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

JASON L. SHAW, SR.
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

MINUTES
CITY OF PALATKA
January 14, 2016

Proceedings of a Regular meeting of the City Commission of the City of Palatka, Florida, held on the 14th day of January, 2016.

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; Police Chief Jason Shaw; Fire Chief Mike Lambert; Planning Director Thad Crowe; Grants Administrator Jonathan Griffith

CALL TO ORDER: Mayor Hill called the meeting to order at 6:00 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE – Father John Jacobs, Vicar; St. Peter's Anglican Church

APPROVAL OF MINUTES – 12/10/15 Regular & 12/17/15 Called Meetings – Commissioner Norwood moved to adopt the minutes as read. Commissioner Campbell seconded the motion, which passed unopposed.

1. **PUBLIC RECOGNITION/PRESENTATIONS**
PROCLAMATION - Florida First Responder Appreciation Week – January 4 – 8, 2016 – Fire Chief Mike Lambert and Police Chief Jason Shaw were present to receive the proclamation, which was read and issued by Mayor Hill.

PROCLAMATION - City Of Palatka 163rd Birthday – January 8, 2016 – Mayor Hill read and presented the proclamation to Larry Beaton, Putnam County Historical Society, and noted a birthday cake will be cut at the end of the meeting and shared with all attendees.

2. **PUBLIC COMMENTS**
Zinnie Bess, 200 Hayes Drive, Interlachen, said Palatka lacks services for the mentally ill. He would like to foster a "clubhouse" model psycho-social rehabilitation center which houses services and therapies for the mentally ill. Commissioner Brown said the county is responsible for mental health services. They are provided by Stuart-Marchman Act on Kay Larkin Drive.

3. **CONSENT AGENDA**
   a. **Adopt Resolution No. 2016-12-01** authorizing the execution of Bid Administration Work Order 15-48 with Passero Associates in the amount of $27,800 for CDBG Project No. 15DB-OJ-04-64-02-C04 for Phase IV Riverfront Park Improvements

b. **Adopt Resolution No. 2016-12-02** approving the purchase of two Nimble CS215 storage devices, including installation and support, from Vology in the amount of $57,962.98 and amending the FY 2015-16 General Fund Budget
c. **Appoint members to the Golf Course Advisory Board:**
   1. Annual Appointments: Wilson Edwards, (President) & Jim Roach for PMGA; Joyce Oliver (President) and Gen Alvers for PWGA, for one-year terms to expire January, 2017;
   2. Reappoint Jeffrey Elledge as Commission Representative for a 3-year term to expire Jan. 2019
d. **Reappoint Mayor Hill, Vice Mayor Brown and Commissioner Norwood** as City of Palatka Representatives to the Putnam County Development Authority for a one year term to expire January, 2017 (Annual Appointment)
e. **Grant permission to exceed allowable noise levels for Special Events Permit No. 16-11,** Dr. Martin Luther King Jr. Day Festival & March, to include Booker Park on January 18, 2016 from 11 am until 3 pm and the closure of specified streets on January 18, 2016 from 6:30 am until 4:30 pm – Shirley Edwards, African American Cultural Arts Council, Applicant.
f. **Grant permission to allow public consumption of alcohol and open containers along St. Johns Avenue between 200 and 1000 blocks for Special Events Permit No 16-10** - Palatka Main Street Winter Wine Stroll, January 23, 2016, 5 pm to 9 pm – Harris Berns-Cadle, Agent for Applicant.
g. **Grant permission to exceed allowable noise levels and allow closure of part of Memorial Drive & 100 Block of St. Johns Avenue for Special Events Permit No.16-13** -- Palatka Main Street 3rd Friday Downtown Street Party, to be held January 15, 2016; February 19, 2016 and April 15, 2016 from 6 pm to 10 pm - Palatka Main Street, Inc./Harris Berns-Cadle, Agent for Applicant
h. **Grant permission to exceed allowable noise levels and allow closure of a portion of Zeagler Drive (9 am to 3 pm) for Special Events Permit # 16-08** - Cancer Survivorship Celebration to be held on March 12, 2016 from 9:00 am to 3:00 pm - Dr. Anand Kuruvilla, Applicant
i. **Grant permission to exceed allowable noise levels for Special Events Permit No.16-02** - Just for Jesus Ministries Battle of the Bands, March 26, 2016 from 9:00 a.m. until 12:00 noon at the Riverfront Park (live entertainment) - Just for Jesus Ministries/ Wayne Mustard, Applicant
j. **Grant permission to exceed allowable noise levels (10 am to 6 pm) and close the 300 & 400 Blocks of St. Johns Avenue for duration of event for Special Events Permit No. 16-06,** Chalk Explosion - April 9, 2016 from 5:00 am until 6:00 pm - Arts Council of Greater Palatka, Applicant
k. **Approve request items for Special Event Permit No. 16-01**- Hospice Bass Tournament- April 30, 2016 from 3:00 am until 5:30 pm - Northeast Florida Association of Realtors, Applicant
   1. Grant permission to exceed allowable noise levels throughout the duration of event.
   2. Grant permission to sell and consume alcoholic beverages throughout the duration of the event.
   3. Allow street closure of Memorial Parkway from River Center parking lot to 2nd St.

