

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



CITY of *Palatka* FLORIDA

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

TERRY K. SUGGS
CITY MANAGER

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 CALLED MEETING - CITY OF PALATKA August 18, 2015 – 6:00 p.m.

CALL TO ORDER & Reading of Special Meeting Call

- a. Invocation
- b. Pledge of Allegiance
- c. Roll Call

1. PUBLIC RECOGNITION/PRESENTATIONS

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

3. CONSENT AGENDA

- *a. **Adopt Resolution No. 2015-11-58** authorizing the issuance of Special Events Permit No 15.30 for the 3rd Annual Gem City Shrimp Blast; setting forth provisions of the permit, granting permission to exceed allowable noise levels; authorizing the closure of certain streets to vehicular traffic during the event, and setting advance and other permit fees

PUBLIC HEARINGS

- * 4. **PUBLIC HEARING: Fire Service Assessment**
 - a. **ANNUAL ASSESSMENT RESOLUTION – Adopt**
 - b. **NOTE RESOLUTION - Adopt**
- * 5. **DISCUSSION & DIRECTION – Dept. of Economic Opportunity Economic Development Grant Application for Restaurant & Ship's Store – Recommendation to withdraw with intent to re-apply**
- ** 6. **RECOMMENDED ACTION** regarding Planning Board Decision in PB Case No. 15-05/15-05-2 - City Attorney Don Holmes
- * 7. **DISCUSSION - Farm to Family Outreach Program**
8. **CITY MANAGER & ADMINISTRATIVE REPORTS**
9. **COMMISSIONER COMMENTS**
10. **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

TERRILL L. HILL
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CITY ATTORNEY

August 11, 2015

**TO COMMISSIONERS: MARY LAWSON BROWN, RUFUS BOROM,
JUSTIN CAMPBELL AND JAMES NORWOOD, Jr.:**

You are hereby notified that a Special Meeting of the Palatka City Commission is called to be held on Tuesday, August 18, 2015, at the regular meeting place of the Palatka City Commission, Palatka City Hall, 201 N. 2nd Street, Palatka, Florida, to commence at 6:00 p.m.

The purpose of the meeting is to:

1. Consider adoption of items on a Consent Agenda; and
2. Consider the Adoption of the following Fire Assessment Resolutions (*tabled during Regular Session on August 6, 2015*):
 - a. Annual Assessment Resolution – Adopt
 - b. Note Resolution - Adopt

/s/ Terrill L. Hill

Terrill L. Hill, MAYOR

We acknowledge receipt of a copy of the foregoing notice of a special called meeting on the 11th day of August, 2015.

/s/ Mary Lawson Brown

COMMISSIONER

/s/ Justin Campbell

COMMISSIONER

/s/ James Norwood, Jr.

COMMISSIONER

/s/ Rufus Borom

COMMISSIONER

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.

*Agenda
Item*

3a



CITY COMMISSION AGENDA ITEM

SUBJECT:

Adopt Resolution No. 2015-11-58 authorizing the issuance of Special Events Permit No.15-30 for the 3rd Annual Gem City Shrimp Blast; setting forth provisions of the permit, granting permission to exceed allowable noise levels, authorizing the closure of certain streets to vehicular traffic during the event, and setting advance and other permit fees.

SUMMARY:

Downtown Palatka Inc. has made application for a Class A Special Events Permit for the 3rd Annual Gem City Shrimp Blast scheduled for September 4 & 5, 2015.

The 2014 permit include the following provisions:

1. Grant permission to exceed allowable noise levels September 4th, 2015 from 5:00 p.m. – 10:00 p.m. and September 5th, 2015 from 10 a.m. to 6:00 p.m (the requested noise level waiver is needed due to amplified sound and entertainment in the Park, and for fireworks, which begin at 9:00 p.m.).
2. Approve closing of Memorial Drive from Reid Street to short Laurel St.

The estimated Festival Permit fee will be provided at the meeting and will be based upon \$300 Class A fee per day; \$23 per hour for police security; and \$15 for each roll-out garbage containers. The Applicant has requested a waiver of the Class A permit fee, claiming the fee exemption provided by federal holidays, which in this case is Labor Day, two days after the closing of this festival. Staff has not made a final decision on the eligibility of the event for the fee waiver, but will determine this by the meeting time. A Special Events Committee meeting is scheduled for Thursday, August 13 at 4:30 PM.

RECOMMENDED ACTION:

Adopt a Resolution authorizing the issuance of Special Events Permit No. 15-30 for the 3rd Annual Gem City Shrimp Blast.

ATTACHMENTS:

Description	Type
▫ Resolution	Resolution
▫ Application	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Special Events	Crowe, Thad	Approved	8/11/2015 - 3:49 PM

RESOLUTION NO. 2015 – 11 - 58

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, GRANTING A SPECIAL EVENTS PERMIT TO DOWNTOWN PALATKA, INC. FOR THE 3RD ANNUAL GEM CITY SHRIMP BLAST; SETTING FORTH THE PROVISIONS OF THE PERMIT; ALLOWING THE CLOSURE OF CERTAIN STREETS TO VEHICULAR TRAFFIC DURING FESTIVAL HOURS; AND SETTING ADVANCE AND OTHER PERMIT FEES

WHEREAS, Downtown Palatka, Inc has made application to the City of Palatka for a special events permit for the 3rd Annual Gem City Shrimp Blast and related events; and

WHEREAS, The City of Palatka Staff have met with organizers of the event, and all parties have reached an agreement as to the provisions of the Special Events Permit; and

WHEREAS, the Palatka City Commission finds that the approval of the Special Events Permit, as stipulated and described herein, is in the best interest of the event organizers, the City of Palatka and its citizens; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF PALATKA, FLORIDA:

Section 1: That Special Events Permit No. 15-30 for the 2015 Gem City Shrimp Festival is hereby granted to Downtown Palatka, Inc. with the following provisions and stipulations:

- a. Class 'A' Permit for Riverfront/Event Area September 4th, 2015 from 5:00 p.m. – 10:00 p.m. and September 5th, 2015 from 10 a.m. to 6:00 p.m.
- b. Permission granted to exceed allowable noise levels during event hours (the requested noise levels are due to amplified sound and entertainment in the Park).
- c. Grant permission to close Memorial Drive from Reid Street to short Laurel St. to vehicular traffic during event hours as follows.
- d. **Estimated Festival Permit fee:** To be provided prior to or at meeting. Applicant agrees to pay City of Palatka for the actual FP&L charges for use of their electrical boxes.

Section 3: That the total advance and estimated Permit Fees for 2015 shall be \$_____.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, this 18th day of August, 2015.

CITY OF PALATKA, FLORIDA

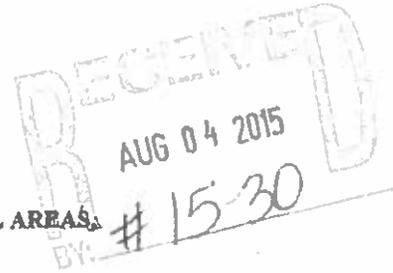
By: _____
Its Mayor

ATTEST:

APPLICATION # _____

(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. S. DOWNTOWN PALATKA Inc
- b. CONTACT PERSON Sam Deputy TELEPHONE 328-4221
- 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. _____

5. DATE & HOURS OF DESIRED USE: Friday - 9-4-15 / 9-5-15 - Saturday

6. PORTION FOR WHICH PERMISSION IS DESIRED (City Dock, Amphitheater, Gazebo, etc.) _____

7. ROAD CLOSURES: Memorial

8. REQUEST FOR NOISE VARIANCE(Dates and Times): yes

9. REQUEST FOR ALCOHOL VARIANCE(Dates, Times, Location): yes

10. ESTIMATE OF ANTICIPATED ATTENDANCE 2,000

11. NUMBER AND TYPE OF AUXILIARY VEHICLES/EQUIPMENT —

12. ARTICLE IV SPECIAL EVENT ORDINANCE: FEES

- a. CLASS A: _____ \$300.00- 1,001 to 80,000 in attendance per day
- b. CLASS B: _____ \$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 bouts, 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.

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.

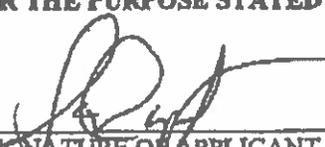
The applicant(s) agrees to hold harmless and indemnify the City of Palatka, its officers, agents and employees against any loss, damage or expense (including all costs and reasonable attorney's fees) suffered by the City of Palatka for:

- 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, invitees 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.

DATE



SIGNATURE OF APPLICANT

APPROVED:

SPECIAL EVENTS COORDINATOR

DATE

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.)

Revised: 2/28/13

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CITY OF PALATKA PLANNING MEETING PRE-EVENT ASSESSMENT LIST

To be completed by Special Events Coordinator:

Meeting Date: _____ Special Events Coordinator: _____

- | | | |
|---|-----------------------|--------------------------|
| <input type="checkbox"/> Site Sketch Provided | Event Classification: | |
| <input type="checkbox"/> Tentative Schedule of Events | Class A | <input type="checkbox"/> |
| | Class B | <input type="checkbox"/> |
| | Class C | <input type="checkbox"/> |

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

Name of Special Event/ Production: Gem City Shrimp Blast

Type of Event: _____

Type of Event Activities (concerts, street dances, races, contests, competitions, regattas, arts/crafts displays, still motion picture production, etc. - attach separate listing if necessary)

Music / Food / Vendors / Kayaking / children area

Location of Event: River front

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

	Date	Day	Begin	End
Event Day 1	<u>8-4</u>	<u>Friday</u>	<u>5</u> AM/PM <u>(PM)</u>	<u>10:00</u> AM/PM <u>(PM)</u>
Event Day 2	<u>9-5</u>	<u>Saturday</u>	<u>10</u> AM/PM	<u>6:00</u> AM/PM <u>(PM)</u>
Event Day 3	_____	_____	_____ AM/PM	_____ AM/PM
Event Day 4	_____	_____	_____ AM/PM	_____ AM/PM

Set-up for event will begin on (Date) 9-2-15 at (time) _____

Break down will be completed by (Date) 9-6-15 at (time) _____



CITY OF PALATKA PLANNING MEETING PRE-EVENT ASSESSMENT LIST

15-30

To be completed by Special Events Coordinator:

Meeting Date: _____ Special Events Coordinator: _____

- | | | |
|---|-----------------------|--------------------------|
| <input type="checkbox"/> Site Sketch Provided | Event Classification: | |
| <input type="checkbox"/> Tentative Schedule of Events | Class A | <input type="checkbox"/> |
| | Class B | <input type="checkbox"/> |
| | Class C | <input type="checkbox"/> |

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

Name of Special Event/ Production: Gem City Shrimp Blast

Type of Event: _____

Type of Event Activities (concerts, street dances, races, contests, competitions, regattas, arts/crafts displays, still motion picture production, etc. - attach separate listing if necessary)

Music / Food / Vendors / Kayaking / children area

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	Date	Day	Begin	End
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Event Day 2	<u>9-5</u>	<u>Saturday</u>	<u>10</u> AM/PM	<u>6:00</u> AM/PM
Event Day 3	_____	_____	_____ AM/PM	_____ AM/PM
Event Day 4	_____	_____	_____ AM/PM	_____ AM/PM

Set-up for event will begin on (Date) 9-2-15 at (time) _____

Break down will be completed by (Date) 9-6-15 at (time) _____

Event Sponsor/Organization Downtown Palatka, Inc

Name of Promoter: _____ Tax Exempt No.: _____

Fee Worksheet (to be completed by Special Events Coordinator)

"Class A" Event Daily Fees (see fee schedule) Security Fees @ \$23/hr/Officer Green Container Fees @ \$15/container Refundable Deposit \$500.00	"Class B" Event Daily Fees \$100.00/day Security Fees @ \$23/hr/Officer Green Container Fees @ \$15/container Public Works Employees @ \$14.00/hr (no charge during normal working hours)	"Class C" Event Daily Fees \$50/day Security Fees @ \$23/hr/Officer Green Container Fee@ \$15/container
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Special Events Permit Fees	\$ _____ Per day X _____ Days	\$ _____
Law Enforcement (City) Police Officer(s)	\$ 23.00 Per hour X _____ Officers X _____ Hours	\$ _____
Fire Personnel	\$ 23.00 Per hour X _____ Hours	\$ _____
Public Works Employees	\$ 14.00 Per hour X _____ Hours	\$ _____

#15-30

Event Sponsor/Organization Downtown Platte Inc

Name of Promoter: _____ Tax Exempt No.: _____

Fee Worksheet (to be completed by Special Events Coordinator)

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

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) \$ _____

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

APPLICANT INFORMATION:

Name: Sam Deputy
Telephone: 329-4021 Fax: 329-9842 Cellular: 983-4897
Address: 623 St Johns Ave, Palatka, FL 32977

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

Other Contacts/ Key Holders:

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

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

Estimated Peak Number of Participants (each day of event):
Day 1 400
Day 2 2,000 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: NA

Number and proposed location of fire protection services: _____

Inspection(s)- Date and time requested: Friday - 5:00pm.

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) 6

- Carnival location (if any) (note location on site map) _____
- Number of sanitation roll-out containers required _____
- Location of parking/transportation services, if any: NA
- Type Transport Vehicles (Van, Buses, etc.) NA
- 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: NA
- 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): On map
- Staff Uniform Identification: Badges
- Main sound system location: On Map
- Number and location of special activities (launching areas, animal attractions, amusements Car shows, parade routes, competition courses, etc.): On Map

- Number and location of temporary signs/banners: NA
- Number and location of promotional visual effects: _____
- Watercraft: Kayak
- Aircraft: ---
- Types & Location of On-Site Advertising (banners, balloons, posters, flyers, air structures, signs, etc.):

- Date(s) and times of setup/ breakdown: _____
- Name(s) and Type of Musical Bands to Perform (dates & times of performance): TBS
- Noise Abatement Requirements: Yes
- Adjoining Properties Impacted (Notification needed?): - None -
- Location, Dates and Times for Alcohol Ordinance Open Container Waiver: Friday - 6-10
Saturday 10-11
- Alcohol Sale Requirements (Temporary license, commercial establishment license, etc):
in process
- Handicapped Accessibility: All

Items Outstanding:

- Outstanding Fees: \$ _____
- Site Plan Sketch
- 501(C) (3) Certificate of Exemption on File

Revised: 2/28/13

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- Nonprofit Articles of Incorporation, Charter and Mission Statement *ON File*
- Consent Letter (event property): property owners on which Special Event location is held (if not held on city property)
- Fire resistive rating certificates (tents, fabrics, etc.)
- Schedule Fire, Building/Electrical Inspections
- Schedule Pre/Post Sanitation Inspections
- Example of Special Event vendor permits provided
- Special Event Certificate of Insurance- City as "Additional Insured" (if carnival, aircraft or watercraft rides are planned, need certificates from those vendors) List Certificates required, In The Park
- Alcohol Liability Certificate of Insurance- City as "Additional Insured" *Applied*
- Required Permits (federal, state, local): _____
- Alcohol License (copy) *Applied*
- _____
- _____
- _____

PRE-PLANNING MEETING

Name of Special Event: _____ Date _____

Persons Attending Planning Meeting:

Name	Representing	Position	Phone #

NOTES

Since Labor Day is a national Holiday
We are asking for No fees.

