISSION FOR USE OF THE AREA DEFINED ON PAGE ONE OF THIS APPLICATION FOR THE PURPOSE STATED HEREIN, AND AGREE TO BE BOUND BY SAME.

3/30/2015
DATE

SIGNATURE OF APPLICANT

APPROVED:

4/2/15
SPECIAL EVENTS COORDINATOR DATE

03.31.15
CHIEF OF POLICE DATE

RETURN TO:
THAD CROWE
SPECIAL EVENTS COORDINATOR
205 N. 2nd Street
Palatka, FL 32177
(FOR ADDITIONAL INFORMATION PLEASE CALL THE BUILDING & ZONING OFFICE AT 386-329-0103.)

CITY OF PALATKA
PLANNING MEETING
PRE-EVENT ASSESSMENT LIST

To be completed by Special Events Coordinator:

Meeting Date: 4/2/15 Special Events Coordinator: Thad Crowe

RECEIVED MAR 31 2015 BY:

- [x] Site Sketch Provided
- [ ] Tentative Schedule of Events

Event Classification:
- Class A [ ]
- Class B [x]
- Class C [ ]

To be completed by applicant with typewriter or print legibly in dark ink.

Name of Special Event/ Production: U-Turn 2015

Type of Event: Community Outreach

Type of Event Activities (concerts, street dances, races, contests, competitions, regattas, arts/crafts displays, still motion picture production, etc. – attach separate listing if necessary)
Kid's Activities, Education & Information, Dramas & Testimonies, Live Music, Speakers, etc.

Location of Event: John Theobald Sports Complex, 120 Carter Rd., Palatka FL 32177

Requested dates and time of events (not including set-up and break down):

	Date	Day	Begin	End
Event Day 1	April 18	Saturday	11:00 AM/PM	4:00 AM/PM
Event Day 2			AM/PM	AM/PM
Event Day 3			AM/PM	AM/PM
Event Day 4			AM/PM	AM/PM

Set-up for event will begin on (Date) April 17 at (time) 8:00 AM

Break down will be completed by (Date) April 18 at (time) 8:00 PM

Event Sponsor/Organization U-Turn 2015 Community Outreach

Name of Promoter: Southside Baptist Church Tax Exempt No.: _____

Fee Worksheet *(to be completed by Special Events Coordinator)*

"Class A" Event	"Class B" Event	"Class C" Event
Daily Fees (see fee schedule)	Daily Fees $100.00/day	Daily Fees $50/day
Security Fees @ $23/hr/Officer	Security Fees @ $23/hr/Officer	Security Fees @ $23/hr/Officer
Green Container Fees @ $15/container	Green Container Fees @ $15/container	Green Container Fee@$15/container
Refundable Deposit $500.00	Public Works Employees @ $14.00/hr (no charge during normal working hours)	

Special Events Permit Fees $ 100 Per day X 1 Days $ 100

Law Enforcement (City) Police Officer(s) $ 23.00 Per hour X ____ Officers X ____ Hours $_____

Fire Personnel $ 23.00 Per hour X _____ Hours $_____

Building Inspector $ 23.00 Per hour X _____ Hours $_____

Public Works Services (only-no charge during regular working hours)

Public Works Personnel # Personnel _____ X _____ Hours @ $23/hour $ _____

Electrician Services (only-no charge during regular working hours)

Electrician Personnel $ 23.00 Per hour X _____ Hours $_____

Sanitation Equipment Fee

Green Roll-Out Containers _____ X $15.00 Per Container $_____

Additional Charges (List)

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

TOTAL SPECIAL EVENT FEES (Sponsor/Promoter) $ 100

To be completed and submitted by applicant prior to meeting with city staff.
City staff will amend checklist as necessary.

APPLICANT INFORMATION:

Name: Casey Caison C/O Southside Baptist Church
Telephone: (386) 328-0764 Fax: _____ Cellular: 386-937-5397
Address: 2920 Browns Landing Rd Palatka FL. 32177

Name: Greg Harvey C/O Southside Baptist Church
Telephone: (386) 328-0764 Fax: _____ Cellular: 386-326-0141
Address: 2920 Browns Landing Rd Palatka FL 32177

Other Contacts/ Key Holders:

Name: _____
Telephone: _____ Fax: _____ Cellular: _____

Name: _____
Telephone: _____ Fax: _____ Cellular: _____

☒ Estimated Peak Number of Participants (each day of event): Day 1 1000
Day 2 _____ Day 3 _____ Day 4 _____ Day 5 _____

☐ Type of special effects to include pyrotechnics, explosives, discharging weapons, hazardous materials and/or incendiary devices to be used: _____

☐ Number and proposed location of fire protection services: _____

☒ Inspection(s)- Date and time requested: Friday April 17th 1:00pm

☐ Electrician Services- Date and time requested: _____

☐ Emergency medical services: Ambulance Locations(s) (note on site map): _____

Number of EMS Personnel required: _____

☒ Number and proposed location for portable toilets: (note location on site map) (4) See Site Plan
Also has (2) Permanent Handicap Bathrooms

- ☐ Carnival location (if any) (note location on site map) _____
- ☐ Number of sanitation roll-out containers required _____
- ☐ Location of parking/transportation services, if any: _____
- ☐ Type Transport Vehicles (Van, Buses, etc.) _____
- ☐ Location of security and emergency vehicle parking on site: _____
- ☐ Public street barricades/street closures/detours: (note locations on site map) _____
- ☐ Temporary Parking, directional Signage needed: _____
- ☐ Main emergency vehicle access to site (location-also note on site map): _____
- ☐ Location of proposed temporary structures, fences, grandstands, bandstands, judges stands, Bleachers, hospitality tents, booths, etc.: (note on site map): _____
- ☐ Number and proposed location of vendors, concessions and/or Sponsor/Promoter(s) stands (note on site map) _____
- ☐ Number and location of static/mobile displays (note on site map): _____
- ☒ Location of event staff management (headquarters): MAIN TENT
- ☒ Staff Uniform Identification: EVENT T-SHIRTS
- ☒ Main sound system location: MAIN TENT
- ☐ Number and location of special activities (launching areas, animal attractions, amusements Car shows, parade routes, competition courses, etc.): _____

☒ Number and location of temporary signs/banners: (2) ALONG HWY 17
(2) ALONG HWY 17

☐ Number and location of promotional visual effects: _____

☐ Watercraft: _____

☐ Aircraft: _____

☒ Types & Location of On-Site Advertising (banners, balloons, posters, flyers, air structures, signs, etc.):
BANNERS IN TENTS

☒ Date(s) and times of setup/ breakdown: SET-UP APRIL 17 @ 8:00AM, BREAKDOWN APRIL 18 @ 4:00PM

☐ Name(s) and Type of Musical Bands to Perform (dates & times of performance):
THE BAND CADENCE, CONTEMPARY CHRISTIAN MUSIC. PERFORM AT RANBOW ON SATURDAY APRIL 18TH BETWEEN 11:00AM AND 4:00PM

☐ Noise Abatement Requirements: _____

☐ Adjoining Properties Impacted (Notification needed?): _____

☐ Location, Dates and Times for Alcohol Ordinance Open Container Waiver: _____

☐ Alcohol Sale Requirements (Temporary license, commercial establishment license, etc): _____

☐ Handicapped Accessibility: _____

Items Outstanding:

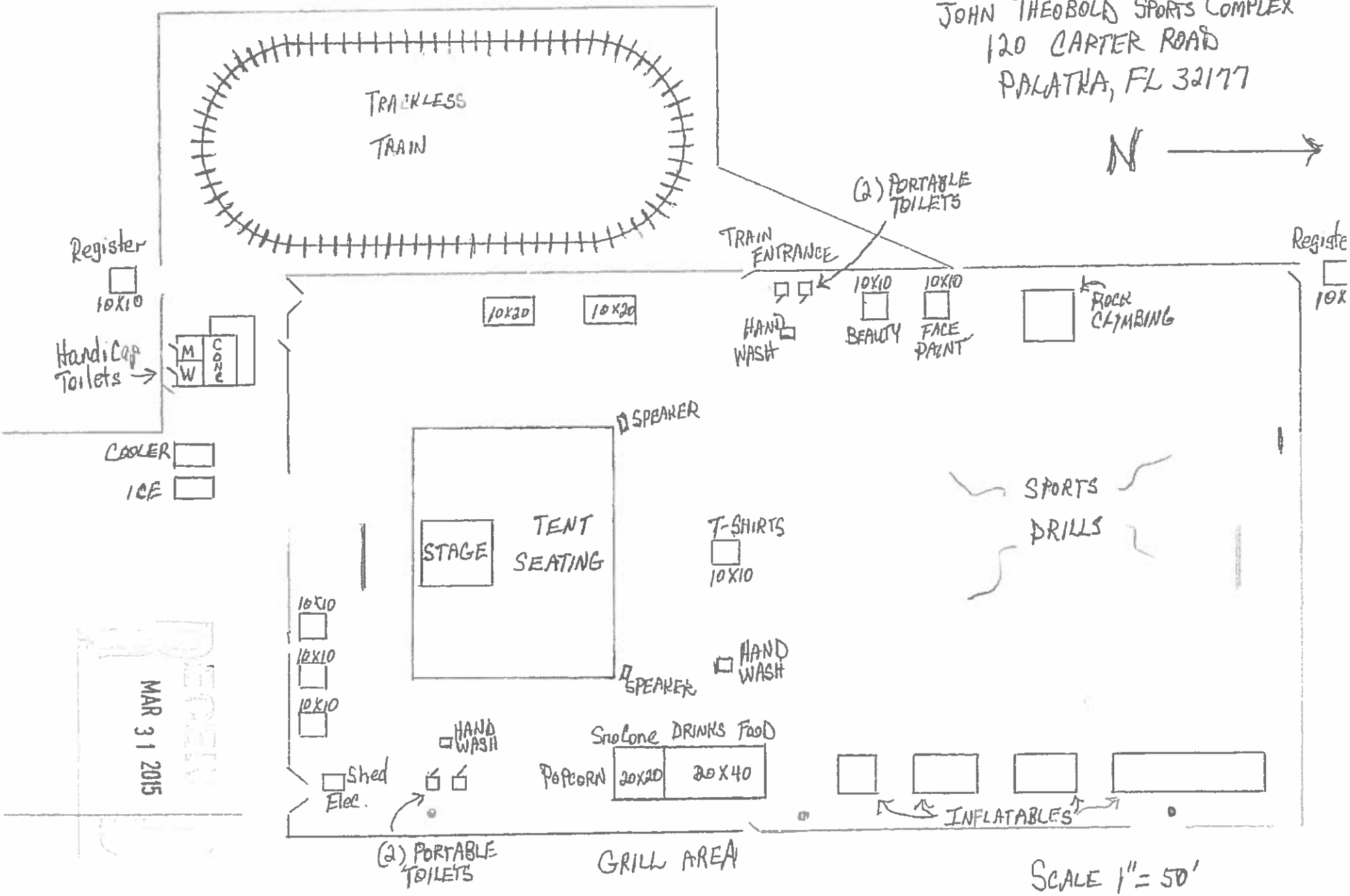
☐ Outstanding Fees: $ _____

☐ Site Plan Sketch

☐ 501(C) (3) Certificate of Exemption

U-Turn 2015

JOHN THEOBOLD SPORTS COMPLEX
120 CARTER ROAD
PALATKA, FL 32177



RECEIVED
MAR 31 2015

Agenda Item

4

CITY of Palatka FLORIDA

CITY COMMISSION AGENDA ITEM

SUBJECT:
CITIZEN REQUEST - Discussion on New Police Chief Search - Roxanne O. Weeks

SUMMARY:
Roxanne O. Weeks has submitted a request to be placed on the agenda. She wishes to discuss the search and hiring of a new police chief.

RECOMMENDED ACTION:
Discussion

ATTACHMENTS:

Description	Type
Agenda Request	Discussion

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	3/31/2015 - 10:40 AM
City Clerk	Driggers, Betsy	Approved	3/31/2015 - 10:40 AM
City Manager	Bush, Allen	Approved	4/1/2015 - 11:39 AM
Finance	Reynolds, Matt	Approved	4/1/2015 - 1:45 PM
City Clerk	Driggers, Betsy	Approved	4/1/2015 - 1:46 PM

Rec'd 3/16/15 at 4:26 pm

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISS ONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA
FLORIDA

MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
F NANCE DIRECTOR

JAMES A. GRIFFITH
NTERIM CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

Regular meeting 2nd and 4th Thursdays each month at 6:00 p.m.

REQUEST TO BE PLACED ON CITY COMMISSION AGENDA

NOTE: Regular City Commission meetings are held on the 2nd and 4th Thursdays of the month at 6:00 p.m. If you wish to appear on the Palatka City Commission meeting agenda, you should submit this request form, together with any attachments or backup material that would help the Commission to better consider your request, to the City Clerk's office either in person, by mail (201 N. 2nd Street, Palatka 32177), fax (386-329-0199) or e-mail (bdriggers@palatka-fl.gov). Please note that without adequate supporting documentation or information, the Commission may not be in a position to take any action on your request. Materials submitted for the Commission's review during the meeting may not be considered as this does not give the Commission or Staff adequate time to read or consider such material. If you plan to make a PowerPoint presentation, please submit your media (thumb drive, DVD, etc.) to the Clerk's Office in advance.

***Meeting agendas close at* 10:00 a.m. on the Friday two weeks prior to the next regularly scheduled Thursday City Commission meeting.** Please verify the closing date for agenda items with the Clerk's office, as meeting dates are subject to change. Staff will make every attempt to accommodate a request for a specific agenda date, but all requests will be handled on a case-by-case basis and may be assigned to a commission meeting to be held at a future date. *If your request can typically be handled by a City department or staff member, you will be referred to the appropriate department or staff member.*

Name of Individual, Organization and/or Group making presentation or request:

Weeks, Roxanne O'Regan

Address: City of Palatka e-mail roxanne.o.weeks@gmail.com

Daytime Phone (386) 643-5918 Other ph. — Fax

Requested meeting date: 3-26-15 ***Meeting date assigned:*** ***(For Clerk's Office Use Only)***

____ Request for Commission Action; OR ✓ Presentation Only; no action required

Subject Matter you wish to address: Search + Hiring for Palatka Chief of Police, Discussion of funds lacking to do so, and possible sources of funds. **(attach additional sheet if necessary)**

Commission Action Requested, if any:

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FS 286.105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERKS OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS

Agenda Item

5

CITY of Palatka FLORIDA

CITY COMMISSION AGENDA ITEM

SUBJECT:
RESOLUTION affirming support of the Palatka Housing Authority's application for the 2015 Federal Home Loan Bank of Atlanta Competitive Affordable Housing Program - Adopt

SUMMARY:
The City is faced with a lack of housing options for old and new residents, both subsidized and non-subsidized. Because of the lack of growth within the City, the tax base has diminished and we are looking at means to shore up the tax base by limiting the non-taxable properties and programs that exist. One such program is public housing. As a result of the lack of growth, public housing represents approximately 25 percent of the total housing stock of the City. It should be noted that the public housing stock has not increased in the past 35 years. In fact, it has decreased.

Recently, A meeting was held between Mayor Hill, John Nelson and Jonathan Griffith to discuss ways to increase the number of quality single-family owner occupied homes. While it is not the primary purpose of the public housing program to develop taxable housing, the Authority believes that it can assist the City in doing so. Mr. Nelson informed us of the availability of the Federal Home Loan Bank of Atlanta's Competitive Affordable Housing Program. The program funds can be used as equity financing towards new construction or the acquisition of vacant or improved property for rehabilitation. This program has been utilized by the Authority in the past to develop a sales program within the City and produced 11 taxable affordable properties.

Staff is proposing a resolution affirming the City's support of a Palatka Housing Authority application for funds and a joint Commission and PHA board planning session to discuss the project and the future role of public housing in Palatka.

RECOMMENDED ACTION:
Adopt the resolution affirming support of the Palatka Housing Authority's application for the 2015 Federal Home Loan Bank of Atlanta Competitive Affordable Housing Program.