DIVISION 3. SPECIAL EVENT TERMS AND CONDITIONS**Sec. 50-222. Indemnification/insurance; liquor liability insurance.**

- (a) Prior to the issuance of a special event permit the applicant(s) shall execute an indemnification form which provides that the applicant(s) agrees to hold harmless and indemnify the city, its officers, agents and employees against any loss, damage or expense (including all costs and reasonable attorney's fees) suffered by the city 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 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 on public property by applicant's agents, employees, invitee and/or any other persons.
- (b) At least seven days prior to the first day of any special event, the applicant shall furnish to the special events coordinator proof of liability insurance protection, in an amount of not less than \$1,000,000.00 per person for bodily injury or death, \$2,000,000.00 per occurrence for bodily injury or death and \$500,000.00 per occurrence for property damage, naming the city as "additional insured".
- (c) If alcoholic beverages are to be dispensed, served, sold or distributed at an outdoor event, the applicant(s) shall in addition provide liquor liability insurance in the amount of \$500,000.00 which shall name the city as additional insured.
- (d) Nothing in this section shall be construed to effect in any way the city's rights, privileges and immunities as set forth in F.S. § 768.28.

(Ord. No. 10-34, 1(Exh. 1) 12-9-2010)

Agenda Item

4



CITY COMMISSION AGENDA ITEM

SUBJECT:

PUBLIC HEARING - Fire Service Assessment

***a. ANNUAL ASSESSMENT RESOLUTION - Adopt**

***b. NOTE RESOLUTION - Adopt**

SUMMARY:

On July 9, 2015 during regular session the Commission adopted a Directory Resolution, which authorized the initiation of the process necessary for the City Commission to ultimately impose and collect a special assessment to fund fire protection services, and as since directed:

(1) the published notice of public hearing scheduled for August 6, which appeared in the newspaper on July 16 (Ad Copy Attached).

(2) the City made available the preliminary Assessment Roll showing the Assessment for each and every tax parcel in the City on its website as of July 16; this interactive search engine on our website allows research by parcel ID number, owner name, and parcel address (this was an anticipated separate cost item for this service which was provided by our assessment consulting team through ENNEAD LLC, the search engine can be used throughout the process to update and communicate effectively; access can even be done on a smartphone, or the public can come to the City Clerk's offices to review during business hours), and

(3) the Assessment Ordinance, which was prepared, reviewed by staff and counsel, advertised, and adopted during a public hearing held on August 6, 2015 after public oral and written comments were heard and considered.

The Assessment and Note Resolutions, also considered during that Public Hearing on August 6th, were tabled, and are the subject of this meeting.

The Assessment Ordinance No. 15-14 states the Assessment Resolution can be adopted at the time noticed during the advertised public hearing following the adoption of the ordinance, or at any subsequent meeting of the City Commission (Section 2.05, copy attached). The Annual Assessment Resolution will adopt this supplemental and alternative means to fund a large portion of our City's fire service budget.

Tonight, the Commission is scheduled to hear the following resolutions:

Annual Assessment Resolution - This resolution provides for the imposition of assessments, utilizing the "Simplified Fire" apportionment method approach, sets the rate of assessment, and provides for directions concerning the collection of assessments. The rates shown are what have been on the City's website for the last few weeks.

Note Resolution - the "note" is the Series 2015 Note to be issued and any outstanding "Additional Notes," which will ultimately fund the "Project." The "Project" means the acquisition and/or construction of capital improvements and equipment for the City's fire protection services including, without limitation, the construction of fire stations and the acquisition of equipment necessary for the suppression of and from fires but not limited to, fire engines or trucks, which are permitted to be funded with the proceeds of any Notes issued. This is necessary and done to make sure the City can in fact use the Fire Service Assessment proceeds to fund capital and equipment. The only source of revenue to be pledged will be the Fire Service Assessment proceeds. The actual issuance of any debt, of course, will only be done at a future date upon further review of the City Commission and after the ability to use these proceeds has been properly confirmed with finality.

Assuming the City adopts these two resolutions, going forward the City will work to validate the program and its revenue source over the next several weeks, and then direct bill the assessments later this fall. No amounts or payments will be due until in October or November, and separate bills are to be sent to every property owner affected, and only then will the amounts become due. The City staff and attorney will continue to work with the Simplified Fire professionals and consultants to implement the directions of the Commission contained in these documents, and advise the City Commission as to progress. The City will keep the website feature up and update it as this process progresses, as well.

RECOMMENDED ACTION:

Consider adoption of the Annual Assessment Resolution and Note Resolution, in that order.

ATTACHMENTS:

Description	Type
▫ Annual Assessment Resolution	Resolution
▫ Appendix A to AAR Resolution	Exhibit
▫ Note Resolution	Resolution
▫ Ordinance Sec. 2.05 AAR Notice Requirement	Backup Material
▫ Advertisements	Backup Material
▫ Minutes 8/6/15 Fire Assessment Forum	Backup Material
▫ Draft Minutes - 8/6/15 CC Mtg Item #5	Backup Material

REVIEWERS:

Agenda Item

4a

RESOLUTION NO. 2015-11-59

A RESOLUTION OF THE CITY COMMISSION OF PALATKA, FLORIDA, RELATING TO THE AVAILABILITY AND FUNDING OF FIRE PROTECTION AND RELATED ESSENTIAL SERVICES WITHIN THE CITY; PROVIDING FOR THE IMPOSITION OF SPECIAL ASSESSMENTS WITHIN THE CITY TO FUND, IN PART, THE SERVICES, FACILITIES AND PROGRAMS ASSOCIATED WITH THE CONTINUAL READINESS TO PROVIDE FIRE PROTECTION; IDENTIFYING BENEFITS, BURDENS AND COSTS TO BE ASSESSED; ESTABLISHING THE METHOD OF APPORTIONING BENEFITS, BURDENS AND COSTS AMONG SPECIALLY BENEFITED PROPERTY; ADOPTING AN ASSESSMENT ROLL; PROVIDING THE METHOD OF COLLECTION; PROVIDING FOR ASSOCIATED POLICY DIRECTION; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA, AS FOLLOWS:

ARTICLE I

INTRODUCTION

SECTION 1.01. AUTHORITY. This Resolution of Palatka, Florida (the "City") is adopted pursuant to Ordinance No. 15-14 (the "Assessment Ordinance"), Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 1.02. DEFINITIONS. This Resolution constitutes the Annual Assessment Resolution as defined in the Assessment Ordinance. All capitalized words and terms not otherwise defined herein shall have the meaning set forth in the Assessment Ordinance, unless the context hereof otherwise requires.

SECTION 1.03. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 1.04. FINDINGS. It is hereby ascertained, determined and declared as follows:

(A) The constant and continued preparedness to provide fire protection services, facilities and programs possesses a logical relationship to the value, use and enjoyment of real property by: (1) protecting the value of the improvements and structures through the continual availability of fire control and provision of fire protection and associated rescue services; (2) protecting the life and safety of intended occupants in the use and enjoyment of real property; (3) lowering the cost of casualty or liability insurance by the presence of a professional municipal fire protection and associated rescue program within the City; (4) providing protection for uninsured or underinsured property and property owners; and (5) containing the spread of fire incidents, sometimes occurring on vacant or undeveloped property, with the potential to spread and endanger the structures and occupants of nearby improved property, thereby limiting liability.

(B) The sharing of benefits, burdens and costs for fire protection services and facilities based upon the relative value of improvements for each Tax Parcel in the City as compared to the value of improvements for all Tax Parcels in the City could conceivably serve alone as a fair and reasonable means to apportion entirely the Fire Service Assessed Cost. Such approach substantially removes the underlying land values from consideration and reasonably focuses upon the built environment on the land protected by fire services, facilities and programs. This is a direct and logically related means to share benefits, burdens and costs of fire protection services, facilities and programs.

(C) It is also clear that the relative improvement value of improvements to land may be utilized as one factor among others considered in a given formula or calculus since the resulting Assessments are formed from a reasoned or logical base against which the special benefits, burdens and costs may be multiplied or determined.

(D) Apportionment on the basis of relative improvement value (as determined by data derived from the Tax Roll prepared by the Property Appraiser) recognizes the relatively higher benefit accruing to properties which face greater financial loss in the event of fire incident.

(E) Besides the advantage of relying upon data prepared by the Property Appraiser in the normal conduct of his or her responsibilities, an approach based in whole or in part upon relative improvement value is also advantageous because it is

self-correcting. Relative value of improvements may change from year to year in accordance with market conditions and other factors and such variation will be adjusted automatically each subsequent year in accordance with the updated improvement value determined by the Property Appraiser. If the improvements on a given Tax Parcel were to increase or decrease in value with the passage of time relative to the updated improvement value city-wide, that Tax Parcel's relative percentage to the total amount assessed for that Tax Parcel and all Tax Parcels would also increase or decrease proportionately.

(F) The mere availability of fire protection services and facilities benefits each Tax Parcel of real property in the City in a substantially uniform fashion by relieving the common burden placed upon City services and facilities collectively created by individual Tax Parcels whether a fire event occurs or not. Fundamentally, the presence of each Tax Parcel within the City creates a comparable and similar requirement to stand ready to serve and continually maintain a preparedness to provide fire protection and associated services and facilities for all Tax Parcels.

(G) The City's core preparedness costs are generally those necessary to maintain the readiness of fire personnel to respond in the event of random emergency calls and to assure an effective network of coverage, a metric used by insurance ratings organizations for calculation of basic insurance ratings. Such preparedness is continual and predominantly lies in wait for the emergency of a fire incident.

(H) The Commission has carefully considered the report prepared by GAI Consultants, Inc. describing a special assessment apportionment methodology designed to fund all or some portion of the City's annual budget expenditures corresponding to fixed (as opposed to more variable) costs incurred in maintaining common or similar continual readiness to provide fire protection to all parcels.

(I) These core preparedness costs of lying in wait are largely recurring, almost fixed over the course of a budgetary period, because they are strongly associated with wages, salaries, administration, and overhead which support the constant availability of fire protection related services and facilities. Such core costs must be absorbed even when firefighting capabilities remain exclusively in standby mode.

(J) Fixed costs can generally be described as those costs incurred in providing services, facilities or programs required for readiness to provide fire protection which do not necessarily vary from parcel to parcel based upon property classification, parcel-specific physical characteristics (improvements) or actual demand in the event of deployment. Variable costs are those dependent upon or which more closely bear a direct relationship to property classification and/or parcel-specific physical characteristics such as value of improvements, and therefore are more likely to vary from parcel to parcel.

(K) The constant potential for the outbreak of a fire represents the predominant requirement for service. When and where a fire incident occurs is

essentially an unknown and difficult variable to accurately predict. The scale of this potential defines the basic underlying cost of being prepared to limit fire loss and to protect property values. From a policy and public purpose standpoint, preparedness is the predominant activity of the City's fire services and facilities. The City, in this state of readiness, must consider the committable personnel, necessary equipment and facilities, and the time likely required to extinguish a fire (planning or preparing for the potential incident or event) prior to the emergency allocation of direct resources enabling a fire to be extinguished as quickly as possible (deploying to or intervening in the incident or event itself). The amount of resources for fire protection service, facilities and programs made available in such a continual preparedness exercise each year is a public administration and policy decision which necessarily focuses in the aggregate on all property within the City.

(L) In developing a recurring revenue source to fund a portion of the core fixed cost component of the City's annual budget associated with a continued readiness to provide fire protection services, facilities and programs, it is not necessary to solely focus on the size, value or physical characteristics of individual Tax Parcels for fire protection. Instead, in this context, each individual Tax Parcel contributes similarly to the required state of readiness, and similarly and substantially shares the same benefits from such core fixed cost component; and, therefore it is fair and reasonable to ask the owner of each Tax Parcel to contribute equally toward funding all or a portion of the

core fixed costs associated with such continual readiness to provide fire protection services and facilities.

(M) The findings contained herein are premised upon information, input, analysis and review from City staff, officials and experts, and public comment, as well as careful consideration by the City Commission. A combination of the foregoing yields a reasoned apportionment methodology premised upon two distinct tiers or classes of apportionment allocation: Tier 1 – a sharing of benefits, burdens and costs for fire protection services and facilities based upon the relative value of improvements for each Tax Parcel in the City as compared to the value of improvements for all Tax Parcels in the City; and, Tier 2 – a sharing of benefits, burdens and costs for fire protection services and facilities on a per Tax Parcel allocation premised upon maintaining a continual state of preparedness and readiness to serve whether or not a request for actual assistance is ever received. Although either of these two tiers might be used singularly to address a significant portion of the budget for special assessment apportionment purposes, together they provide a simplified and powerful equity tool for the City to fairly and reasonably share assessable benefits, burdens and costs among all assessable Tax Parcels in the City.

(N) Allocating a portion of the fixed costs attributable to the City's continual readiness to provide fire protection services and facilities on a Tax Parcel basis

reasonably avoids cost inefficiencies and unnecessary administration, and is a fair, efficient and reasonable mechanism to allocate such costs among all Tax Parcels.

(O) The use of data derived from the Tax Roll (both in form and content), which is a statutorily required and uniformly maintained database of all Tax Parcels employed by the Property Appraiser and Tax Collector, represents a reasonably accurate, fair and efficient means to allocate or distribute Fire Service Assessed Costs associated with standing ready to provide fire protection and associated services and facilities.

(P) It is fair, reasonable, effective, and efficient for all Tax Parcels, including statutorily defined parcels such as individual condominium or cooperative units with extraordinary alienability, to share equally in the core fixed costs represented by the special assessments to be imposed hereby, particularly since such costs are not necessarily dependent upon or determined by physical characteristics or demand in the event of deployment.

(Q) It is also fair and reasonable that some portion of fixed costs and variable costs be shared and distributed among Tax Parcels, including statutorily defined parcels such as individual condominium or cooperative units with extraordinary alienability, using apportionment methods which are weighted more heavily on the Fire Assessment Roll (using data from the Tax Roll) toward physical characteristics, such as those represented by the relative value of improvements.

(R) GAI Consultants, Inc. reviewed current and prior year budget information related to the provision of fire protection services and facilities and conducted a reasoned analysis of how the City advanced life support services (“ALS”) fall almost exclusively to emergency medical units operated by parties other than the City. Nevertheless, the budgetary analysis conservatively excluded even the appearance of funding any advanced life support services by eliminating costs associated with ALS training, certifications or special pay from the Fire Service Assessed Cost. Because the City’s Fire Department does not endeavor to provide, and the exemplary budget conservatively excludes any cross-over costs of, ALS services separately funded through the county government, the City’s exemplary budget used to determine the Fire Service Assessed Cost, on its face, avoids any question that the Fire Service Assessed Cost improperly includes emergency medical services other than first response medical services routinely delivered by fire fighters. This factually serves to isolate such advanced life support medical services from fire service related responses and avoids debate as to case law validity of the resulting Fire Service Assessment.

(S) GAI Consultants, Inc. reviewed current and prior year budget information related to the provision of fire protection services and facilities and conducted a reasoned analysis of fixed and variable cost budget components, resulting in the determination that all Tax Parcels benefit in a substantially uniform manner from services, facilities and programs characterized as fixed and otherwise necessary to

provide a continual readiness to provide fire protection. In light of how the community handles ALS and emergency medical services, and the exclusion of cross-over costs from the exemplary budget, GAI Consultants, Inc. and the City Commission have determined that as much as 65% of the exemplary fire department budget could be reasonably allocated per Tax Parcel to core fixed cost expenditures incurred in maintaining readiness to provide fire protection and associated services and facilities (Tier 2); and as much as 55% of the fire department budget could be reasonably allocated to both fixed and variable cost expenditures based upon the relative value of improvements associated with each Tax Parcel (Tier 1). In any event, the remainder of the exemplary budget for fire services can be provided through other legally available funds.