ATTACHMENTS:

Description	Type
Resolution - FHA AHP Support	Resolution
Program Description	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Grants & Projects	Griffith, Jonathan	Approved	4/1/2015 - 11:59 AM
City Clerk	Driggers, Betsy	Approved	4/1/2015 - 1:46 PM
City Manager	Bush, Allen	Approved	4/1/2015 - 2:54 PM
Finance	Reynolds, Matt	Approved	4/1/2015 - 3:08 PM
City Clerk	Driggers, Betsy	Approved	4/1/2015 - 4:44 PM

RESOLUTION No. 2015 -

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST CONTRACTS FOR SALE AND PURCHASE FOR THREE RESIDENTIAL PROPERTIES.

WHEREAS, On September 9, 2014 a Request for Development Proposals was advertised for three (3) properties identified as; 215 Dodge Street, Parcel ID # 42-10-27-6850-0430-0010; 300 South 9th Street, Parcel ID # 42-10-27-6850-1560-0160; and 2022 Eagle Street, Parcel ID # 37-10-26-6850-3650-0100.

WHEREAS, on December 3, 2014 the Evaluation Committee met to rank the proposals; and

WHEREAS, on December 1, 2014 the City Commission accepted the ranking of development proposals for the three residential properties and authorized the City Manager to negotiate development / purchase and sale agreements for each; and

WHEREAS, development / purchase and sale agreements have been negotiated with the ranked respondents.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida authorizes the Mayor and City Clerk to execute and attest contracts for sale and purchase for the following properties:

1. 215 Dodge Street, Parcel ID # 42-10-27-6850-0430-0010 with Anthony Harwell;
2. 300 South 9th Street, Parcel ID # 42-10-27-6850-1560-0160 with Eco Covering Corporation; and
3. 2022 Eagle Street, Parcel ID # 37- 10-26-6850-3650-0100 with Eco Covering Corporation.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 9th day of April, 2014.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

_____

CITY ATTORNEY

Federal Home Loan Bank of Atlanta Affordable Housing Program (AHP) Competitive 2015-2017 Schedule

FHLBank Atlanta's Affordable Housing Program (AHP) Competitive provides each awarded project up to $500,000 in real estate equity that can be used to help finance rental and ownership housing.

Supporting Your Business Development Goals

As a lender, you can:

- Reach new customers and borrowers
- Achieve your business development and community lending goals
- Reduce your loan-to-value and increase your debt service coverage for first mortgages
- Build your profile and reputation in the community
- Facilitate economic development, job creation, and tax base growth

Flexible, Efficient Funding

As a developer, you can access a reliable, flexible source of real estate equity funding that can be deployed quickly and efficiently to support projects of all sizes. Funding can be used for new construction and the acquisition of vacant or improved property for rehabilitation. Eligible projects include:

- Apartments
- Subdivisions
- Supportive/social services housing
- Mixed-use developments
- Single-family homes

A Reliable Source of Funding

Since 1990, FHLBank Atlanta has awarded more than $800 million in real estate equity through the AHP program to assist in the financing of over 125,000 affordable units of rental and ownership housing. These funds facilitated over $11 billion of development in your communities – a more than 1:14 ratio of AHP equity to total development financing.

The Greens at Rolling Road
Baltimore, MD
Rental: 83 Units
AHP: $373,500
Total Development: $13,682,808

Sweetbriar
Abingdon, VA
Rental: 20 Units
AHP: $150,000
Total Development: $3,951,400

Laurel Oaks
Okeechobee, FL
Rental: 80 Units
AHP: $500,000
Total Development: $12,210,311

McCay's Landing II
Oneonta, AL
Rental: 32 Units
AHP: $96,000
Total Development: $3,834,336

Deerfield Village
Hardeeville, SC
Single-family rental: 26 Units
AHP: $250,000
Total Development: $4,620,118

Edgewood Terrace
Washington, DC
Rental with supportive services: 292 Units
AHP: $1,200,000 (subsidy and loan)
Total Development: $22,306,347

Williams Square Apartments
Durham, NC
Supportive Housing: 24 Units
AHP: $476,000 (subsidy and loan)
Total Development: $2,218,300

The Villages at Carver
Atlanta, GA
Rental: 224 Units
AHP: $500,000
Total Development: $19,911,395

FHLBank Atlanta AHP Competitive
3-YEAR APPLICATION SCHEDULE

Call us today to discuss opportunities with AHP Competitive. Our team members are experts in housing development and finance and are ready to help you submit a successful application.

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A FEDERAL HOME LOAN BANK

1475 Peachtree Street, N.E
Atlanta, GA 30309
www.fhlbatl.com
1.800.536.9650, option 3, option 1, option 3

Joel Brockmann
404.888.8156
jbrockmann@fhlbatl.com

Don Billingsley
404.888.8341
dbillingsley@fhlbatl.com

James Monaghan
404.888.8429
jmonaghan@fhlbatl.com

Glenn Stewart
404.888.5348
gstewart@fhlbatl.com

Clarissa Weaver
404.888.5687
cweaver@fhlbatl.com

Agenda Item

6

CITY of Palatka FLORIDA

CITY COMMISSION AGENDA ITEM

SUBJECT:
DISCUSSION of plans for a Restaurant in connection with Water Taxi Operation and Ship's Store at the Palatka Riverfront Park - ***tabled to a time certain on 3/26/15***

a. Request from Jeff Rawls to cease all negotiations with Boathouse Marina Group

SUMMARY:
This matter was tabled for discussion and action on March 26, 2015.

The City of Palatka advertised a Request for Proposals (RFP) for the complete outsourcing of the Palatka Riverfront concessions, water taxis and dock operations. Four (4) individuals registered as respondents and two (2) proposals were received. The review committee unanimously ranked Palatka Boathouse Marina, LLC (PBM) as the top ranked respondent.

The committee recommended that PBM be confirmed by the City Commission as the top ranked respondent and authorized negotiations to begin for an operations agreement. The committee also requested that the negotiations include further vetting of the financial feasibility and operational plan of the water taxis and that policies to govern acceptable and unacceptable behavior at the City Riverfront Park and Docks be developed with PBM.

The City Commission confirmed PBM as the top ranked respondent on May 23. 2013. City staff and PBM representatives have been in negotiations since April of 2013. During this time, PBM has further refined their business plan and per forma to reflect their contractual obligations to the City as it relates to maintenance, oversight, operation and revenue sharing for the various amenities. With input from the Small Business Development Consultant and another third party professional, PBM informed the City that their consultants advised them that a 150 seat restaurant would be needed as an anchor facility to support the operation of the water taxis and usage of the other facilities.

PBM then began the process of negotiating with prospective restaurateurs. Concurrently, the City began the process of preparing a Department of Economic Opportunity (DEO) Economic Development Category Grant. A timeline of this process is attached. This application has been submitted and is being reviewed by DEO staff.

It is important to note, that the application has been submitted to DEO prior to the community wide need score being reset for the City. The City's community wide need score is expected to be reset with next application cycle. Any change to the application at this stage will result in the withdrawal of this application requiring it to be resubmitted under the new cycle. This will negatively impact the City's score on future applications for ten (10) years.

Mr. Fred Fox, the City's CDBG grant consultant, will be at the meeting to explain this in more detail and answer any other questions regarding the DEO application and process. His presentation is attached for your review.

The concern has been raised that the restaurateur is being given an unfair advantage. The operator shall be required to pay market rate rent as determined by a third party appraiser. The operator will be required to pay taxes on the commercial area of the lease. In addition, the City through the Community Redevelopment Agency has granted $698,000 in the last five (5) years to new and existing businesses in the Downtown Tax Increment District. This is representative of the comprehensive effort to incentivize existing and proposed businesses (recruitment/retention).

The concern has been raised that this project was not publicly vetted and did not receive commission approval. The City of Palatka adopted a Comprehensive Plan for the Riverfront Revitalization in 2010. This plan calls for a riverfront restaurant. However, this plan did not solely dictate the pursuit of a restaurant. It was a result of negotiations intended to; improve the riverfront park amenities; increase oversight and establish clear authority to create a safe family friendly environment; establish a sustainable revenue stream for the ongoing maintenance and replacement cost of public park amenities; and complete the package of public/private amenities needed to strengthen the riverfront as a destination and economically viable area. This terminal building project was included in multiple commission meeting updates during the negotiations. These updates to the commission were representative of the evolution of the project and the transition to a 150 seat restaurant. The attached timeline reflects the public meetings held to consider and confirm the operation including the 150 seat restaurant as part of the DEO grant application.