(T) It is fair and reasonable to fund all or a portion of the Fire Service Assessed Cost on the basis of the relative value of improvements associated with each Tax Parcel compared to the total value of all improvements in the City in order to recognize the proportional benefit accruing to properties which face greater financial loss in the event of fire incident.

(U) It is fair and reasonable to multiply the estimated budget for fire protection services, facilities and programs by an identified proportion of the core fixed costs associated with the continual readiness to provide fire protection, in order to determine a proportional amount of the estimated budget allocable to such core fixed

costs; and, then divide such amount by a reasonable estimate of the total number of Tax Parcels within the City in order to determine the proposed annual rate of assessment per Tax Parcel in an attempt to uniformly and proportionally fund such core fixed costs.

(V) The City is not required to fully fund any given essential service or capital cost through a special assessment. So long as the application of funds is for a public purpose and funds are legally available, the City may alternatively determine to fund all or some discrete portion of an essential service or capital cost, such as fire protection services, facilities and programs, with general fund or other legally available revenues. The determination as to whether to contribute other legally available revenues, and how much to contribute, lies solely in the discretion of the City Commission.

(W) There is no requirement that the City impose an assessment for the maximum amount of the budget that can be funded by special assessments. Stated in the alternative, the City Commission may annually determine as a tax equity tool to impose special assessments at a rate less than necessary to fund all or any specific portion of the costs which might otherwise be funded by special assessments associated with fire protection services and facilities. Costs incurred in providing fire protection services, facilities and programs not otherwise funded through Fire Service Assessments may be paid with general fund or other legally available revenues. Such legally available revenues as a matter of policy may be applied exclusively to any tier or class of budget allocation or expense otherwise funded by a special assessment, in part

to one tier or class of any budget allocation or expense, or in any combination thereof, and maintain the validity of each apportionment approach used for the remaining portion of the budget attributed to the Fire Service Assessed Cost. This flexibility is implemented through a policy and legislative determination employed through careful adherence to case law, statutory law, and the State Constitution, as well as the exercise of annual budget responsibility, discretion and equity vested in the City Commission. However, in no event shall any annual rate of special assessment exceed that previously noticed to the affected land owners without further notice and public hearing pursuant to the Assessment Ordinance.

(X) The City Commission is cognizant that any system, metric or analytical view of appraising benefits or assessing costs will be open to some criticism or suggestion of alternative methods or approaches, and has labored to educate itself as to the facts, analysis, law and policy latitudes available to it in determining the Fire Service Assessed Cost and the rate of the Fire Service Assessment in the process of approving the Fire Service Assessment Roll.

(Y) The apportionment among Tax Parcels of a portion of the City's annual budget for fire protection services, facilities and programs represented by the assessment rates and Fire Service Assessments hereby adopted (sometimes called "Simplified Fire"), are reasonably characterized as necessary for providing the continual readiness to provide fire protection, notwithstanding whether fire incidents or

fire calls materialize or not; and, is hereby determined to be a fair and reasonable means to annually allocate and share such benefits, burdens and costs.

(Z) The benefits derived or burdens relieved from the continual readiness to provide fire protection services, facilities and programs as to each Tax Parcel subjected to the Fire Service Assessments equal or exceed the amount of the special assessments levied and imposed hereunder. The Assessment for any Tax Parcel within the City in employing such an approach also does not exceed the proportional benefits (or corresponding relief of burdens) that such Tax Parcel will receive (or cause) compared to any other Tax Parcel so assessed within the City.

(AA) The Commission hereby finds and determines that the Fire Service Assessments to be imposed in accordance with this Resolution provide a proper and equitable method of funding associated fire protection services and facilities by fairly and reasonably allocating a portion of the cost thereof among specially benefited property.

[Remainder of page intentionally left blank.]

**ARTICLE II
NOTICE AND PUBLIC HEARING**

SECTION 2.01. ESTIMATED FIRE SERVICE ASSESSED COST; RATE OF ASSESSMENT.

(A) The estimated Fire Service Assessed Cost to be recovered through Fire Service Assessments for the Fiscal Year commencing October 1, 2015 is \$1,098,128.38 (for Tier 1 – relative value of improvement for each Tax Parcel for variable costs) and \$550,875.00 (for Tier 2 – per Tax Parcel for fixed, readiness to serve costs).

(B) The Fire Service Assessments established in this Annual Assessment Resolution are determined by the assessment rates prepared for consideration by the public and City Commission in the preparation of the Fire Service Assessment Roll for the Fiscal Year commencing October 1, 2015.

(C) The rate of Fire Service Assessment is (1) \$2.46 per thousand dollars of improvements, or fraction thereof, for each Tax Parcel as reflected in the Tax Roll (Tier 1), plus (2) \$125.00 per Tax Parcel (Tier 2).

SECTION 2.02. FIRE SERVICE ASSESSMENT ROLL

(A) The Assessment Coordinator has prepared a preliminary Fire Service Assessment Roll that contains the following information:

(1) a summary description of each Tax Parcel (conforming to the description contained on the Tax Roll maintained by the Property Appraiser for

the purpose of levying and collecting ad valorem taxes) which is intended to be subject to the Fire Service Assessment;

(2) the name of the owner of record of each Tax Parcel, as shown on the Tax Roll; and

(3) the proposed amount of the total Fire Service Assessment for each affected Tax Parcel for the fiscal year commencing October 1, 2015, exclusive of anticipated costs of collection and administration.

(B) In the event the City also imposes or collects an impact fee upon new growth or development for capital improvements related to fire protection, the special assessments provided for hereunder shall not include costs attributable to capital improvements necessitated by new growth or development which were included in the computation of such impact fee or which are otherwise funded by such impact fee.

(C) Copies of the Assessment Ordinance, this Resolution and the preliminary Fire Service Assessment Roll have been made available in the City Clerk's office at City Hall, 201 N. 2nd Street, Palatka, Florida, 32177, or have been open to public inspection in a manner consistent with the Assessment Ordinance. The amount of the proposed Assessment for each Tax Parcel has been noticed since July 16, 2015 at or through the City's website and accessible through the internet at www.palatka-fl.gov/fireassessment and at the City Clerk's office located at City Hall, 201 N. 2nd Street, Palatka, Florida.

(D) In the event the Assessment Coordinator makes any corrections, exemptions, administrative hardship deferrals or other modifications to the Assessment Roll authorized by the Assessment Ordinance, this Resolution or otherwise, all funding for such changes to the Assessment Roll shall be funded by legally available funds other than direct proceeds of the Assessments. Such changes shall not require any recalculation or change in the rate or rates of assessment otherwise considered or adopted pursuant to the Assessment Ordinance or any Annual Assessment Resolution.

SECTION 2.03. NOTICE BY PUBLICATION. The Commission directed the publication of notice of a public hearing in the manner and time provided in the Assessment Ordinance. Proof of publication of the notice is attached hereto as Appendix A.

SECTION 2.04. PUBLIC HEARING. A public hearing was held on August 6, 2015 commencing at or about 6 p.m. in City Hall Commission Chambers, 201 North Second Street, Palatka, Florida 32177, at which time the Commission received and considered information and comments on the Fire Service Assessments from City officials, staff, experts and advisors, as well as the public and affected property owners, and considered imposing Fire Service Assessments and the method of collection thereof as required by the Assessment Ordinance.

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**ARTICLE III
ASSESSMENTS**

SECTION 3.01. IMPOSITION THROUGHOUT CITY. Upon adoption hereof, Fire Service Assessments are to be levied and imposed throughout the entire area within the boundaries of the City and this Resolution shall be deemed to be adopted and confirmed for all purposes.

SECTION 3.02. IMPOSITION OF ASSESSMENTS. Fire Service Assessments shall be imposed against Tax Parcels located within the City, the annual amount of which shall be computed for each Tax Parcel in accordance with this Resolution. When imposed, the Fire Service Assessment for each Fiscal Year shall constitute a lien upon Assessed Property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments as provided in the Assessment Ordinance.

SECTION 3.03. APPORTIONMENT APPROACH.

(A) As provided for herein, the Fire Service Assessed Cost shall be apportioned among all Tax Parcels within the City, not otherwise exempted hereunder, and including any statutorily defined parcels such as individual condominium or cooperative units with extraordinary alienability. The estimated Fire Service Assessed Cost and rate of Fire Service Assessment shall be that described in Section 2.01 hereof.

(B) It is hereby ascertained, determined, and declared that the method of determining the Fire Service Assessments as set forth in this Annual Assessment Resolution is a fair and reasonable method of apportioning the Fire Service Assessed Cost among Tax Parcels of Assessed Property located within the City.

(C) The Fire Service Assessment Roll is hereby approved.

SECTION 3.04. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the City from the Fire Service Assessments, after payment of costs and expenses associated with collection and administration of the Assessments, shall be utilized for the provision of fire protection related services, facilities, and programs associated with maintaining continual readiness to serve. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund costs associated with fire protection related services, facilities, and programs.

SECTION 3.05. COLLECTION OF ASSESSMENTS; VALIDATION.

(A) Unless otherwise determined by the Commission, collection of the Fire Service Assessments shall take place pursuant to the traditional direct billing method of collection described in Article III of the Assessment Ordinance.

(B) The amount of the Assessment imposed, levied, and billed to each owner of Assessed Property may include a pro rata share of the costs and expenses associated

with collection and administration of the Assessments, but not to exceed five dollars (\$5.00) per tax parcel.

(C) Capital equipment and facilities are fundamental components to the preparedness necessary to continually stand ready to provide fire protection services, facilities and programs. Following adoption of this Annual Assessment Resolution, but prior to the date on which the Fire Service Assessment Roll is certified for collection, the Assessment Coordinator and counsel for the City are directed and authorized to promptly institute proceedings pursuant to Chapter 75, Florida Statutes, for validation of any Obligations to be secured by the Assessments. Unless directed otherwise by resolution of the City Commission, the further imposition and collection of Assessments as provided herein shall be contingent upon the validation of any such Obligations and the appeal period having expired without an appeal having been taken and/or any appeal having been resolved in favor of the City. Any Obligations issued by the City shall contain a covenant by the City to adopt an Annual Assessment Resolution imposing Assessments for each Fiscal Year until the Obligations have been paid in full.

SECTION 3.06. DIRECTION CONCERNING ANY EXEMPTION.

(A) Tax Parcels which are statutorily exempted from the payment of ad valorem taxes are in certain circumstances subject to the Fire Service Assessments contemplated hereunder. Tax Parcels classified or described by the Property Appraiser as institutionally tax exempt, including the following classifications: (1) vacant

institutional, (2) churches & temples, (3) private schools & colleges, (4) privately-owned hospitals, (5) homes for the aged, (6) mortuary, cemetery & crematorium, (7) clubs, lodges & union halls, (8) sanitarium, convalescent & rest home, and (9) cultural organization facilities are all subject to the Fire Service Assessments contemplated hereunder.

(B) Tax parcels comprising Government Property are not subject to the Fire Service Assessments contemplated hereunder. Such Tax Parcels include those classified or described by the Property Appraiser as government-owned, including the following: (1) military, (2) forest, parks, recreational, (3) public county schools, (4) public colleges, (5) public hospitals, (6) other county-owned property, (7) other state-owned property, (8) other federal-owned property, and (9) other municipal-owned property. Provided, however, each such Government Property owner shall be approached by the Mayor, or his designee, and asked to pay as a fee or charge an amount comparable to the Assessment for each such Government Property. Said amount may be invoiced annually, quarterly or monthly in accord with Section 3.04 of the Assessment Ordinance.

(C) The following Tax Parcel classifications are special designations used by the Property Appraiser for recordkeeping purposes and do not represent actual or assessable Tax Parcels and are not subject to the Fire Service Assessments contemplated hereunder: (1) common element, (2) header record, and (3) notes parcel.

(D) Certain Tax Parcels associated with the following classifications used by the Property Appraiser typically do not receive a special benefit from the provision of fire protection services and facilities or are infeasible or impractical to assess, and therefore are not subject to the Fire Service Assessments contemplated hereunder: (1) right-of-way, (2) rivers, lakes & submerged land, (3) sewage disposal & waste lands, and (4) outdoor recreation or parkland.

(E) The foregoing classifications of properties in this Section which are exempted are reasonably determined to be inappropriate, infeasible or impracticable to assess, and either benefit marginally or create a lesser or nominal demand or burden on the City's costs associated with readiness to serve, do not merit the expenditure of public funds to impose or collect the Fire Service Assessments, are tax exempt and/or otherwise generally serve in some respect to promote the public health, safety, morals, general welfare, security, prosperity and contentment of the inhabitants or residents of the City. The Assessment Coordinator, or his designee, is authorized and directed to use sound judgment in extending such determinations and guidance as the Fire Service Assessment Roll is collected. The foregoing classifications of properties not to be assessed do not include Government Property that is leased for private use.

(F) Based upon the foregoing, there are relatively few exempt properties within the City. Using legally available funds other than the proceeds of the Fire Service Assessments, the City shall otherwise fund or contribute an amount equal to the

Fire Service Assessments that would have been otherwise derived from such exempt properties.

(G) Provided, however, the City Commission reserves the right and ability in the future to impose Fire Service Assessments against Tax Parcels determined to be exempt hereunder to the extent permitted by law, upon lack of reasonable cooperation or willingness to pay for a share of the Fire Service Assessment Cost, or otherwise in the event required or directed to do so by a court of competent jurisdiction.

SECTION 3.07. EFFECT OF ANNUAL ASSESSMENT RESOLUTION.

The adoption of this Annual Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of apportionment and assessment, the rate or rates of assessment, the Assessment Roll, and the levy and lien of the Assessments), unless proper steps are initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of City Commission's adoption of this Annual Assessment Resolution.

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ARTICLE IV
GENERAL PROVISIONS

SECTION 4.01. AUTHORIZATIONS. The Mayor and any member of the City Commission, the City Attorney, the City Manager, the Clerk, the Fire Chief and such other officials, employees or agents of the City as may be designated by the City Commission are authorized and empowered, collectively or individually, to take all action and steps and to execute all instruments, documents, and contracts on behalf of the City that are necessary or desirable in connection with the imposition and collection of the Fire Service Assessments contemplated hereunder, and which are specifically authorized or are not inconsistent with the terms and provisions of this Resolution.

SECTION 4.02. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4.03. SEVERABILITY. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

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SECTION 4.04. EFFECTIVE DATE. This Annual Assessment Resolution shall take effect immediately upon its passage and adoption.

PASSED and ADOPTED in regular session of the City Commission of the City of Palatka, Florida, this 18th day of August, 2015.

THE CITY OF PALATKA, FLORIDA

By: _____
Terrill L. Hill, Its MAYOR
Ex-Officio Chair of the City Commission

ATTEST:

Betsy J. Driggers, CITY CLERK

**APPROVED AS TO
CORRECTNESS AND FORM:**

By: _____
Donald E. Holmes, CITY ATTORNEY

APPENDIX A

*Agenda
Item*

46

RESOLUTION NO. 2015-11-59

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA AUTHORIZING THE ISSUANCE OF ITS FIRE SERVICE ASSESSMENT REVENUE NOTE, SERIES 2015, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$45,950.69 TO FUND THE ACQUISITION AND/OR CONSTRUCTION OF CERTAIN CAPITAL IMPROVEMENTS AND EQUIPMENT OF THE CITY; PROVIDING THAT THE SERIES 2015 NOTE SHALL BE A LIMITED OBLIGATION OF THE CITY PAYABLE SOLELY FROM CERTAIN SPECIAL ASSESSMENTS AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS AND REMEDIES FOR THE OWNER OF THE SERIES 2015 NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the provisions of Article VIII, Section 2 of the Constitution of the State of Florida, Chapter 166, Florida Statutes, the Charter of the City of Palatka, Florida, the Assessment Ordinance, the Assessment Resolution, and other applicable provisions of law.

SECTION 2. DEFINITIONS. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Assessment Resolution, unless the context herein otherwise requires. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa. The following words and phrases shall have the following meanings when used herein:

"Act" means Article VIII, Section 2 of the Constitution of the State of Florida, Chapter 166, Florida Statutes, the Charter of the Issuer, the Assessment Ordinance and other applicable provisions of law.

"Additional Notes" means additional obligations issued in compliance with the terms, conditions and limitations contained in Section 13 hereof which will have an equal lien on the Pledged Revenues, to the extent herein provided and rank equally in all other respects with the Series 2015 Note and other Additional Notes issued hereunder.

"Annual Debt Service Requirement" means the principal and interest on the Notes coming due in the forthcoming Fiscal Year.

"Assessment Ordinance" means Ordinance No. 15-14 adopted by the Issuer prior to the adoption of the Assessment Resolution.

"Assessment Resolution" means Resolution No. 2015-11-58 adopted by the Issuer prior to the adoption of this Resolution.

"Business Day" means any day except any Saturday or Sunday or day on which the principal office of the Owner of a Note is closed.

"City Attorney" means the City Attorney, or any special counsel to the Issuer, or such other counsel as may be duly authorized by the City Commission to act on its behalf.

"Clerk" means the City Clerk or assistant or deputy City Clerk of the Issuer, or such other Person as may be duly authorized by the City Commission of the Issuer to act on his or her behalf.

"Code" means the Internal Revenue Code of 1986, as amended, and any Treasury Regulations, whether temporary, proposed or final, promulgated thereunder or applicable thereto.

"Debt Service Fund" means the Debt Service Fund established herein with respect to the Series 2015 Note.

"Fire Service Assessments" means the special assessments, sometimes referred to as non-ad valorem assessments, imposed and collected by the Issuer pursuant to the Assessment Ordinance and any assessment resolution provided for therein.

"Fiscal Year" means the period commencing on October 1 of each year and continuing through the following September 30, or such other period as may be prescribed by law as the Fiscal Year for the Issuer.

"Issuer" means the City of Palatka, Florida, a municipal corporation of the State of Florida

"Mayor" means the Mayor of the Issuer or in his or her absence or inability to act, the Vice Mayor of the Issuer or such other Person as may be duly authorized by the City Commission to act on his or her behalf.

"Notes" means the Series 2015 Note and any outstanding Additional Notes.

"Owner" means the Person in whose name a Series 2015 Note shall be registered on the books of the Issuer kept for that purpose in accordance with provisions of this Resolution.

"Original Purchaser" means the original purchaser of the Series 2015 Note.

"Person" means natural persons, firms, trusts, estates, associations, corporations, partnerships and public bodies.

"Pledged Revenues" means (i) the Fire Service Assessments; (2) the monies on deposit in the Debt Service Fund and the Project Fund established herein, and investment earnings on moneys in deposit in such funds.

"Project" means the acquisition and/or construction of capital improvements and equipment for the Issuer's fire protection services including, without limitation, the construction of fire stations and the acquisition of equipment necessary for the suppression of and from fires (including, but not limited to, fire engines or trucks) permitted to be funded with the proceeds of any Notes pursuant to the laws of the State.

"Project Fund" means the Project Fund to be established pursuant to Section 10 hereof with respect to the Series 2015 Note.

"Resolution" means this Resolution, pursuant to which the Series 2015 Note is authorized to be issued, including any Supplemental Resolutions.

"Series 2015 Note" means the Issuer's Fire Service Assessment Revenue Note, Series 2015, authorized by Section 4 hereof.

"State" means the State of Florida.

"Supplemental Resolution" means any resolution of the Issuer amending, supplementing or restating this Resolution.

SECTION 3. FINDINGS.

(A) For the benefit of its inhabitants and property owners, and in order to maintain a continual state of preparedness to address fire incidents, the City Commission finds, determines and declares that it is necessary for the continued preservation of the health, welfare, convenience and safety of its inhabitants and in the best interests of the property owners within the jurisdiction of the Issuer to acquire and/or construct the Project. Issuance of the Series 2015 Note to finance the Project satisfies a paramount public purpose.

(B) Debt service on the Notes will be payable from a pledge of the Pledged Revenues as provided herein. The Pledged Revenues will be sufficient to pay the principal and interest on the Series 2015 Note herein authorized, as the same become due, and to make all deposits required by this Resolution.

(C) The Issuer shall never be required to exercise any ad valorem taxing power or use any ad valorem tax revenues to pay such Series 2015 Note, nor shall any Owner be entitled to payment of such Series 2015 Note from any funds of the Issuer

except from the Pledged Revenues as described herein. The Series 2015 Note shall not constitute a lien upon any properties owned or located within the boundaries of the Issuer or upon any property other than the Pledged Revenues.

**SECTION 4. AUTHORIZATION OF PROJECT AND SERIES 2015 NOTE;
THIS RESOLUTION TO CONSTITUTE CONTRACT.**

(A) The Issuer does hereby authorize the Project. Subject and pursuant to the provisions of this Resolution, an Obligation of the Issuer to be known as City of Palatka, Florida, Fire Service Assessment Revenue Note, Series 2015 (the "Series 2015 Note") is hereby authorized to be issued under and secured by the Pledged Revenues pursuant to this Resolution, in the principal amount of not to exceed \$45,950.69 for the Project. Notwithstanding anything herein to the contrary, the series designation applicable to the Series 2015 Note may be changed to conform to the calendar year of issue.

(B) In consideration of the acceptance of any Notes authorized to be issued hereunder by those who shall hold the same from time to time, this Resolution shall be deemed to be and shall constitute a contract between the Issuer and the Owner. The covenants and agreements herein set forth to be performed by the Issuer shall be for the equal benefit, protection and security of the legal Owner of any and all of the Notes, all of which shall be of equal rank and without preference, priority or distinction of any of the Notes over any other thereof, except as expressly provided therein and herein.

SECTION 5. DESCRIPTION OF NOTES; EXECUTION OF NOTES. The Notes shall be dated the date of their respective execution and delivery, which shall be a date agreed upon by the Issuer and the Original Purchaser. The Notes constitute Obligations of the Issuer and may, if and when authorized by the Issuer pursuant to this Resolution and any Supplemental Resolution, be issued in one or more Series, with such further appropriate particular designations added to or incorporated in such title for the Notes of any particular series as the Issuer may determine. The Notes shall bear interest at such rate or rates not exceeding the maximum rate permitted by law as provided in the Supplemental Resolution; and shall be payable and/or prepayable in lawful money of the United States of America on such dates all as determined herein or by Supplemental Resolution. The Notes may bear interest at fixed or variable rates and may be issued as current interest notes, capital appreciation notes, lease purchase obligations subject to annual appropriation or other legal structures as approved by Supplemental Resolution. The Notes shall be in the form set forth by Supplemental Resolution.

SECTION 6. REGISTRATION AND EXCHANGE OF PERSONS TREATED AS OWNER. The Person in whose name the Notes shall be registered shall be deemed and regarded as the absolute Owner and payment of principal and interest on such Note shall be made only to or upon the written order of the Owner. All such

payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

SECTION 7. PAYMENT OF PRINCIPAL AND INTEREST; LIMITED OBLIGATION. The Issuer promises that it will promptly pay the principal of and interest on the Notes at the place, on the dates and in the manner provided herein and by Supplemental Resolution according to the true intent and meaning hereof and thereof. The Notes shall not be or constitute a general obligation or indebtedness of the Issuer as a “bond” within the meaning of Article VII, Section 12 of the Constitution of Florida, but shall be payable solely from the Pledged Revenues in accordance with the terms hereof. No holder of any Note issued hereunder shall ever have the right to compel the exercise of any ad valorem taxing power or the use of ad valorem tax revenues to pay such Notes, or be entitled to payment of such Notes from any funds of the Issuer except from the Pledged Revenues as described herein.

SECTION 8. DEBT SERVICE FUND.

(A) The Issuer hereby covenants that it will establish with a depository in the State of Florida, which is eligible under the laws of the State of Florida to receive municipal funds, a fund to be known as the “City of Palatka, Florida, Fire Service Assessment Revenue Note, Series 2015 Debt Service Fund” (the “Debt Service Fund”).

(B) Upon receipt, the Issuer shall deposit all proceeds of the Fire Service Assessments, after payment of any collection costs and administration costs associated

therewith (whether collected by use of the Tax Collector, Property Appraiser, or otherwise), into the Debt Service Fund until such time as moneys sufficient to pay the Annual Debt Service Requirement for the then current Fiscal Year are on deposit therein.

(C) Upon deposit of an amount equal to the Annual Debt Service Requirement in any Fiscal Year, no further deposits shall be made into the Debt Service Fund and the remaining Fire Service Assessments shall be transferred to the general fund or other appropriate fund of the Issuer and shall be used for any lawful purpose and shall no longer be considered Pledged Revenues hereunder.

(D) Moneys on deposit in the Debt Service Fund shall be used solely to pay the principal of and interest on the Notes as it becomes due.

SECTION 9. PLEDGE AND COLLECTION OF PLEDGED REVENUES.

(A) The principal of and interest on the Notes will be secured solely by a lien upon and pledge of the Pledged Revenues.

(B) Equally and ratably, the Issuer does hereby irrevocably pledge and grant a lien on the Pledged Revenues, prior and superior to all other liens and encumbrances on such Pledged Revenues, to the payment of principal of and interest on the Notes in accordance with the provisions hereof. The Pledged Revenues shall immediately be subject to the lien of this pledge without any physical delivery thereof or further act, and the lien of this pledge shall be valid and binding as against all parties having

claims of any kind in tort, contract or otherwise against the Issuer, irrespective of whether such parties have notice thereof.

(C) The Issuer covenants to do all things necessary on its part to collect the Fire Service Assessments, and will take all steps, actions and proceedings for the enforcement and collection of such Fire Service Assessments as shall become delinquent to the full extent permitted or authorized by law; and will maintain accurate records with respect thereof. All such Fire Service Assessments, as collected, be held in trust to be applied as herein provided. The Issuer will not amend or modify the resolutions pursuant to which the Fire Service Assessments are assessed so as to impair or adversely affect the power and obligation of the Issuer to assess such Pledged Revenues.

(D) The Issuer shall annually and timely adopt an assessment resolution as required and necessary for imposing Fire Service Assessments for each Fiscal Year in an amount sufficient to satisfy the Annual Debt Service Requirement until the Notes have been paid in full.

**SECTION 10. APPLICATION OF PROCEEDS OF SERIES 2015 NOTE;
PROJECT FUND.**

(A) At the time of delivery of the Series 2015 Note, proceeds from the sale of the Series 2015 Note shall be used to reimburse and/or pay the Project Costs and

associated costs of issuance (including, but not limited to, legal and financial advisory fees and expenses) in accordance with the provisions in this Section.

(B) The Issuer hereby covenants that it will establish with a depository in the State of Florida, which is eligible under the laws of the State of Florida to receive municipal funds, one fund to be known as the “City of Palatka, Florida, Fire Service Assessment Revenue Note, Series 2015, Project Fund” (the “Project Fund”).

(C) Proceeds from the sale of the Series 2015 Note herein authorized shall be deposited into the Project Fund and shall be used as described herein. When the acquisition and/or construction of the Project has been completed and all Project Costs and costs of issuance have been paid in full, all funds remaining in the Project Fund shall be used to prepay the outstanding balance of the Series 2015 Note corresponding to the Project and the Project Fund shall be closed. All moneys deposited in said Project Fund shall be and constitute a trust fund created for the purposes herein stated, and there is hereby created a lien upon such fund in favor of the holders of the Series 2015 Note until the moneys thereof shall have been applied in accordance with this Resolution.

(D) Moneys on deposit from time to time in the Project Fund shall be used to pay or reimburse the following Project Costs:

(1) Costs incurred directly or indirectly for or in connection with a Project or a proposed or future Project or acquisition including, but not limited

to, those for preliminary planning and studies, architectural, construction management services, legal, financial, engineering and supervisory services, labor, services, materials, equipment, accounts receivable, acquisitions, land, rights-of-way, improvements and installation;

(2) Premiums attributable to all insurance required to be taken out and maintained during the period of construction with respect to a Project to be acquired or constructed, the premium on each surety bond, if any, required with respect to work on such facilities, and taxes, assessments and other charges hereof that may become payable during the period of construction with respect to such a Project;

(3) Costs incurred directly or indirectly in seeking to enforce any remedy against a contractor or subcontractor in respect of any default under a contract relating to a Project or costs incurred directly or indirectly in defending any claim by a contractor or subcontractor with respect to a Project;

(4) Financial, legal, accounting, appraisals, title evidence and printing and engraving fees, charges and expenses, and all other such fees, charges and expenses incurred in connection with the authorization, sale, issuance and delivery of such Notes;

(5) Capitalized interest funded from Note proceeds, if any, for a reasonable period of time;

(6) Any other incidental and necessary costs including without limitation any expenses, fees and charges relating to the acquisition, construction or installation of a Project, and the making of extraordinary repairs, renewals and replacements, decommissioning or retirement of any portion of the Project, including the cost of temporary employees of the Issuer retained to carry out duties in connection with the acquisition, construction or erection of a Project and costs related to transition of such Project into ownership by the Issuer;

(7) Costs incurred directly or indirectly in placing any Project in operation in order that completion of such Project may occur;

(8) Any other costs relating to the Project authorized pursuant to a Supplemental Resolution of the Issuer and permitted under the laws of the State; and

(9) Reimbursements to the Issuer for any of the above items hereinbefore paid by or on behalf of the Issuer.

(E) Notwithstanding anything else in this Resolution to the contrary, in the Event of Default, the trustee acting for the holders of Notes shall, to the extent there are no other available funds held hereunder, use the remaining funds the Project Fund to pay principal and interest on the Notes.

SECTION 11. SPECIAL FUNDS.

(A) The funds created and established by this Resolution shall constitute trust funds for the purpose provided herein for such funds. All of such funds shall be continuously secured in the same manner as municipal deposits of funds are required to be secured by the laws of the State of Florida. Moneys on deposit to the credit of all funds created hereunder may be invested pursuant to applicable law and the Issuer's investment policy and, shall mature not later than the dates on which such moneys shall be needed to make payments in the manner herein provided. The securities so purchased as an investment of funds shall be deemed at all times to be a part of the fund from which the said investment was withdrawn, and the interest accruing thereon and any profit realized therefrom shall be credited to such fund, and any loss resulting from such investment shall likewise be charged to said fund.

(B) The moneys required to be accounted for in each of the foregoing funds and accounts established herein may be deposited in a single bank account, and funds allocated to the various funds and accounts established herein may be invested in a common investment pool, provided that adequate accounting records are maintained to reflect and control the restricted allocation of the moneys on deposit therein and such investments for the various purposes of such funds and accounts as herein provided.