Mr. Lagasse from Palatka Boathouse Marina and Mr. Theale will be in attendance.

The City has received a letter from Jeff Rawls, whose group also responded to the original RFP, to cease all negoations with Mr. Lagassee and Boathouse Marina. That letter is also attached. The City Attorney will be providing an opinion on this request by separate attachment.

RECOMMENDED ACTION:
Discussion item for City Commission following Workshop held on March 16, 2015

ATTACHMENTS:

Description	Type
Request for Proposals 3-22-13	Backup Material
Timeline	Backup Material
Fred Fox Presentation 3-16-15	Backup Material
Building Site Plan	Backup Material
Building Rendering	Backup Material
Floor Plan	Backup Material
Riverfront Site Plan	Backup Material
Letter from Jeff Rawls - Request to Cease Negotiations	Discussion

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	3/31/2015 - 3:59 PM
City Clerk	Driggers, Betsy	Approved	3/31/2015 - 3:59 PM
City Manager	Bush, Allen	Approved	4/1/2015 - 11:40 AM
Finance	Reynolds, Matt	Approved	4/1/2015 - 1:44 PM
City Clerk	Driggers, Betsy	Approved	4/1/2015 - 1:47 PM

Request for Proposals (RFP)

for a qualified operator to lease the City of Palatka Riverfront Concessions and to provide a complete

WATER TAXIS AND DOCK OPERATION SERVICES - RFP 13-003

The City of Palatka (hereinafter referred to as "the City") is soliciting proposals for the complete outsourcing of the City of Palatka Riverfront Concessions, water taxis and dock operation.

The City reserves the right to waive any irregularities submitted, reject any and/or all proposals, re-advertise, and accept any proposals deemed to be in the best interest of the City. All interested parties must register their name, email address, address and telephone number with the City to receive any future changes, additions, addendums or notices concerning this RFP.

Advertisement Date: March 22, 2013

Due Date: **May 6, 2013 @3:00 p.m.**

Contact: Michael J. Czymbor, City Manager
201 North Second Street
Palatka, FL 32177
mczymbor@palatka-fl.gov
(386) 329-0100 x 217

Proposals will be reviewed by City of Palatka staff and a recommendation will be made to the City Manager and City of Palatka Commission for award. Respondents are required to submit one (1) original, six (6) copies and one (1) digital copy in a sealed envelope marked in red ink **"RESPONSE TO REQUEST FOR PROPOSALS CONCESSIONS, WATER TAXIS AND DOCK OPERATION SERVICES - RFP 13-003 May 6, 2013".** To facilitate effective evaluation by the City, responses shall be limited to no more than a total of fifty (50) pages. All questions shall be emailed to the contact listed above and, all questions will be answered in writing. Forms required by this RFP, Appendix documentation, sectional dividers, and front and back covers will not be counted toward the total. At the discretion of the City, a short list of the most qualified respondents may be developed and respondents may be asked to give a short presentation or interview as part of the evaluation and selection process. The City of Palatka supports Equal Opportunity Employment, Fair Housing and Providing Handicapped Access.

I. PURPOSE, SCOPE & RESPONSIBILITIES

Purpose

The City of Palatka is seeking proposals for the complete outsourcing of the Palatka Riverfront concessions, water taxis and dock operations. The complete operation includes the maintenance, operation and/or oversight of transient slips, day-slips, restrooms and showers, possible mooring field, fuel-farm, water taxis, sewage pump-out, launch, concessions, parking, customer care and docks.

Scope

a. Transient/day slips

a. The current City dock has multiple fixed height slips that are available as day-slips. The City plans to construct twenty (20) floating mooring slips with electric and potable water access in the fall of 2013. An additional twenty (20) floating mooring slips are permitted and planned for future construction when the need arises and/or funds become available. The operator will be responsible for maintenance, operation and oversight of the slips and boating customers/visitors.

b. Mooring field

a. The City is exploring the possibility of establishing a mooring field. The maintenance, operation and oversight of any future mooring field regulated by the City of Palatka would be the responsibility of the operator.

c. Two (2) 49-passenger water taxis

a. The City of Palatka is seeking a qualified operator to provide United States Coast Guard (USCG) Certified Captain(s) and Crew to operate two (2) forty-nine (49)-passenger water taxis on the St. Johns River between Palatka and various points on the St. Johns River (Welaka, Crescent City, Murphy Island, Dunn's Creek State Park, Buckman Lock and other destinations as needed). Additional locations may be considered outside of the required stops listed above. The proposer will have experience in this type of operation and be able to provide proof of USCG Certifications of its captain(s) for this type of vessel. The maintenance, operation and oversight of these taxis will be the responsibility of the operator. The City will provide the completed boats to the operator. The Water Taxi Specifications document dated June 5, 2010 is included for informational purposes and may be amended as work on the boats progresses.

d. The vessels are all fiberglass construction with the following dimensions:

LOA	42.0'
Beam	11.3'
Draft	3.2'
Displacement	47 GRT
	37 NRT

The vessels are to be USCG certified for forty-nine (49) passengers and two (2) crew members, complete with all related safety equipment.

a. Service routes:
   i. Palatka to Murphy Island – twice weekly*
   ii. Palatka to Welaka – twice weekly*
   iii. Palatka to Crescent City – once weekly*
   iv. Palatka to Buckman Lock – once weekly*
   v. Palatka to Dunn's Creek – once weekly*

   *frequency and/or destinations of service routes may vary based upon demand.

The vessels are expected to be delivered and ready to be placed in service by the end of 2013.

e. Launch

a. Expansion of the City launch will occur in the summer of 2013. The launch is expected to be expanded from two (2) to five (5) launch lanes. The operator will provide oversight of the launch ramp and assigned public parking spaces.

f. Concessions

a. The City of Palatka plans to construct new concession facilities with public restrooms in early 2014. This building is to be located adjacent to the launch and City Dock. The operator will provide operation and oversight of the concessions and restroom facility. The operator must provide a detailed description of the planned concession business including hours of operation, food products to be sold, any other supplies to be sold, etc. The operator must specify if they intend to seek approval to sell beer, wine or liquor. It is understood that the sale of beer, wine or liquor requires a separate approval process outside of this RFP process.

g. Transient boater restroom/washroom and public restrooms

a. The City plans to construct transient-boater restrooms/washrooms for use by transient boaters who register with the operator. The City plans to construct public restrooms for use by park visitors, boaters, kayakers, cyclists, etc. The proposer will provide maintenance, operation and oversight of the restrooms and washrooms. The City will entertain proposals to limit the hours of access to the restrooms to coincide with posted hours of operation.

h. Sewage pump-out Facilities

a. The City dock currently has a sewage pump out facility that is tied into the City sewer system. This facility is currently open to the public free of charge. The City will entertain proposals that call for a fee per use or for the facility to remain free of charge. The operator will be responsible for the maintenance, operation and oversight of the pump out facility.

i. Dock

a. The City Dock is a public docking facility. Typical uses include fishing, shrimping, and boat docking. The operator will provide maintenance and oversight of the public dock facility.

j. **Fuel-farm**

   a. The City is contemplating the installation of a fuel-farm facility in the vicinity of the City dock. The City intends to apply for grant funds for the construction of this facility, if approved by the City Commission. The operator would provide maintenance, oversight and operation of this facility. If fuel is made available, it is envisioned that fuel for the water taxis would be provided at cost from the distributor to minimize water taxi operational costs.

City Responsibility's

The City will construct all slips, docking facilities, concessions and restrooms described above.

The City will be responsible for carrying premises liability and property damage insurance coverage in the amount of $1 million/person and $2 million/occurrence of the City docks, restrooms, park, concessions building and launch.

The City will consult with the selected operator on the planned improvements prior to finalizing construction plans.

Operator's Responsibility

The operator will have certain maintenance, operational and oversight obligations, as identified, for the facilities described above. Maintenance, operation and oversight shall be defined as:

Maintenance – The cleaning, repair, replacement and renovation of facilities to keep them in a safe working order. All such work shall be accomplished in a fashion that is in compliance with all applicable codes and regulations, including but not limited to, applicable building codes.