(C) The designation and establishment of the various funds and accounts in and by this Resolution shall not be construed to require the establishment of any completely independent, self-balancing funds as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of certain revenues for certain purposes and to establish certain priorities for application of such revenues as herein provided.

SECTION 12. TAX COVENANT. The Issuer covenants to the Owner of the Notes provided for in this Resolution that the Issuer will not make any use of the proceeds of the Notes at any time during the term of the Notes which, if such use had been reasonably expected on the date the Note was issued, would have caused such Note to be an “arbitrage bond” within the meaning of the Code. The Issuer will comply with the requirements of the Code and any valid and applicable rules and regulations promulgated thereunder necessary to ensure the exclusion of interest on the Note from the gross income of the holders thereof for purposes of federal income taxation.

SECTION 13. ADDITIONAL NOTES.

(A) The Issuer will not issue any Obligations payable from the Fire Service Assessments or voluntarily create or cause to be created any debt, lien, pledge, assignment, encumbrance or other charge having priority to or being on a parity with the lien of any Note issued pursuant to this Resolution upon the Pledged Revenues except under the terms and conditions and in the manner provided herein. Any

Obligations issued by the Issuer other than in accordance with this Section and payable from the Fire Service Assessments shall contain an express statement that such Obligations are junior and subordinate in all respects to the Notes issued hereunder as to lien on, and source of and security for payment from, the Pledged Revenues.

(B) No Additional Notes may be issued hereunder unless the Mayor shall sign and issue a certificate that shall state and certify that the Fire Service Assessments for the most recently audited Fiscal Year of the Issuer preceding the issuance of Additional Notes equaled at least one (1) times the maximum Annual Debt Service Requirement for Notes then outstanding and on the Additional Notes proposed to be issued.

(C) Each Resolution or enabling instrument authorizing the issuance of such Additional Notes will recite that all of the covenants herein contained will be fully applicable to such Additional Notes as if originally issued hereunder.

SECTION 14. LIMITATION OF RIGHTS. With the exception of any rights herein expressly conferred, nothing expressed or mentioned in or to be implied from this Resolution or the Notes is intended or shall be construed to give to any Person other than the Issuer and the Owner any legal or equitable right, remedy or claim under or with respect to this Resolution or any covenants, conditions and provisions herein contained; this Resolution and all of the covenants, conditions and provisions hereof

being intended to be and being for the sole and exclusive benefit of the Issuer and the Owner.

SECTION 15. AMENDMENT; IMPAIRMENT OF CONTRACT. This Resolution shall not be modified or amended in any respect subsequent to the issuance of the Notes except with the written consent of the Owner of the Note. The Issuer covenants with the Owner of the Note that it will not, without the written consent of the Owner of the Note adopt any resolution which repeals, impairs or amends in any manner adverse to the Owner the rights granted to the Owner of the Note hereunder.

SECTION 16. EVENTS OF DEFAULT; REMEDIES OF OWNER.

(A) The following shall constitute "Events of Default": (i) if the Issuer fails to pay any payment of principal of or interest on any Note as the same becomes due and payable; (ii) if the Issuer defaults in the performance or observance of any covenant or agreement contained in this Resolution or the Note (other than set forth in (i) above) and fails to cure the same within thirty (30) days after written notice to the Issuer by the Owner; or (iii) filing of a petition by or against the Issuer relating to bankruptcy, reorganization, arrangement or readjustment of debt of the Issuer or for any other relief relating to the Issuer under the United States Bankruptcy Code, as amended, or any other insolvency act or law now or hereafter existing, or the involuntary appointment of a receiver or trustee for the Issuer, and the continuance of any such event for 90 days undismitted or undischarged.

(B) Any Owner of the Note may either at law or in equity, by suit, action, mandamus or other proceedings in any court of competent jurisdiction, protect and enforce any and all rights, including the right to the appointment of a receiver, existing under the Laws of the State of Florida, or granted and contained in this Resolution, and may enforce and compel the performance of all duties required by this Resolution or by any applicable State or Federal statutes to be performed by the Issuer or by any officer thereof. Nothing herein, however, shall be construed to grant to any Owner of the Note any lien on any real property of the Issuer.

SECTION 17. SEVERABILITY. If any provision of this Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable in any context, the same shall not affect any other provision herein or render any other provision (or such provision in any other context) invalid, inoperative or unenforceable to any extent whatever.

SECTION 18. APPLICABLE PROVISIONS OF LAW. This Resolution shall be governed by and construed in accordance with the laws of the State.

SECTION 19. MEMBERS OF THE CITY COMMISSION OF THE ISSUER EXEMPT FROM PERSONAL LIABILITY. No recourse under or upon any obligation, covenant or agreement of this Resolution or the Notes or for any claim based thereon or otherwise in respect thereof, shall be had against any member of the City Commission of the Issuer, as such, past, present or future, either directly or through the

Issuer it being expressly understood (1) that no personal liability whatsoever shall attach to, or is or shall be incurred by, the members of the City Commission of the Issuer, as such, under or by reason of the obligations, covenants or agreements contained in this Resolution or implied therefrom, and (2) that any and all such personal liability, either at common law or in equity or by constitution or statute, of, and any and all such rights and claims against, every such member of the City Commission of the Issuer, as such, are waived and released as a condition of, and as a consideration for, the execution of this Resolution and the issuance of the Notes, on the part of the Issuer.

SECTION 20. AUTHORIZATIONS. The Mayor and any member of the City Commission, the City Manager, the City Attorney, the Clerk and such other officials, employees and agents of the Issuer as may be designated by the Issuer are each designated as agents of the Issuer in connection with the issuance and delivery of the Series 2015 Note and are authorized and empowered, collectively or individually, to take all action and steps and to execute all instruments, documents, and contracts on behalf of the Issuer that are necessary or desirable in connection with the execution and delivery of the Series 2015 Note, and which are specifically authorized or are not inconsistent with the terms and provisions of this Resolution.

SECTION 21. SALE OF NOTES. The Notes may be issued and sold at public or private sale at one time or in installments from time to time and at such price

or prices as shall be consistent with the provisions of the requirements of this Resolution, as further approved by a Supplemental Resolution and other applicable provisions of law.

SECTION 22. VALIDATION. The City Attorney and any special counsel authorized by the Commission are hereby directed and authorized to institute appropriate proceedings for the validation pursuant to Chapter 75, Florida Statutes, of the Series 2015 Note and any and all matters connected therewith or other proceedings necessary for the Issuer to determine its authority to issue the Series 2015 Note, construct and/or acquire the Project, including the validity and use of the Pledged Revenues in all respects, and the proper officers of the Issuer are hereby authorized to verify on behalf of the Issuer any pleadings in such proceedings.

SECTION 23. DECLARATION OF INTENT. The Issuer hereby expresses its intention to be reimbursed from proceeds of a future tax-exempt financing for expenditures to be paid by the Issuer in connection with the Project. Pending reimbursement, the Issuer has used or may use funds on deposit in its general fund to pay Project Costs. It is reasonably expected that the total amount of debt to be incurred by the Issuer with respect to the Project will not exceed \$45,950.69. This Resolution is intended to constitute a "declaration of official intent" within the meaning of Section 1.150-2 of the Code with respect to the Project.

SECTION 24. REPEALER. All resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 25. EFFECTIVE DATE. This Resolution shall be in force and take effect immediately upon its passage and adoption by the City Commission.

PASSED and APPROVED in regular session of the City Commission of the City of Palatka, Florida, this 18th day of August, 2015.

THE CITY OF PALATKA, FLORIDA

By: _____
Terrill L. Hill, Mayor
Ex-Officio Chair of the City Commission

ATTEST:

Betsy J. Driggers, City Clerk

APPROVED AS TO
CORRECTNESS AND FORM:

By: _____
Donald E. Holmes, City Attorney

property within the City to fund all or a portion of the cost to continually be available and stand ready to provide fire protection services, facilities and programs, the proposed rates or explanation of the schedule of Assessments and include general information pertaining to the proposed apportionment methodology, the method of collection and a statement that all affected property owners have a right to appear at the public hearing and the right to file written objections within twenty (20) days of the publication of the notice. The notice shall direct all interested persons to the Assessment Roll and information concerning the amount of the proposed Assessment applicable to each parcel of property; provided, however, that such Assessment Roll need not be in printed form if the amount of the Assessment for each parcel of property can be determined by use of the internet, a computer terminal available to the public, or similar technology available to the public.



SECTION 2.05. ANNUAL ASSESSMENT RESOLUTION. At the time named in such notice, or to which an adjournment or continuance may be taken by the City Commission, the City Commission shall receive any written comments or objections of interested persons and may then, or at any subsequent meeting of the City Commission, adopt the Annual Assessment Resolution which shall (A) establish the rate or rates of assessment to be imposed in the designated Fiscal Year; (B) approve and adopt the Assessment Roll, with such amendments and directions as it deems just and right; and (C) provide direction as to the method of collection. All parcels assessed shall derive a special benefit from the fire protection services, facilities, or programs to be provided or

NOTICE OF PUBLIC HEARING BY THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA, TO CONSIDER ADOPTION, LEVY, AND IMPOSITION OF CERTAIN SPECIAL ASSESSMENTS AGAINST REAL PROPERTY TO DEFRAY COSTS ASSOCIATED WITH THE CONTINUAL READINESS TO PROVIDE FIRE PROTECTION

NOTICE IS HEREBY GIVEN that the City Commission of the City of Palatka, Florida, will hold a public hearing at the City Commission Meeting on Thursday, August 6, 2015, at 6:00 p.m., or as soon thereafter as may be heard, at City Hall, 201 N. 2nd Street, Palatka, Florida, for the purpose of hearing interested parties with respect to the following proposed special assessments.

The City of Palatka (the "City") is in the process of establishing a dedicated funding source for the provision of fire protection services and facilities through the imposition of non-ad valorem assessments, sometimes referred to as special assessments, against certain improved and vacant real property located within the City limits. The special assessments, if approved by the City Commission, will be allocated among assessable tax parcels according to a two-tiered methodology pursuant to which a portion of the costs attributable to the City's continual readiness to provide fire protection services to be shared equally among all tax parcels on a per parcel basis (Tier 2), and a portion of the remaining costs of service availability will be shared in accordance with the relative value of improvements for each tax parcel in the City as compared to the value of improvements for all tax parcels in the City (Tier 1).

All affected property owners have the right to appear at the public hearing and to file written comments and objections with the City Commission within 20 days of publication of this Notice. Written comments and objections should be sent to the City of Palatka City Hall, 201 N. 2nd Street, Palatka, FL, 32177, Attn: Betsy Driggers, City Clerk.

The contemplated special assessment offers a reasoned approach for sharing and apportionment premised upon two distinct tiers or classes of assessment allocations: Tier 1 – a sharing of benefits, burdens, and costs for fire protection services and facilities based upon the relative value of improvements for each tax parcel in the City as compared to the value of improvements for all tax parcels in the City; and, Tier 2 – a sharing of benefits, burdens, and costs for fire protection services and facilities through a per tax parcel allocation premised upon the annual budgetary necessity of maintaining a continual state of preparedness and readiness to serve. Each tax parcel within the City is uniquely identified by the county property appraiser using a parcel identification number. A more detailed description of the calculations and the reasoned method of computing and apportioning the assessment for each tax parcel of property and the preliminary fire service assessment roll are available online at www.palatka-fl.gov/fireassessment or at the City Clerk's Office located at City Hall, 201 N. 2nd Street, Palatka, Florida.

The special assessment will fund, in part, the costs associated with providing fire protection services and facilities each year beginning with the fiscal year 2015-16. The remainder of the fire protection budget will be funded with other legally available revenues of the City. The combination of funding sources offers a significant tax equity tool which will reduce dependence on property taxes alone as the sole source of funding for fire protection services, reduce the demand on the City's other legally available funds, and is intended to achieve a more equitable, balanced, sustainable and dedicated means of

funding the City Fire Department's service mission over time. By this approach the Commission is asking the owners of all property within the City, which enjoys the value and benefit of the assemblage of fire protection-related essential services and facilities, to contribute and, in part, participate in paying for the continual availability of fire protection service and facilities in our community.

The special assessment is an annual assessment which will continue from year to year. For the upcoming fiscal year, any assessment will be billed directly by the City to the property owner at the address shown on the records maintained by the county tax collector. In future fiscal years, the assessment will likely be collected pursuant to the tax bill collection method as authorized by Section 197.3632, Florida Statutes, in which case the annual assessment will include fees imposed by the county property appraiser and tax collector and will be adjusted as necessary to account for any statutory discounts which are necessitated when employing the efficiencies of collecting the assessments annually on the same bill as property taxes.

If approved by the City Commission after the conclusion of the public hearing, the special assessment for each tax parcel will not exceed the sum of (i) \$2.46 per \$1,000 of the value of improvements attributed to the tax parcel by the county property appraiser (Tier 1) plus (ii) \$125.00 per tax parcel (Tier 2) together with (iii) a share of administration and collections costs associated with the annual assessment.

The dollar amount of the proposed special assessment attributable to each tax parcel can be viewed and is available online at www.palatka-fl.gov/fireassessment or at the City Clerk's Office located at City Hall, 201 N. 2nd Street, Palatka, FL, 32177. Please take the opportunity to review the additional information available online.

This Notice is intended to inform all constituents about the City's efforts to effectively budget and use a blend of legally available revenues to meet fire service obligations, reduce costs, be efficient and continue to provide a reasonable level of service. The mission of the City's Fire Department is to always stand ready to protect the lives and property of the community through exemplary fire education, prevention, suppression and associated emergency rescue services. This special assessment provides a supplemental and dedicated means to accomplish these responsibilities and will serve as an additional and equitable means to address the overall management and budgeting responsibilities of the City Commission.

Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person may need to ensure a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Persons with a disability, such as vision, hearing, or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting, should contact the City Clerk in writing, or may call (386) 329-0100 for information regarding available aids and services.

/s/ BETSY DRIGGERS
CITY CLERK
City of Palatka, Florida

Publication Instructions: Publish on July 16, 2015.

100 ANNOUNCEMENTS



210 EMPLOYMENT



Driver

DRIVER TRAINEES! GET PAID COL TRAINING NOW! Learn to drive for Stevens Transport. **NO EXPERIENCE NEEDED!** New Drivers can earn \$800/wk + Benefits! Carrier covers cost! Be trained & based locally! Now Offering New Regional Routes in FL! 1-877-414-3824

General

APPLY NOW! SO YOU DO NOT MISS OUT ON OPPORTUNITIES WITH OUR GROWING COMPANY
 St. Johns Ship Building (in Palm Beach County is hiring!) We're seeking exp. Ship Right Tradesmen who are interested in competitive salaries starting wages up to \$22/hr DOE. Employees receive a comprehensive benefit package including health, dental, vision & life ins., paid vacation & paid holidays. Interested applicants can fill out an application at www.stjohnshipbuilding.com or email resume to HR@stjohnshipbuilding.com. We are an EEO/Minority Disability & Minority Employer. Must pass bgkd & drug test.