Operation – The management, control and carrying out of the function of each facility identified, to include; hiring of employees, the collection of fees, registration of boaters, customer support/service and securing of facilities.

Oversight – The on-site monitoring of facilities and active reporting to law enforcement to prevent vandalism, misuse and un-lawful activities.

The operator/lessee shall be required to maintain, at Lessee's expense;

1. a Commercial General Liability (CGL) policy covering personal injury/death and property damage in an amount of not less than $1,000,000 per occurrence, $2,000,000 per aggregate;

2. hull insurance including fire in the amount of $162,500 will be provided for each vessel;

3. vessel pollution coverage with limit of $1,000,000 per occurrence; and

4. Jones Act coverage to apply for all employees for statutory limits and shall include employer's liability with a limit of Jones Act Standards ("All States" endorsement is required where applicable).

Said policies shall name the City of Palatka as an additional insured. A certificate of insurance will be provided annually with the City named as co-insured. The Lessor shall not be responsible for lessee's loss of lessee's property at the premises, and if lessee desires to insure against this risk, lessee shall do so at lessee's sole expense.

The operator shall be responsible for the funding and installation of all concession equipment. The City, at its option, may partner with the operator to apply for grant funds to assist in these costs, if needed.

The operator must provide trained, USCG Certified Captains and experienced personnel for the Crew. Such personnel must have relevant knowledge, skills, and abilities to provide effective and efficient service.

All employees of the operator working on City of Palatka Water Taxis must meet the standards of conduct, appearance, service, and integrity established by the City of Palatka. The operator's employees must be courteous to all people encountered while serving on City of Palatka Water Taxis. Captain and Crew must also be well versed in facts and information about the region and will serve in a tour/public relations capacity while operating the taxi service.

While on City of Palatka Water Taxis, the operator's personnel must wear uniforms and have name badges or similar identification that distinguishes them as employees of the operator.

The operator will supply and be responsible for other normal operational costs associated with the operation of the water taxis.

The operator will be responsible for the collection and remittance of all fares, with reconciliation and audit after each event. The operator will provide a proposed rate structure as part of the proposal, with the accompanying revenue sharing percentages to the City and proposer.

Riverfront Master Plan

In 2008 and 2009 the City of Palatka commissioned the development of a Riverfront Master Plan. This plan was accepted by the Commission in March 2010. Elements of the plan recently completed include: canoe/kayak soft launch, 20 floating mooring slips at the northern end of the park, 90% of the storm water infrastructure for the redevelopment area, 60+ surface parking lot spaces, streetscape improvements, northern park enhancements, and overhead to underground utility conversion in the northern redevelopment and park area. Planned improvements for the 2013-2014 fiscal year include; southern park enhancements, overhead to underground utility conversions in the southern riverfront area, the expansion of the boat launch from two (2) to five (5) slips, installation of twenty (20) floating mooring slips off of the city dock, construction of new restroom facilities, parking/storm water improvements and the construction of the St. Johns River Environmental Education Center on Block 2.

Figure 1 - City of Palatka Riverfront Master Plan (This plan is a conceptual guide for the vision of the riverfront area and some items are not intended to be constructed. Respondents are encouraged to speak with the City Manager regarding implementation of this plan.)

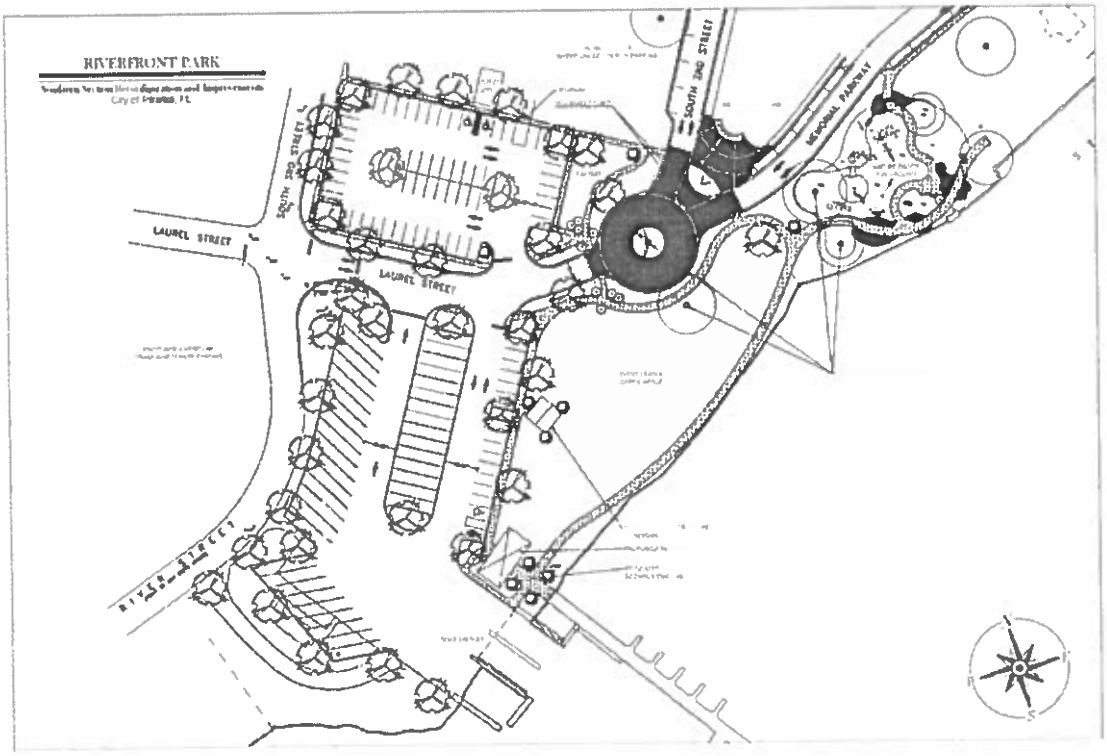

Figure 2 – City of Palatka Riverfront Park southern improvements plan (Adopted 3-14-13).

Site Legacy and History

For specific information related to the history of Palatka visit the City's website at http://palatka-fl.gov/?page_id=234.

II. PLANS AND STUDIES

The following exhibits are available on the City's website at http://palatka-fl.gov/Documents/DockRFPexhibits to assist with due diligence.

1. Riverfront Master Plan (2010)
2. Riverfront Park Floating Dock Construction Drawings
3. Riverfront Park Launch Construction Drawings
4. Riverfront Master Plan Projects Status Update 1-11-13Planning Document
5. Water Taxi Specifications

III. EVALUATION CRITERIA

The criteria that the City will use in evaluating all proposals are as follows:

- Management, marketing and operational plan – 25 points
- Proposer's qualifications, experience and operations history – 25 points
- Financial return to City – 35 points
- Financial Feasibility and Capacity – 15 points

The City reserves the right to make investigations of the qualifications of the Respondent as it deems appropriate including, but not limited to, a background investigation of Respondent personnel to be conducted by the City of Palatka Police Department or its designees. Further, the Respondent hereby consents and authorizes the City to contact any and all previous references and others having business dealings with Respondents to inquire about the Respondent's past or current performance on any other projects that the City deems to be relevant to the services requested under this RFP.

IV. MANDATORY SUBMITTAL REQUIREMENTS

All respondents shall submit the following items tabbed and arranged in the sequence shown below.