Call Lot/Ball Bonds needs a Do-Everything Person! Wash cars, answer phones, data entry, repos, customer service & animal care. Must pass bgkd check. 585-3038

Legal Notices

PUBLIC NOTICE

CITY OF PALATKA PROPOSED FIRE SERVICE ASSESSMENT ORDINANCE

NOTICE is hereby given that the City Commission of the City of Palatka, Florida, will consider the enactment of the following entitled Ordinance: **AN ORDINANCE RELATING TO THE PROVISION AND FUNDING OF FIRE PROTECTION SERVICES, FACILITIES, AND PROGRAMS IN THE CITY OF PALATKA, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF FIRE SERVICE ASSESSMENTS AGAINST PROPERTY THROUGHOUT THE CITY; PROVIDING CERTAIN DEFINITIONS; ESTABLISHING THE PROCEDURES FOR IMPOSING AND COLLECTING FIRE SERVICE ASSESSMENTS; PROVIDING CERTAIN DEFINITIONS; ESTABLISHING THE PROCEDURES FOR IMPOSING AND COLLECTING FIRE SERVICE ASSESSMENTS; PROVIDING THAT FIRE SERVICE ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS; PROVIDING FOR VARIOUS RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS WILL NOT CREATE A GENERAL DEBT OR OBLIGATION OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, at its next regular meetings to be held at 8:00 p.m. on the 23rd day of July and 8th day of August, 2015, at City Hall, 201 N. 2nd St., Palatka, Florida. Said proposed ordinance may be inspected by the public at City Hall during regular hours of business. All interested persons are hereby advised of such consideration by the City Commission and all interested parties may appear at said meetings at said time and place and be heard with respect to the proposed ordinance. This notice is given in accordance with section 166.041, Florida Statutes.**

PLEASE GOVERN YOURSELVES ACCORDINGLY.

/s/ BETSY J. DRIGGERS CITY CLERK

7/16/15
 Legal No. 00035176

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING BY THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA TO CONSIDER ADOPTION, LEVY, AND IMPOSITION OF CERTAIN SPECIAL ASSESSMENTS AGAINST REAL PROPERTY TO DEFRAY COSTS ASSOCIATED WITH THE CONTINUAL READINESS TO PROVIDE FIRE PROTECTION

NOTICE IS HEREBY GIVEN that the City Commission of the City of Palatka, Florida, will hold a public hearing at the City Commission Meeting on Thursday,

August 6, 2015, at 8:00 p.m., or as soon thereafter as may be heard, at City Hall, 201 N. 2nd Street, Palatka, Florida, for the purpose of hearing interested parties with respect to the following proposed special assessments.

The City of Palatka (the "City") is in the process of establishing a dedicated funding source for the provision of fire protection services and facilities through the imposition of non ed vloram assessments, sometimes referred to as special assessments, against certain improved and vacant real property located within the City limits. The special assessments, if approved by the City Commission, will be allocated among assessable tax parcels according to a two-tiered methodology pursuant to which a portion of the costs attributable to the City's continual readiness to provide fire protection services to be shared equally among all tax parcels on a per parcel basis (Tier 2), and a portion of the remaining costs of service availability will be shared in accordance with the relative value of improvements for each tax parcel in the City as compared to the value of improvements for all tax parcels in the City (Tier 1).

All affected property owners have the right to appear at the public hearing and to file written comments and objections with the City Commission within 20 days of publication of this Notice. Written comments and objections should be sent to the City of Palatka City Hall, 201 N. 2nd Street, Palatka, FL 32177. Attn: Betsy Driggers, City Clerk.

The contemplated special assessment offers a reasoned approach for sharing and apportionment premised upon two distinct tiers or classes of assessment allocations: Tier 1 - a sharing of benefits, burdens, and costs for fire protection services and facilities based upon the relative value of improvements for all tax parcels in the City; and, Tier 2 - a sharing of benefits, burdens, and costs for fire protection services and facilities through a per tax parcel allocation premised upon the annual budgetary necessity of maintaining a continual state of preparedness and readiness to serve. Each tax parcel within the City is uniquely identified by the county property appraiser using a parcel identification number. A more detailed description of the calculations and the reasoned method of computing and apportioning the assessment for each tax parcel of property and the preliminary fire service assessment roll are available online at www.palatka-fl.gov/assessments or at the City Clerk's Office located at City Hall, 201 N. 2nd Street, Palatka, Florida.

The special assessment will fund, in part, the costs associated with providing fire protection services and facilities each year beginning with the fiscal year 2015-16. The remainder of the fire protection budget will be funded with other legally available revenues of the City. The combination of funding sources offers a significant tax equity tool which will reduce dependence on property taxes alone as the sole source of funding for fire protection services, reduce the demand on the City's other legally available funds, and is intended to achieve a more equitable, balanced, sustainable and dedicated means of funding the City Fire Department's service mission over time. By this approach the Commission is asking the owners of all property within the City which enjoys the value and benefit of the assemblage of fire protection-related essential services and facilities, to contribute and, in part, participate in paying for the continual availability of fire protection services and facilities in our community.

The special assessment is an annual assessment which will continue from year to year. For the upcoming fiscal year, any assessment will be billed directly by the City to the property owner at the address shown on the records maintained by the county tax collector. In future fiscal years, the assessment will likely be collected pursuant to the tax bill collection method as authorized by Section 197.3632, Florida Statutes in which case the annual assessment will include fees imposed by the county property appraiser and tax collector and will be adjusted as necessary to account for any statutory discounts which are necessitated when employing the efficiencies of collecting the assessments annually on the same bill as property taxes.

If approved by the City Commission after the conclusion of the public hearing, the special assessment for each tax parcel will not exceed the sum of (i) \$2.48 per \$1,000 of the value of improvements attributed to the tax parcel by the county property appraiser (Tier 1) plus (ii) \$125.00 per tax parcel (Tier 2) together with (iii) a share of administration and collections costs associated with the annual assessment.

The dollar amount of the proposed special assessment attributable to each tax parcel can be viewed and is available online at www.palatka-fl.gov/assessments or at the City Clerk's Office located at City Hall, 201 N. 2nd Street, Palatka, FL 32177. Please take the opportunity to review the additional information available online.

This Notice is intended to inform all constituents about the City's efforts to effectively budget and use a blend of legally available revenues to meet fire service obligations, reduce costs, be efficient and continue to provide a reasonable level of service. The mission of the City's Fire Department is to always stand ready to protect the lives and property of the community through exemplary fire education, prevention, suppression and associated emergency rescue services. This special assessment provides a supplemental and dedicated means to accomplish these responsibilities and will serve as an additional and equitable means to address the overall management and budgeting responsibilities of the City Commission.

Pursuant to Section 286.0165, Florida Statutes, if any person desires to appeal any decision made by the City Commission with respect to this public hearing, such person may need to ensure a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Persons with a disability, such as vision, hearing, or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting, should contact the City Clerk in writing, or may call (386) 329-0100 for information regarding available aids and services.

/s/ BETSY DRIGGERS CITY CLERK
 City of Palatka, Florida

7/16/15
 Legal No. 00035176

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



CITY of Palatka
FLORIDA

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

TERRY K. SUGGS
CITY MANAGER

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

MINUTES
CITY OF PALATKA
DISCUSSION FORUM MEETING
August 6, 2015 – 5:00 p.m.

Proceedings of a discussion forum of the City Commission of the City of Palatka, Florida, held on the 6th day of August, 2015.

PRESENT: Mayor Terrill L. Hill
Commissioner Mary Lawson Brown
Commissioner Rufus Borom
Commissioner Justin Campbell
Commissioner James Norwood, Jr.

Also Present: City Manager Terry Suggs; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Finance Director Matt Reynolds; Interim Police Chief James Griffith; Planning Director Thad Crowe; Fire Chief Mike Lambert

CALL TO ORDER & Reading of Discussion Forum Meeting Call – Mayor Hill called the meeting to order at 5:00 p.m. and read the following meeting call, which was issued on August 4, 2015:

**TO COMMISSIONERS: MARY LAWSON BROWN, RUFUS BOROM,
JUSTIN CAMPBELL AND JAMES NORWOOD, Jr.:**

You are hereby notified that a Discussion Forum of the Palatka City Commission is called to be held on Thursday, August 6, 2015, at the regular meeting place of the Palatka City Commission, Palatka City Hall, 201 N. 2nd Street, Palatka, Florida, to commence at 4:30 p.m.

The purpose of the discussion forum is to hold discussion concerning the proposed adoption of a Fire Assessment Fee, which is the subject of a public hearing to be held during the regular Palatka City Commission meeting (Agenda Item #5) on August 6, 2015, said Regular meeting to commence at 6:00 p.m.

/s/ Terrill L. Hill

Terrill L. Hill, MAYOR

The following Commissioners acknowledged receipt of a copy of the foregoing notice of a Workshop meeting on the 4th day of August, 2015.

/s/ Mary Lawson Brown
COMMISSIONER

/s/ Justin Campbell
COMMISSIONER

/s/ James Norwood, Jr.
COMMISSIONER

/s/ Rufus Borom
COMMISSIONER

INVOCATION AND PLEDGE OF ALLEGIANCE – Lee Johnson

Mayor Hill called the Forum opened the floor for speakers.

Allegra Kitchens, 1023 S. 12th Street, said she has 49 notes on this. Some of them don't understand improvement value, which means anything God didn't put on the land. This results in a higher fee. Using the Vice Mayor's property, this shows her value figured on the 2014 value, but it should be figured on the 2015 value, which is lower. She noted several points regarding assessments and delinquencies and foreclosure powers by the city, noting the ordinance gives the city the power to impose the fee on government properties and other parcels that are now exempt from ad valorem taxes such as lodges and cemeteries. She asks the city not to adopt this ordinance.

Pastor Dan Phillips, Lemon Heights Baptist Church, 109 Karen Court, recounted an incident wherein his brother, a firefighter, had to use his own vehicle to drive an injured person to the hospital, so he understands the need to equip public safety personnel, but asked to exempt churches from the assessment, stating tithes come in on a voluntary basis and are used to do God's work.

Kathy Wright, 503 E. Palmetto Street, read a letter (not filed) into the record stating she recognizes a fire assessment fee is the best way to pay for fire services and she understand the money will be utilized to pay for fire services with the goal of lowering ad valorem taxes. The letter asks if the 2-tier system is fair and equitable for each property and takes into account each property and its historical demand and the financial hardship of individual property owners. They ask for a policy decision to exempt certain classifications of properties, i.e. charitable or religious exemptions, veterans meeting the definition under Florida Statutes, i.e. permanently disabled veterans/confined to wheelchairs and double taxed members of churches.

Paul Smith, 722 S. 18th Street, Palatka, said he spoke with people who were in favor of the fire assessment as long as the millage rate was decreased, and asked if the millage was going to be decreased. He asked if they could describe the 30-day lien.

Charles Gauthier, 447 East End Road, San Mateo, American Legion Bert Hodge Post, said they do not have a bar, they use their money to help veterans in the community rebuild their homes. They have a hardship fund. They serve the community also. This puts them in a financial hardship. They request that if non-profits are assessed this that it would be less than the regular assessment.

Dr. Kirby Kennedy, Pastor, First Baptist Church, 106 Lisa Lane, said he spoke with officials in regards to this assessment, and asked them to exempt churches and non-profits. There are people who live in the City who voluntarily contribute to churches and non-profits who will be taxed twice, and if they own businesses, they will be taxed three times. The cost of FBC's proposed fee is over \$10,000. If they are not exempt, ministry money will be transferred to the City. The City has pleaded with them to get involved with the Community, and this will hinder this effort. Their budget

has remained the same since 2010. They will have to shut down community ministries like basketball, cheerleading and camp, and limit football prayer breakfast, as well as Winter Fest for children. They help people spiritually, physically and emotionally. They are taking away their funds to help in the community. They understand the City wants to lower the millage rate by adopting the fire assessment fee, and they commend that, but to their knowledge, they don't pay a millage rate, so it won't benefit the Church, so please consider exempting them.

George Monkhouse, 1423 S. 15th Street, said he is happy living in Palatka. He is a totally and permanently disabled veteran. He pays his taxes and does not want to see them go up.

Bishop Elijah Jackson, 1210 N. 17th Street, said as to his homeless shelter, he is dealing with the expenses of his shelter and fees, and he recently realized he has been paying taxes and is currently in foreclosure on his property. He has been a help to the City by operating a homeless shelter, and has not had funds to deal with inspections and sprinkler systems. He is asking as a church and homeless shelter, please don't cause taxes to go up on his church and homeless shelter.

Rev. Frederick Demps, 322 N. 10th Street, Pastor, Calvary Missionary Baptist Church, asked all present representing churches against a fire assessment to stand, saying they stand together asking the City not to adopt this fee, which is against churches and citizens who are being taxed twice. This could cause retired citizens on fixed incomes to lose their homes. Citizens could have a good legal argument to not pay this tax. They are asking the Commission to exempt churches and citizens from the fee.

Ethel Mast, 318 S. 19th St, said her taxes will go up over \$500 with this fee. This will be a great hardship on her and others. She asked if they will take this back to discussion and come up with a more equitable and fairer way to assess the fee. They should take their time and consider other options.

The Clerk read three emails received into the record, received from Pamela Garris, Terry Cory and Allegra Kitchens (filed) opposing the adoption of a fire assessment.

Mark Lawson, Fire Assessment Special Counsel, said as to concept of improvement value, it is not "improvement value," it is "relative improvement value." They are using the certified data that the property appraiser has put together for improvement purposes. It is a method to share cost. All they do is subtract the land value from the improvements; it is a ratio that is an equity tool. The reality is that the fire department exists to protect and serve on an emergency basis. When they come to your property, it's an emergency. They have to have a readiness level of emergency response available, which is a relative demand. As it relates to properties that otherwise might be tax exempt, as in churches, service organizations and other non-profits, under the Church of Christ of Sarasota case, as to special assessments, there is a difference. Of this amount of assessment, about \$230,000 of the \$1,200,000 is attributable to not-for-profits or tax exempts. The City will not ask everyone to pay the full amount; they will collect about 60% of what it takes to run that department. In reality, the City has already "bought down" the cost to respond to non-profits and churches from the General Fund by about 60%. The whole process is an assessment under the Constitution, or a government lien. All government liens are on parity with taxes, which, in theory, means you could lose your property if you don't pay. That is always the fear, but he knows of no owner who has lost their property because of the assessment. It is not cost effective to foreclose on property for less than \$500. It's not cost effective. If a bill isn't paid in the first year it rolls over onto the 2nd year when it goes onto the tax bill, and then it costs 8% more so there is a natural impetus to pay the bill in the first year. For those that can't pay, the City can address those cases on an individual basis. The City can defer those like taxes and/or put liens on properties. The program is a tax equity tool. The ad valorem tax system in Florida is lopsided and broken. This asks

different groups of property owners to pay and spreads costs around. The decision on whether to exempt certain property owners from paying is up to the commission; they have to decide that certain exemptions they grant meet a public purpose. The exemptions are not free. They then have to reach into another pocket and pay the price from the general fund. The City has a very good ISO rating; they have spent the money for a very good fire department, but it's busting the City's budget. As governments continue to live off reserves and cut expenses, they have to solve the ensuing budget problems.

Commissioner Norwood said Ms. Wright asked how they arrived at the fee, and what they considered when they wrote the ordinance. She asked what they considered when the analysis was written. Mr. Lawson said Ms. Wright referred to a demand-based assessment where they figure out how much it will cost to fight a fire on the individual property. They don't have the staff, time or resources to figure that out every year. They have determined that best real-estate data base in the community is the one kept by the property appraiser, so that is the one they use. Many fire calls are "non-specific" calls. This is an availability of service model, not a demand mode. Service is a community responsibility; it is cheaper, quicker and more transparent. It is designed to be equitable, transparent and accountable, and based upon information that is based upon good data that is updated every year by the Property Appraiser. It is self-correcting and updated every year using information the State requires the County property appraiser to use every year. Commissioner Brown asked if they figure in income levels of owners. Mr. Lawson said that is something they can do from a policy level, but first and foremost, it must benefit the property; it has nothing to do with the people that live there. It would be improper from a legal sense to consider the income of the people who live there. Discussion ensued regarding tax liens on properties, which would begin accruing on the second year of non-payment of the assessment. Discussion ensued regarding the difference between a tax and an assessment, tax deeds, uniform methods of collections, policy on assessments, and methods of funding the cost of government services. Mr. Lawson said there is a hardship provision written into the ordinance, which is the exception.

Alex Sharp, 822 S. 15th Street, asked if they are anticipating a fire service fee for vacant parcels; Mr. Larson said yes, that all parcels create a demand against the budget, as they could be developed immediately, but even vacant property could create calls for service. All tax parcels create a burden on availability of level of service; their very presence creates a burden, and it matters not the size or value or location. The budget is developed without knowing where the calls will be generated from.

Allegra Kitchens asked if they don't plan on foreclosing, why that is written into the ordinance; Mr. Larson said that is up to the Commission; all the legislative powers are written into the ordinance and the policy makers decide which pieces of the legislation to use.

Mr. Holmes said, as to clarification on foreclosures only relating to the first year, after the first year it will roll over onto the tax bill and act the same as the ad valorem tax bill, and they can't put it on the tax bill unless they release the first year lien. Theoretically this commission could move forward to foreclose on the property if someone accrues a bill, but if they commit that they won't have any foreclosures on a first year bill, and at the end of the first bill, if any bill is rolled onto a tax bill, the foreclosure automatically goes away. Mr. Larson said it is "self-evaporating." According to Florida law, eventually it will become a "tax lien" and available for sale as a "tax lien" if its not paid.

Commissioner Norwood thanked everyone for coming out. He cited the City's budget shortfall, and that the City is struggling with meeting the state-recommended reserves. Anytime the reserves get low, they are in a bad position. He said he made the motion to adopt the fire service fee in order to hold this discussion, and he wanted to hold discussions with churches. He never considered churches or non-profits being made up of individuals having to pay this assessment fee twice. Churches do own a lot of property in the City and put a lot of demands on City services. Non-profits

also own a lot of property in the City and put a lot of demand on City services. He asked for suggestions on alternatives to the assessment fee. No one has stepped forward with any alternatives on how everyone can pay their fair share. This is the only fair and equitable way to generate revenue across the board; it is like tithing and a fair way to pay. They are not the experts; he can't say he knows everything. He is open for anyone to come to him with ideas on how to overcome this shortfall. The Commission is open to solutions.

Commissioner Borom concurred with Commissioner Norwood, and noted it is his last resort to add additional burdens on churches and citizens. They had 26 water main breaks last year. They have less than half the reserves they need to run the City. They need \$1.5 million for the WWTP. He has not heard any alternatives. They need solutions. One church here said its fee was \$10,000. If that church has 200 members, and they pay \$50 a year, that's \$10,000, or 96 cents per day. The City has to have money to operate on.

Commissioner Brown said only 51% of the properties in the City pay taxes. The rest are exempt. Everyone needs to pay something. Downtown stores have gone away; many have been replaced by government offices and churches and non-profits. It bothers her that people get only \$800 a month to live on, but if they have a fire, the City has to take care of them. She doesn't want to pay any more, either. She wants to work this out with the tax exempt entities. They have to work together to work this out, even if it's a flat fee of \$125 for small churches and exempt houses. She doesn't want to see anyone's home go up for tax lien sale. They want to be fair to everyone and not put more of a burden on the 51% of property owners that now pay all the taxes.

Commissioner Campbell said they are taking everyone's comments into consideration. They are doing all they can to make this City thrive. They are making hard decisions.

Mayor Hill said they want the citizens to take part in the process. There isn't enough money to sustain this City through an emergency; they are literally one storm away from bankruptcy. The City has an obligation to generate revenue to sustain quality of life. Their millage rate is the 11th highest out of over 400 cities in the State of Florida. It's at 9.174; it's the 4th highest combined out of any county in the State and it's going up. This conversation has been going on for a long time. They have proposed taking the millage rate down to 6.99 the first year and lower the 2nd year. Most people will see a savings the second year. When you hear the rest of the story, there is a savings. There are opportunities; when the city has increased its reserves, the City can reduce the assessment. The WWTP, when built, had a 20 year life span, but it is now 30 years old. One day you might flush your toilet and nothing will happen. This city has \$28 million in estimated needed repairs. This isn't a new problem. They have got to start dealing with these repairs. Most people would contribute what they spend on a monthly cell phone to make this community better. That is all they are asking. There are opportunities to do things for people and not just for properties. There are churches that own multiple properties and million dollar facilities. Blue Cross/Blue Shield is an example of a not-for-profit agency. They are implementing policies to make sure they take struggling churches into consideration. They won't strip a person of their dignity. Citizens need to understand where this City is financially. This community would be bankrupt if a hurricane came through. They need to create solutions that will sustain this community. This Assessment Fee will allow them to create fairness and will allow the community to move forward from a position of strength and credit worthiness.

BENEDICTION provided by Rev. Karl N. Flagg

ADJOURN – There being no further discussion or comment, the forum was adjourned at 5:55 pm by Mayor Hill.

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ADJOURN – There being no further discussion or comment, the forum was adjourned at 5:55 pm by Mayor Hill.

The following passage is an excerpt from the draft minutes of the August 6, 2015 Palatka City Commission meeting, Agenda Item #5, Public Hearing, Fire Service Assessment:

PUBLIC HEARINGS

5. PUBLIC HEARING: Fire Service Assessment

ORDINANCE adopting a Fire Service Assessment – 2nd Reading, Adopt - The Clerk read an Ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, RELATING TO THE PROVISION AND FUNDING OF FIRE PROTECTION SERVICES, FACILITIES, AND PROGRAMS IN THE CITY OF PALATKA, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF FIRE SERVICE ASSESSMENTS AGAINST PROPERTY THROUGHOUT THE CITY; PROVIDING CERTAIN DEFINITIONS; ESTABLISHING THE PROCEDURES FOR IMPOSING AND COLLECTING FIRE SERVICE ASSESSMENTS; PROVIDING THAT FIRE SERVICE ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS; PROVIDING FOR VARIOUS RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS WILL NOT CREATE A GENERAL DEBT OR OBLIGATION OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the Ordinance on 2nd reading as read. Commissioner Campbell seconded the motion.

Mayor Hill opened the floor for public comment.

Dan Phillips, 109 Karen Court, Pastor, Lemon Heights Baptist Church, said he believes they have wide income variances and parishioners with little means who care little for city budgets and bills. He asks the City to only assess the Tier 2 charge to churches and other non-profits.

Allegra Kitchens, 1027 S. 12th Street, said she was on the Commission for 12 years and they were always a storm away from bankruptcy. This assessment benefits the property, not the people who live on it. Please vote no on this fire assessment.

Rev. Don Hanna, 202 Country Club Terrace, St. James United Methodist Church, said he does not have an alternative on how to raise this money. He understands the City has a serious shortfall. This looks like money is coming from a new source other than from citizens. This is not from a new source but from the same citizens that are already paying taxes.

Kathy Wright, 503 E. Palmetto Street, read her letter into the record which was read during the 4:30 Forum (not filed), and requested the Commission to make a policy decision to exempt property owned by ad valorem tax-paying property owners, entrepreneurs, and those funded by voluntary tithes and offerings.

There being no further comments, Mayor Hill closed the public comment portion of the Hearing.

Commissioner Brown asked if they could explore a quarterly or monthly payment plan, or a flat smaller rate for smaller churches. County government also needs to pay. If they had a storm, or if hydrants stopped working, they couldn't put out fires. She has a small business and people just stop paying her if they get another more pressing bill. If a property goes up for tax sale, it adds 18% to the bill. Mayor Hill noted if this is adopted, the millage rate will be reduced

and in the 2nd year there will be a savings. One way to get the millage rate down is through fire assessment; they can cut the millage rate by 40% once this goes into effect. They are almost at the State-mandated cap now. Discussion ensued regarding exemptions, annual reviews on assessments, citizen education on the new assessment program, and assessments for churches and non-profits, and the fairness of all properties contributing to the cost of fire protection. . Commissioner Borom said everyone needs to pay and contribute. Everyone benefits from public safety. He is uncomfortable with the piece where individuals begin to lose their property. Commissioner Campbell said what better way can churches stand beside the commissioners they elected than stand beside them in this struggle and the struggle in the community; they have to make decisions that have not been made before. If that means the churches coming around, then that's what that means. Commissioner Norwood said he has no problem with the ordinance but believes certain entities should be exempt. Commissioner Brown said everyone needs to pay for fire protection. Churches have bought tracts of land and buildings. Everyone can put something in the pot. They can all work together and get things done.

Mark Lawson, Special Counsel, said the first item is a procedural ordinance. This is a tool in the tool box. By adopting this ordinance, they put the tool in the tool box. He encourages them to adopt this "tool." They have another public hearing following this one wherein they talk about how they use the "tool." If you put the assessment tool in place, then by resolution you can decide how to enforce it, or if you enforce it. If you don't pass the ordinance, you can't use it. If you pass the ordinance, you can modify how you use it. You can only get so much information out there. You can learn about this on the internet very quickly. Going forward they can repeal the ordinance or change the resolution.

Commissioner Norwood asked Mr. Reynolds to discuss the current Fiscal Year's budget.

Matt Reynolds, Finance Director, said when the current Fiscal Year's budget was presented it was \$285,000 in the hole. This year it is \$480,000 in the hole. That is what they are working on now. There is currently around \$800,000 in reserves; this would reduce reserves to \$300,000, which is less than 1 month's of the City's normal expenses.

Terry Suggs, City Manager, said this is a vote on whether or not to move to the second level. This just gives them an opportunity to get to the second level. They have done a lot already to get the cost down. A lot of the "fat" has already been cut. The removal of this fee would put another \$90,000 hole in the budget. He encourages them to pass this ordinance.

There being no further discussion or comment, a roll-call vote was taken, with the following result: Commissioners Borom, Brown, Campbell, Norwood and Mayor Hill, Yes; Nays, None. The Ordinance was declared passed and adopted on second reading.

ANNUAL ASSESSMENT RESOLUTION – Adopt – The Clerk read a Resolution entitled A RESOLUTION OF THE CITY COMMISSION OF PALATKA, FLORIDA, RELATING TO THE AVAILABILITY AND FUNDING OF FIRE PROTECTION AND RELATED ESSENTIAL SERVICES WITHIN THE CITY; PROVIDING FOR THE IMPOSITION OF SPECIAL ASSESSMENTS WITHIN THE CITY TO FUND, IN PART, THE SERVICES, FACILITIES AND PROGRAMS ASSOCIATED WITH THE CONTINUAL READINESS TO PROVIDE FIRE PROTECTION; IDENTIFYING BENEFITS, BURDENS AND COSTS TO BE ASSESSED; ESTABLISHING THE METHOD OF APPORTIONING BENEFITS, BURDENS AND COSTS AMONG SPECIALLY BENEFITED PROPERTY; ADOPTING AN ASSESSMENT ROLL; PROVIDING THE METHOD OF COLLECTION; PROVIDING FOR ASSOCIATED POLICY

DIRECTION; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the Resolution as read. Commissioner Brown seconded the motion.

Mayor Hill opened the floor for public hearing. There being no person who presented for public hearing, Mayor Hill closed the public comment portion of the public hearing.

Commissioner Norwood said he would like to see non-profits and churches exempted from the Assessment, as well as the poorest of the poor, as in those who only receive \$600 to \$700 in income per month. Some people will not come forward and say they are too poor to pay this, even though they have that opportunity. This is not a time to be proud.

Mark Lawson, Special Counsel, said this is an opportunity to make changes. The Annual Assessment Resolution was written as directed. The biggest concerns are with institutional properties and the least fortunate of those who own properties. They can work that out today or give direction to staff, who can work up a supplemental resolution to be adopted at a later date. This will essentially shift the cost from those who are exempted back to the general fund. They can declare the need to do so, and are going to do that. The process of imposition still rests with them. They can come back and say they don't want to do it at all. Only when they send the bills out does it create a lien. If they want to work amongst themselves to modify how much is charged, he and Mr. Holmes can guide them, but they can't pick and chose who pays, as that is a constitutionality issue; they have to choose who is exempt by class. It's an exemption across the board. For every dollar they exempt, that dollar is exempt from "legally available funds." If they pass the resolution, people have the right at this time to declare a hardship, and they may have to educate people on how to do it. Some people won't do it on their own. He advises them pass the resolution and then work to set the policy. They can pass it and then lower it or change it. His job is to advise the Commission so as to use the work they've done effectively.

RECESS – Mayor Hill received consensus to call a recess of the August 6, 2015 Meeting Palatka City Commission Meeting at 7:31 p.m.

RECONVENE – Mayor Hill reconvened the August 6, 2015 Palatka City Commission meeting at 7:43 pm and continued with the Orders of the Day.

Mayor said he believes the churches want to be community partners, and he asked as to the Commission's thought on reducing the Churches' assessment from 100% to 25%, and revisiting their assessment next year, which would take the hardship from them for now, but would provide them an opportunity to contribute, as they are still receiving the benefit. Commissioner Brown concurred, and said she believe everyone needs to pay something, including the County and other government entities. She inquired as to the definition of "improvements." Mayor Hill said beginning on Page 19 there is a clear definition of statutorily tax-exempt parcels, which include churches, institutions, lodges, homes for the aged, sanitariums, private schools and colleges, etc., and all of these are institutions. This includes hospitals. It is not just churches. It is all or none. Mr. Suggs said this exemption will put the City in the neighborhood of \$75,000 in the hole. Overall the assessment is around \$140,000 for institutions. Discussion ensued regarding who is included versus the numbers on who is included. Commissioner Brown asked for an idea of what the cost of improvements is. Mr. Suggs said per their investigation, they found that the largest cost of assessment for an improvement on a property is for a swimming pool, which costs around \$11 per year. The average assessment for a fence is around \$5 per year. The property appraiser doesn't go into the interior of a home, so interior improvements don't affect the assessment. Commissioner Norwood said he is in favor of exempting non-profits. One of the solutions for him is taking a

long and serious look at the golf course. He finds it difficult to raise fees and not deal with the golf course. Commissioner Norwood withdrew his earlier motion to adopt the resolution as read and presented, and moved to adopt the resolution exempting institutions per the definition found in the Assessment Resolution beginning on page 19, as they serve the community. The motion died for lack of a second. Commissioner Norwood again moved to adopt the resolution exempting institutions per the definition found in the Assessment Resolution beginning on page 19, as they serve the community. Motion died for lack of second. Commissioner Campbell moved to table the Assessment Resolution to negotiation a reduction for Institutions as defined on Page 19 in the Assessment Resolution from 100% of the assessment to 25% of the assessment for churches and institutions before bringing it back for consideration. Commissioner Borom seconded the motion. There being no further discussion or comment, a roll-call vote was taken on the motion, which yielded the following results: Commissioners Borom, Brown, Campbell, Norwood and Mayor Hill, Yes; Nays, None. The motion was declared passed and the resolution tabled.