1. **Letter of Interest:** describing the legal composition of your organization. The letter should indicate all parties' roles.
2. **Experience:** Provide a narrative and/or listing of similar successful experience that demonstrates established competence with respect to operating water taxis, concessions and docking facilities. Provide documentation of USCG certification for the operator's Captain(s).
3. **References**: Provide at least four (4) verifiable references of which two (2) must be letters of reference. Experience with a government agency is preferred.
4. **Proposal Concept and Operation**: Provide a clear and complete description of the proposed operation including any outsourcing or contractual relationships which will be included in the RFP response. Describe any additional business ventures that would be conducted at the City dock location.
5. **Financial Feasibility and Capacity**: Submit a preliminary financing plan including:
    a. Source and use of all private and public funds needed to construct and open the facility. This will include the cost of construction, fixed equipment, initial inventory as well as any required rolling stock.
    b. Demonstrate financial capacity of the proposer/respondent by supplying financial statements, income tax returns, bank letter of credit and previous experience with fund raising, development deal making, capital investments, debt capacity and other financing mechanisms.
6. **Management Summary and Business Organization**: Submit a business plan including at a minimum;
    a. Description of the business from an ownership, organizational, historical, and structural perspective;
    b. Number of proposed full time and part-time employees by position title, educational experience to be required to qualify for each type of position and anticipated salary range;

c. Projected time schedule for hiring;
d. Identify all key project personnel who will work on tasks assigned under this RFP;
e. Expected market for its product and its marketing plan;
f. Management plan, including operational and financial issues;
g. Projected schedule for expansion or initiation of operations; and
h. Critical risks and perceived problems or obstacles for success.

7. **Price Information:** The City of Palatka is seeking a revenue sharing agreement whereby pricing is structured as follows:
   a. A monthly lease payment to the City of Palatka for use of the above described facilities. (Include Summary Sheet - **Attachment D)**
   b. An outline of how funds collected for the operation of facilities should be distributed between the operator and the City, if different than a percentage of gross revenue.
   c. An outline of how funds collected through any additional business ventures conducted on-site would be accounted for and distributed between the operator and the City.
8. **Proposer's Certification:** A signed letter attesting that the respondent has read and understands all procedures outlined in this RFP **(Attachment A)**
9. **Sworn Statement on Public Entity Crimes Form (Attachment B)**
10. **Drug-free Workplace Certification (Attachment C)**

Each respondent shall be required to address each of the submittal requirements. If any of the criteria are not applicable, the respondent is instructed to write "NOT APPLICABLE "as an answer.

V. ANTICIPATED SCHEDULE

3/22/13	Issuance Date
4/3/13 @ 4:00 pm	Voluntary pre-submittal meeting
4/5/13 5:00 pm	Deadline for written inquiries
5/6/13 3:00 pm	RFP Due date
5/6/13-5/10/13	Evaluation and ranking of proposals
TBD	Oral presentations by selected respondent(s) to Commission and/or evaluation committee
May 2013	Staff recommendation to City Manager and City Commission
May 2013	Selection of respondent for negotiations by City Commission
June 2013	Lease and operations agreement approval by City Commission
2013	Operator begins operations

ATTACHMENT "A"

PROPOSER'S CERTIFICATION

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

The undersigned has read the City of Palatka's Open Invitation for Submission of Development Proposals (RFP), the other related documents identified in the RFP, and any Addenda, receipt of all which is hereby acknowledged:

Addendum No.	Addendum Date
_____	_____
_____	_____
_____	_____
_____	_____

On behalf of our proposal team, we agree to, and accept the terms, specific limitations and conditions expressed therein. I certify that all information contained in the proposal is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of my team as its act and deed and that the team is ready, willing and able to perform.

_____

Name (Print)

_____

Signature Date:

STATE OF FLORIDA

COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this ___ day of _____, 201 ___, and is personally known to me, or has provided _____ as identification.

_____

Notary Public

My Commission expires:

ATTACHMENT "B"

CITY OF PALATKA, FLORIDA SWORN STATEMENT UNDER F.S. SECTION 287.133(3)(A), ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal or Contract for _____ _____.

2. This sworn statement is submitted by (entity) _____ whose business address is _____ and (if applicable) Federal Employer Identification Number (FEIN) is _____(If a Sole Proprietor and you have no FEIN, include the last four (4) digits of your Social Security Number: _____.)

3. My name is_____and my relationship to the entity named above is _____.

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

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

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

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

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

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

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)

   ☐ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

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

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

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

_____

Name (Print)

_____

Signature Date:

STATE OF FLORIDA

COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this ___ day of _____, 201 ___, and is personally known to me, or has provided _____ as identification.

_____

Notary Public

My Commission expires:

ATTACHMENT "C"

CITY OF PALATKA

DRUG-FREE WORKPLACE CERTIFICATION

The below-signed Proposer certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or services a copy of the statement specified in paragraph 1.
4. In the statement in paragraph 1., notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee understands the terms of the statement and will notify the employer of any conviction of, or plea of nolo contendre to, any violation occurring in the workplace no later than five (5) working days after such conviction.
5. Impose a sanction, require a fine or require satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement, I Certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE NUMBER(S): _____

SIGNATURE: _____

NAME (TYPED OR PRINTED): _____ TITLE: _____

EMAIL: _____

ATTACHMENT "D"

CITY OF PALATKA, FL

SUMMARY SHEET

Proposer's Name: _____

Person Authorized to Negotiate and Sign Lease: _____

Federal Taxpayer ID: _____

Mailing Address: _____

City, State, & Zip Code: _____

Telephone: _____ **Fax:** _____

Cell Phone: _____ **Email:** _____

Submitted By: _____

Title: _____

A. RENT*

Proposed Base Rent: $_____/month, _____ (In Words)

Proposed City's percentage of revenue (based upon percentage of gross revenue): _____%

_____ (In words)

*The City envisions rent being the greater of the base rent or the percentage of the monthly gross revenue. All utilities costs for the concessions facility are to be paid by the operator.

B. FEES

Ferry Route Fees: $_____/one way $_____/two way - **Palatka to Murphy Island**

$_____/one way $_____/two way - **Palatka to Welaka**

$_____/one way $_____/two way - **Palatka to Crescent City**

$_____/one way $_____/two way - **Palatka to Buckman Lock**

$_____/one way $_____/two way - **Palatka to Dunn's Creek**

Proposed Water Taxi Rate (outside of prescribed ferry routes): $_____/_____(i.e. trip, hour, mileage, etc.)

Sewage Pump Out Fee: $_____

Transient (10 days or less) dockage registration fee: $_____/day (includes access to water and electric)

Timeline

Date	Event
2002-2005	Water Taxi Funds appropriated
2005-2012	City issued three (3) RFP's for 100 block and highrise property redevelopment and were unsuccessful
Winter 2010	Riverfront Masterplan adopted
3/26/2013	RFP advertisement for a qualified operator to lease the City of Palatka Riverfront Concessions and to provide a complete Water and Dock Operations Services - Palatka Daily News
5/6/2013	Two responses received from Palatka Boathouse Marina, LLC and R&R Marines Services, LLC
5/14/2013	Water and Dock Operations Services - Selection Committee Meeting
5/23/2013	City approves Palatka Boathouse Marina as the top ranked respondent - City Commission Meeting
June 2013-July 2014	Contract negotiations, operator due diligence and business Performa refinement
7/26/2014	First Public Hearing Advertisement - Palatka Daily News
8/7/2014	City Commission Meeting - First Public Hearing
9/23/2014	Citizen Advisory Task Force Meeting to hear grant proposal
10/16/2014	Second Public Hearing advertisement - Palatka Daily News
10/23/2014	Second Public Hearing - City Commission Meeting
10/23/2014	City Commission Meeting - Authorization to submit grant application
January 2015	City submits DEO grant application

CITY OF PALATKA
FFY 2013 CDBG
ECONOMIC DEVELOPMENT APPLICATION
PROJECT DESCRIPTION

Project Area Boundaries:
Southern portion of the Palatka Riverfront Park

Project Description:

The City will be entering into a contract with PBM, LLC for management of the proposed operations in the Palatka Riverfront Park. PBM's proposed responsibilities include the operation of a two vessel water taxi service, the operation of a marine fueling facility and the responsibility for maintaining the water taxi terminal/ship's store/restaurant/public restroom facility. PBM LLC proposes to create three (3) full time equivalent new jobs relating to the operation of the water taxi service, ship's store and marine fueling facilities.

PBM, LLC is sub-leasing the 150 seat restaurant to Nippers Palatka LLC, an experienced restaurateur with four (4) existing restaurant facilities in Northeast Florida. Nippers Palatka LLC is committing to create at least twenty-seven (27) new full time equivalent jobs at the restaurant facility.

Based upon the creation of the thirty (30) full time equivalent positions described above, the City has received a waiver and submitted an application to DEO requesting $1,049,970.00. in CDBG grant funding

Grant Funded Activities

Activities:

Building Construction – Construct the restaurant portion of the taxi terminal/restaurant/ship's store/public restroom building

Activity	Description	CDBG Cost
Building Construction	**Construct the Restaurant Portion of the Building**	**$ 691,970.00**

Marine Fueling Facility – The development of a marine fueling facility at the Palatka Riverfront Park to sell marine fuel to both recreational and commercial vessels

Activity	Description	CDBG Cost
Marine Fueling Facility	**Construct Marine Fueling Facility**	**$ 275,000.00**
Administration		**$ 83,000.00**
Total		**$ 1,049,970.00**

The source and use of funds for the project is as follows:

Activity	CDBG	DOT Funds	Developer Funding	Total
Primary Project				
Construction of the Building Facility	691,970.00	270,000.00	0.00	961,970.00
Marine Fueling Facility	275,000.00	0.00	0.00	275,000.00
PBM, LLC Initial Inventory	0.00	0.00	28,000.00	28,000.00
Restaurant Completion	0.00	0.00	100,000.00	100,000.00
Administration	83,000.00	0.00	0.00	83,000.00
Total	1,049,970.00	270,000.00	128,000.00	1,447,970.00

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FACT SHEET

- CDBG Program is funded through US Department of Housing & Urban Development (HUD).
- Funds are disbursed to larger Cities and Counties known as Entitlement Communities directly by HUD. Smaller Cities and Counties, including Palatka, compete for a pot of funds HUD gives to the State of Florida.
- City of Palatka competes for these funds through a competitive application process carried out by the Florida Department of Economic Opportunity (DEO).
- The CDBG PROGRAM has four funding categories:

  Housing Rehabilitation (HR);
  Commercial Revitalization (CR);
  Neighborhood Revitalization (NR); and
  Economic Development (ED).

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FACT SHEET (continued)

- DEO is in the process of finalizing a new CDBG program rule which will become effective for the FFY 2014 application cycle. Applications for the FFY 2014 application cycle will be due in early June 2015.
- Under the new rule, the maximum amount the City of Palatka can apply for in the HR, CR, and NR categories is $750,000.00
- Under the new rule, the maximum amount the City can apply for in the ED category is $1,500,000.00. However, the Participating Party (private business job creator) must commit to creating one full time equivalent new job for each $34,999.00 in CDBG grant funds being requested by the City.

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FACT SHEET (continued)

- The Community Wide Needs Score (CWNS) which is established by DEO based upon the latest census information drives the HR, CR and NR program categories. The CWNS resets approximately three to four years after each census is completed. Once a CWNS resets it stays in place until the information from the next census is used. This is normally a 10 year period. To spread the available funds throughout the eligible communities within the state, as communities enter into CDBG funded contracts with DEO the communities CWNS is reduced by 1 point for each $20,000 or portion thereof in grant funding the community receives until the CWNS reset again or reaches zero. The CWNS is resetting for the upcoming FFY 2014 application cycle. The City's new CWNS is 153.57 out of a maximum 250.00 points. This is in the upper 10% of CWNS. Only 17 of the 246 eligible CDBG Small Cities communities have a higher CWNS than Palatka. Thus, the recently submitted ED grant application for the riverfront marina and restaurant project, if submitted for the FFY 2014 application cycle would have resulted in the City's CWNS being reduced 53 points.

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FACT SHEET (continued)

- The City also received a grant for $750,000.00 in the CR category in the FFY 2013 application cycle. These funds will be used to incorporate short Laurel Street into the adjacent parking lot and to revamp the walk along the riverfront.
- The Riverfront Park marina and restaurant application in the ED category is currently in DEO. If the application is successful funding will also come through the FFY 2013 application cycle. Thus if the ED grant is funded with FFY 2013 application cycle funding it would not impact the City's new CWNS.

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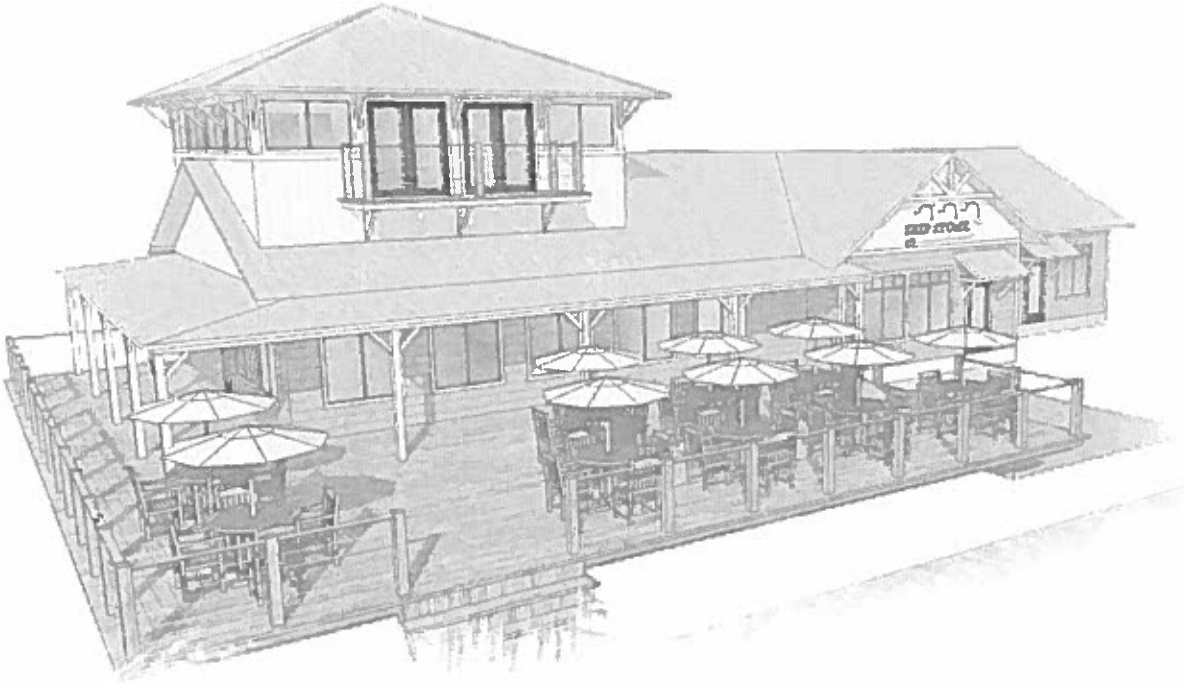
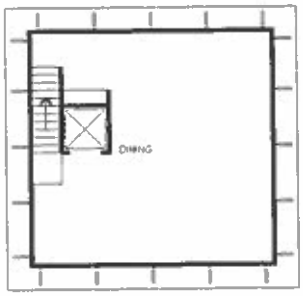
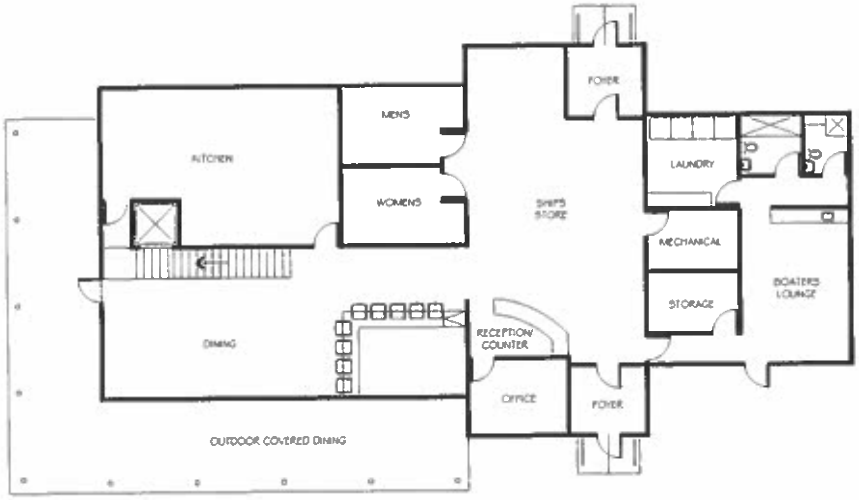
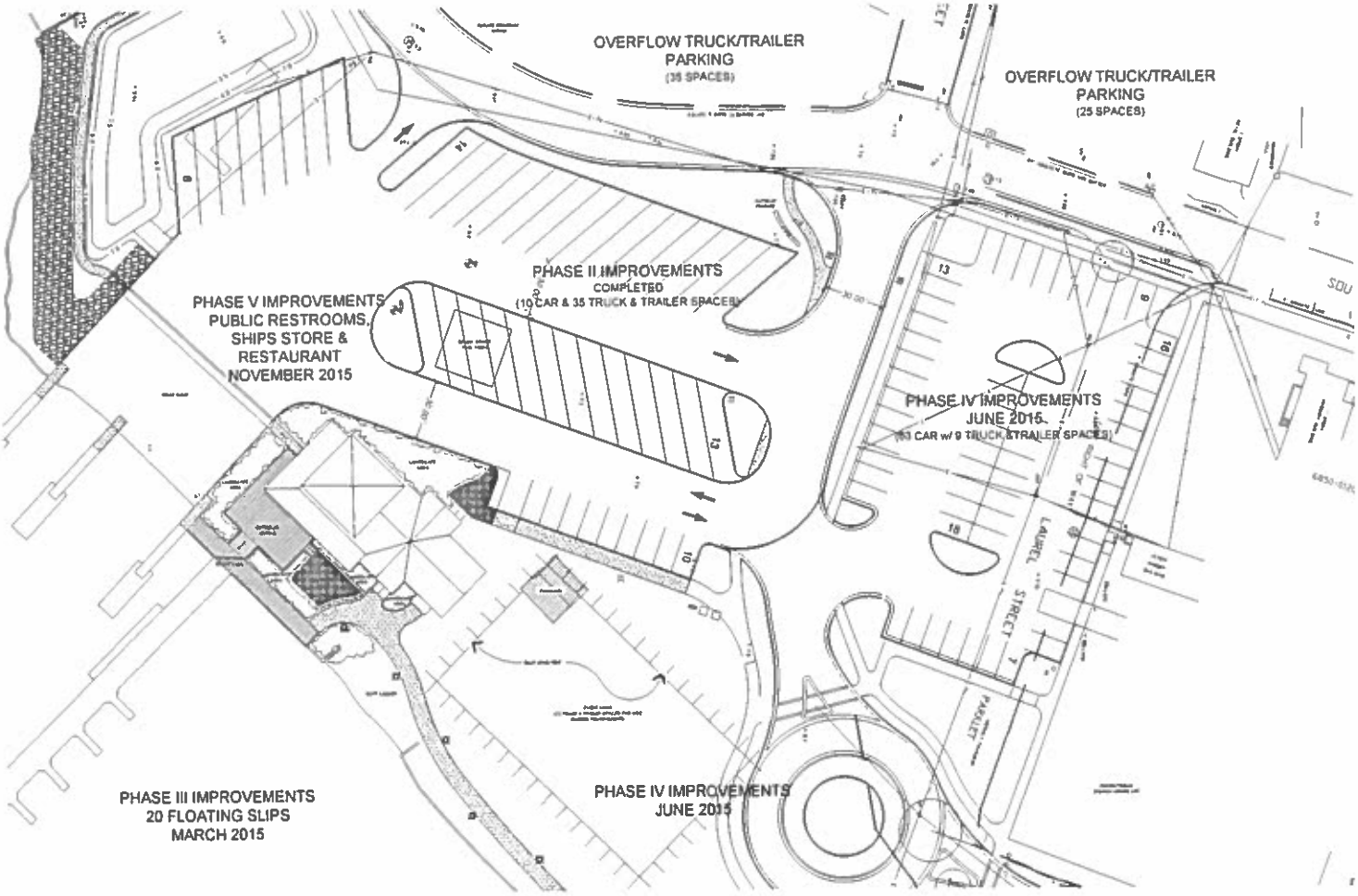