NOTE RESOLUTION – Adopt – the Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA AUTHORIZING THE ISSUANCE OF ITS FIRE SERVICE ASSESSMENT REVENUE NOTE, SERIES 2015, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$45,950.69 TO FUND THE ACQUISITION AND/OR CONSTRUCTION OF CERTAIN CAPITAL IMPROVEMENTS AND EQUIPMENT OF THE CITY; PROVIDING THAT THE SERIES 2015 NOTE SHALL BE A LIMITED OBLIGATION OF THE CITY PAYABLE SOLELY FROM CERTAIN SPECIAL ASSESSMENTS AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS AND REMEDIES FOR THE OWNER OF THE SERIES 2015 NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. Commissioner Brown moved to table the resolution. Commissioner Campbell seconded the motion, which passed unopposed. .

*Agenda
Item*

5



CITY COMMISSION AGENDA ITEM

SUBJECT:

DISCUSSION & DIRECTION - Department of Economic Opportunity Grant Application for a Riverfront Restaurant and Ship Store- Recommendation to withdraw with intent to reapply

SUMMARY:

It has come to our attention that Nippers Jacksonville, a participating party named in the Community Development Block Grant Application for economic development funds to construct a riverfront restaurant, ship store, public bathrooms and boater bathhouse has filed for bankruptcy. Based upon this information, we believe it is in the best interest of the City to withdraw the application with the intent to reapply. The City can then work with Palatka Boathouse Marina, the primary participating party, to source a reputable restaurateur for reapplication under the current economic development category grant cycle. Staff has discussed this with the Department of Economic Opportunity and they are understanding of the City's position and encourage the City to reapply as soon as another participating party has been identified.

RECOMMENDED ACTION:

Direct staff to withdraw the application with intent to reapply.

ATTACHMENTS:

Description	Type
□ Press Release	Discussion

PRESS RELEASE:

8/13/2015



City of Palatka
201 N. 2nd Street
Palatka FL 32177
www.palatka-fl.gov

For more information regarding this press release, contact Jonathan Griffith, Project Manager/Grants Administrator; 386-329-0103 ext. 325 or jcgriffith@palatka-fl.gov

City leaders have been closely following recent events and announcements regarding the financial and corporate status of the “Nippers” restaurant organization because of Nippers’ planned participation in the City’s Riverfront Project, and its planned participation in the Florida Department of Economic Opportunity Grant with which much of the project was to be funded. Unfortunately, it now appears that it is in the best interest of the City and the project to move forward in this matter without Nippers’ participation. City staff will recommend to the City Commission that the current D.E.O. Grant application which includes Nippers as a participating party be withdrawn and that the City consider submitting a new Grant application which includes a different Restauranteur Participating Party.

If there are questions, please contact Jonathan Griffith, Project Manager, Grants Administrator, at 386-329-0103 ext. 325.

Agenda Item

Under
Separate
Cover

6

*Agenda
Item*

7



CITY COMMISSION AGENDA ITEM

SUBJECT:

DISCUSSION - Farm to Family Outreach Program

SUMMARY:

This is a discussion on the Farm to Family Outreach Program, a 501c3 non-profit mobile farmer's market outreach program of Pie in the Sky in Hastings, Florida. The goal of the Mobile Market is to bring fresh, healthy seasonal produce into low-income neighborhoods.

RECOMMENDED ACTION:

Discussion

ATTACHMENTS:

Description	Type
▫ Farm to Family Program Description	Discussion

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	8/12/2015 - 11:54 AM
City Clerk	Driggers, Betsy	Approved	8/12/2015 - 11:54 AM

Farm to Family

Reason number 1 why mobile farmers markets can help combat hunger in low-income neighborhoods.

Food trucks could help combat "food flight" and food deserts.

Big-box grocery stores have continued a trend of closing stores in low-income neighborhoods and migrating to the suburbs, leaving 23.5 million Americans without access to healthy, affordable food. As more of these stores close, basic necessities like fruits and vegetables are becoming scarcities in these areas known as food deserts.

Mobile farmers' markets work by selling healthy foods to the communities that traditional grocery stores have abandoned. The foods that they sell are often sourced from local farms and community gardens so there is an added benefit to the local economy.

We're a non-profit mobile farmer's market in the business of doing good.
Visit our website for more information: www.farmtofamilyflorida.org

Farm to Family is an outreach program of Pie in the Sky, in Hastings, Florida. The goal of the mobile market is to bring fresh, healthy foods into food deserts throughout St. Johns County (currently) with an innovative program that sustainably supports our entire local food economy.

At Farm to Family, we believe everyone should have the right to choose healthy, unprocessed food. There are more than 10,000 people in St. Johns County who are denied that right for one reason: lack of access.

We aim to fix that by bringing our mobile farmers market to senior citizens, families and children and giving them the access they need to healthy, seasonal produce.

By the end of last month, 40 percent more folks purchased seasonal, healthy produce from the Farm to Family truck. Why? Because we go where hunger is. Providing access is what we do.

Farm to Family's purpose is to:

- + Ensure neighborhoods throughout St. Johns County have affordable access to fresh, healthy food.
- + Help local farmers thrive by expanding to market areas of NE Florida that are currently underserved.
- + Educate consumers on the benefits of eating local and cooking for good health.
- + Promote the growth of our local food economy through job creation and training.
- + Improve community health by increasing access to fresh goods and nutrition education programs.

- Phone (904) 382-9939
- Email malea@hastingspieinthesky.com website <http://www.farmtofamilyflorida.org/>



You're making a Purchase with a Purpose

Every dollar you spend supports:

The production and distribution of the freshest possible produce, grown locally and picked weekly, right from North Florida farms;

The delivery of nutritious, healthy food options to people living in food deserts throughout St. Johns County;

Year-round employment that includes fair wages, stable income and reasonable hours for farm and market workers.

A strong, healthy local food economy and sustainable family farms.

Pie in the Sky outreach projects like wheelchair ramps for the elderly, food delivery to those in need, and social services for those who "fall through the cracks" in our community.

We know you have a choice when shopping.

Thanks for choosing us.

Mobile Classroom

Weekly Health and Education Outreach

Farm to Family is always at work developing health and education programs that serve the needs of our St. Johns County neighborhoods. Each week, the mobile market travels with volunteer specialists and experts along our routes to share new information and insights about healthful eating with members of our community. From cooking instruction to gardening tips and menu planning, weekly stops are not only a place to purchase fresh produce, but also a place to gather and learn from one another.

Special Market Programs

Additionally, Farm to Family welcomes requests from schools, businesses, churches and community centers who are interested in hosting the mobile market for a one-time stop. Our staff and volunteers will work with leaders, teachers and community organizers to design short educational programs that perfectly suit the needs of your audience. Sample topics range from the history of locally grown food, to lessons on parts of a plant or recipe planning and cooking instruction.

What It Costs

Weekly learning programs are free of charge. Special programming involves a minimal fee to cover costs. Contact us directly to discuss how we can bring Farm to Family to you.

SNAP Benefits

EAT RIGHT...

EVEN WHEN MONEY IS TIGHT

Find out how we can help put healthy food in reach.



SNAP at Farmers' Markets

Recently, there has been a push to get farmers' markets to accept SNAP benefits. The policy has seen an enthusiastic response, with the total value of SNAP redemptions at farmers' markets and food stands doubling from \$2 million to \$4 million from 2008-2009. Today, there are more than 1,150 farmers' markets and stands accepting EBT cards across the country.

Farm to Family is one of only two authorized SNAP farmers market retailers in St. Johns County.

SNAP users are able to use their benefits with Farm to Family, just as they would at any other grocery store, swiping their card to pay for purchases.

What is the Food Assistance Program?

The Food Assistance Program helps people with low incomes buy healthy food. A food assistance household is normally a group of people who live together, buy food, and cook meals together. If your household passes the Food Assistance Program's eligibility rules, the amount of food assistance benefits you receive depends on the number of people in your household and how much money is left after certain expenses are subtracted.

Households can use SNAP benefits to buy foods and food products for the household to consume, such as:

- breads and cereals;
- fruits and vegetables;
- meats, fish and poultry;
- dairy products; and
- seeds and plants which produce food.

To find out if you are eligible for food assistance, visit: www.myflorida.com/accessflorida

Our Local Food System

The Challenge of Food Security

Food security is an issue of growing concern in the United States and throughout the world. The National Strategy for the Physical Protection of Critical Infrastructures and Key Assets details a major part of the overall homeland security strategy. Agriculture, food and water are listed as the top three critical infrastructure sectors. The United States Department of Agriculture has identified specific areas as “food deserts”. Food deserts are areas or communities that lack access to sources of food (particularly fresh fruits and vegetables) that comprise a healthy diet. The lack of access may be due to income, transportation or the absence of grocery stores in the community. A University of Florida directed analysis conducted in 2013, identified 43 food desert census tract areas in Clay, Duval, Putnam & St. Johns Counties. There were 77,568 households represented within the identified food deserts. It is estimated that food stamps or Supplemental Nutrition Assistance Program (SNAP) expenditures exceeds 55 million dollars in the identified food deserts. Nationally, over 75% of households using SNAP are households with children and nearly one third are households with elderly or disabled individuals.

The Importance of Buying Local

There has been a significant decline in the number of full time family farms operating in the United States. These farms rely on farming as the main source of income for their household. They also tend to be businesses in which family members make the majority of on-site management decisions and contribute substantially to the labor requirements of the operation. The farms also tend to be multi-generational with deep roots and concern for the community. In St. Johns County, Florida there were over 150 full time family farms in the 1970's. Today there are less than 50. Between 1997 and 2007, 37% of agricultural land in St. Johns County was changed to a different land use. According to agricultural specialists at universities and food system consultants, if present trends continue in the United States and locally, these family farms, together with the food security, economic and environmental benefits they provide, will likely disappear in the next decade or two. These family farms are often considered “the agriculture-of -the-middle”. This refers to the disappearing sector of farms that are too small to sell directly to retail grocers and too big to sell food directly to consumers, such as at farmers markets. The current structure of the food system does not allow these farms to receive a price for their products that is economically sustainable. Family farms are actively seeking community partnerships and alliances, forming new marketing structures and looking at diversifying their crops in an effort to stay in business.

The Farm to Family Solution

Farm to Family believes an opportunity exists to connect consumers in the food deserts with the family farm producers in St. Johns, County. Our mobile farmer's market will bring fresh, healthy produce that is locally grown directly to consumers in food deserts and underserved retail locations. Communities will not only benefit from access to healthy food but also educational programs that teach them how to use and cook the produce in healthier ways. Family farms benefit by receiving sustainable prices for their good, allowing them to diversify crops and increase employment opportunities year-round. Through partnerships with the food desert communities, family farms, numerous nonprofit groups, churches, social service agencies, businesses and universities, a comprehensive system of food mobility will be created which will enable greater access to fresh food in areas of low access by combining existing food production efforts with a logical method of transportation.

How Much Do You Receive

- Depends on income and living expenses
- 2011 average SNAP benefit was \$122
- Medical expenses can increase monthly benefit

How Do You Apply

- Simply call Care Connection to see if you qualify
- We will assist you with the application
- When approved you will receive SNAP benefits

To apply or to receive more information please call
Care Connection at

904-209-3649



CO
St. Johns County
Council On Aging



an outreach program of Pie in the Sky

When you buy from Farm to Family

You're making a Purchase with a Purpose.

Every dollar you spend supports:

- The production and distribution of the freshest possible produce, grown locally and picked weekly, right from North Florida farms;
- The delivery of nutritious, healthy food options to people living in food deserts throughout St. Johns County;
- Year-round employment that includes fair wages, stable income and reasonable hours for farm and market workers.
- A strong, healthy local food economy and sustainable family farms.
- Pie in the Sky outreach projects like wheelchair ramps for the elderly, food delivery to those in need, and social services for those who "fall through the cracks" in our community.

We know you have a choice when shopping.

Thanks for choosing us.

FARM TO FAMILY

an outreach program of Pie in the Sky



VISIT US ONLINE!

www.farmtofamilyflorida.org

#producttothepeople



an outreach program of Pie in the Sky

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VISIT US ONLINE!

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#producetothepeople

SNAP

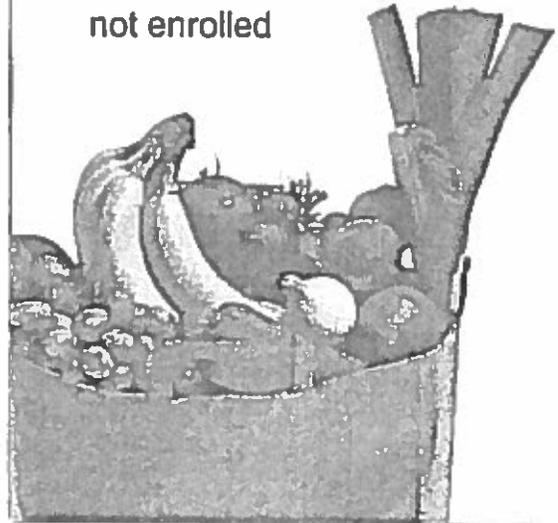
Supplemental Nutrition Assistance Program

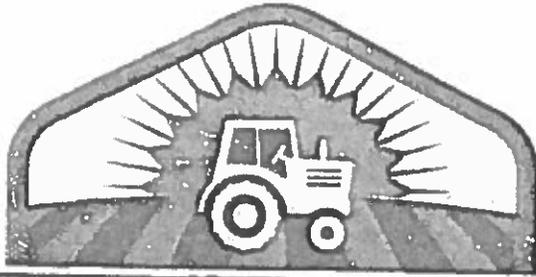
What the Program Does

- It supplements your food budget
- Get your benefits on a (EBT) card monthly
- Use almost anywhere

Who Can Apply

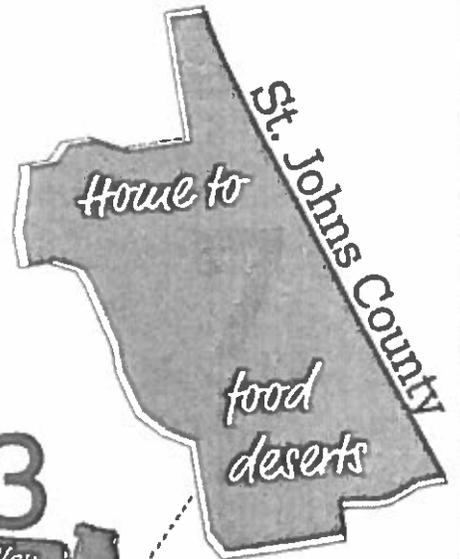
- Anyone over 18 and Seniors
- Under \$1245 single income
- Under \$1681 couple income
- 2 out of 3 eligible Seniors are not enrolled





FARM TO FAMILY

an outreach program of Pie in the Sky



A Win-Win-Win PROGRAM

1

Provides Produce to Residents in Food Deserts



2

Extends Growing Season for Local Farmers



3

Allows for Employment Opportunities



4

Supports Local Economy



5

Offers Educational Programs



6

Promotes Social Justice



Regions of the country void of fresh fruit, vegetables and other healthful whole foods.



Due to a lack of grocery stores, farmers' markets, or transportation to healthy food providers. Generally located in low-income neighborhoods.

Six of the seven food deserts in St. Johns County form an irregular shaped cluster around the city of St. Augustine.