SECOND FLOOR



FIRST FLOOR


OVERFLOW TRUCK/TRAILER PARKING
(35 SPACES)
OVERFLOW TRUCK/TRAILER PARKING
(25 SPACES)
PHASE II IMPROVEMENTS
COMPLETED
(10 CAR & 35 TRUCK & TRAILER SPACES)
PHASE V IMPROVEMENTS
PUBLIC RESTROOMS,
SHIPS STORE &
RESTAURANT
NOVEMBER 2015
PHASE IV IMPROVEMENTS
JUNE 2015
(13 CAR w/ 9 TRUCK & TRAILER SPACES)
LAUREL STREET
PHASE III IMPROVEMENTS
20 FLOATING SLIPS
MARCH 2015
PHASE IV IMPROVEMENTS
JUNE 2015

Jeff Rawls
1100 Carr St.
Palatka, Fl. 32177
March 17, 2015

City Commission City of Palatka
201 N 2nd St
Palatka Fl.32177

Dear Madam and Sirs,

I would like to take this opportunity to request that you cease any further consideration and negotiations regarding RFP 13-003 (CONCESSIONS, **WATER TAXIS AND DOCK OPERATION SERVICES**). At a workshop meeting on Monday 03-16-2015, Jonathan Griffith stated that Palatka Boathouse Marine (PBM) was selected based on their response to the RFP. Scott Lagasse (PBM) stated that after hiring consultants, his proposal was not profitable and would need to be modified.

When I prepared the response to the RFP for R&R Marine Services in May of 2012, I did it based on the criteria spelled in the RFP. It had certain requirements. One requirement was that the water taxis be operated and maintained by the operator. The taxis were described as:

The vessels are all fiberglass construction with the following dimensions:
LOA 42.0'
Beam 11.3'
Draft 3.2'
Displacement 47 GRT
37 NRT

I am now being made aware that the original boats have been changed to a pontoon style. In our deliberations we considered the estimated operating cost of the taxis and drilled down to get a cost per rider. We looked at the speed of travel, length of travel, river currents, crew cost, fuel and maintenance cost. At the conclusion of my proforma, the taxi operation was a negative revenue generator. This was spelled out our response. Below is an excerpt from our response.

The water taxi as specified in the RFP will have high operating cost. The design of the hulls appear to be non-planing, displacement type and therefore would reduce the fuel efficiency and speed. We're estimating that with taking into account average cruise speeds of around 12 knots and fuel consumption of 20-30 gallons per hour. We estimate that the water taxis will cost in the neighborhood of $1,400.00 - $1,600.00 per day including crew, fuel and insurance. We are not sure how the proposed schedule by the city would be able to be maintained without causing a loss in revenue. These estimates do not take into consideration scheduled and unscheduled maintenance. If a minimum passenger load was placed at 50% of capacity the price would be around $60.00 per passenger. We feel that the pricing might detour the use of the water taxi service unless there is some sort of subsidy offered to offset losses. An agreement would need to be reached regarding the requirements and restrictions placed on R & R to operate the taxi service regarding minimum passenger requirements and pricing.

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By changing the boats and or propulsion systems, this changes the overall cost of the taxi operations which changes the RFP. This does not seem to be appropriate nor prudent as it only serves to give PBM an advantage not provided to others.

The same is true of the 151 seat restaurant. There was no provision that allowed a 151 seat restaurant in the RFP. Only after PBM submitted their proposal did they realize that it would not be financially feasible. I was disturbed to hear Mr. Lagasse talk about hiring consultants who reviewed his plan only to determine that it would not work. By allowing PBM to enter into a contract now after significant changes to the original RFP, the City has essentially gone around the RFP process.

R&R spent time and money researching and putting together a response to the RFP. There was no protest to the outcome as we were told it was based on what was submitted in May of 2013, but now I am discovering that these major changes are taking place. I feel it is necessary to ask the Commission to throw out the results of the RFP from 2013 and advertise another RFP based on the current criteria to allow a fair and open process. To not do to so would have an appearance of impropriety and look like the City of Palatka wants to operate in the dark rather than in the sunshine. As I stated during the workshop I would have no issue with the City getting to a contract based on what was provided in the PBM proposal in May of 2013.

In closing I would like the opportunity to have this issue placed on the next Commission agenda to be able to have an open dialogue about the RFP process that the City uses and how it affects the participants.

Sincerely,

Jeff Rawls

Jeff Rawls