Mayor Hill asked to pull Items 3(f) and 3(g) for separate discussion and action. Commissioner Norwood moved to approve all other items on the Consent Agenda (Items **a - e** and items **h - k**) as presented. Commissioner Brown seconded the motion, which passed unopposed.

3(f). **Grant permission to allow public consumption of alcohol and open containers along St. Johns Avenue between 200 and 1000 blocks for Special Events Permit No 16-10** - Palatka Main Street Winter Wine Stroll, January 23, 2016, 5 pm to 9 pm -- Harris Berns-Cadle, Agent for Applicant. Mayor Hill said he's asked these be pulled because of the discussion held at the last CRA workshop regarding funding for Main Street events. He has spoken to Mr. Burns-Cadle on this issue and Mr. Burns-Cadle has looked at some Advisory opinions on the subject.

Harris Burns-Cadle, Palatka Main Street Organization Chair & applicant, said within the CRA statute it doesn't specifically list marketing and promotions as allowed expenditures, but a 2010 Attorney General memo stated it is reasonable that some marketing and promotion expenses are applicable, but that the funding should not go directly to non-profit agencies to conduct those events. The CRA direct-funds marketing, special event cost, police, garbage and other ancillary

activities that are required for the production of the event. No funds are paid to Palatka Main Street, which plans and coordinates production of events with City staff. Main Street does have a "beer booth" set up at these events and profits from those sales; the cost of the license comes out of Palatka Main Street funds. Other vendors at the event make money as well.

Mr. Burns-Cadle described the Wine Stroll event, which he stated is 100% funded by Palatka Main Street and is different from 3rd Friday events. They have already contracted for the vendors. There is no alcohol consumption on the streets and sidewalks; wine is consumed inside the participating merchants' store. They only seek permission for attendees to carry an "open container" which is an empty wine glass. Commissioner Brown move to amend the request to allow open containers within the event area and to grant the permit as amended. Commissioner Borom seconded the motion, which passed unopposed.

3(g) **Grant permission to exceed allowable noise levels and allow closure of part of Memorial Drive & 100 Block of St. Johns Avenue for Special Events Permit No.16-13** -- Palatka Main Street 3rd Friday Downtown Street Party, January 15, 2016; February 19, 2016 and April 15, 2016 from 6 pm to 10 pm - Palatka Main Street, Inc.; Harris Berns-Cadle, Agent for Applicant - Discussion ensued regarding funding and purpose of funding. Commissioner Norwood moved to grant the permit for January 15th and table action on the remaining dates to a time certain of January 28th. Commissioner Campbell seconded the motion, which passed unopposed.

4. **REQUEST** to amend Contract for Purchase and Sale between City of Palatka and Riverfront Development Group, LLC – Joseph C. "Corky" Diamond, Manager, RDG LLC, 124 St. Johns Avenue, asked this request be rescheduled to January 28 for consideration as he is not prepared to present on this tonight. Mayor Hill said it looks like some of the work being done may be considered construction and not strictly demolition. They want to be sure the work is consistent with the permit. They want to be sure everything is in place before continuation of any construction-related work. The City engaged in lengthy discussion with him before putting this contract in place. Mr. Holmes said the request is to amend the contract, and the amendment Mr. Diamond has proposed will basically do away with the Letter of Credit requirement as contemplated in the contract. The concern is that there is a lot of work going on without the required Letter of Credit. If the requirement is removed, then whether or not he is doing work under a demo or building permit is moot. If not removed, they need to look at the trigger for the Letter of Credit being posted. Mr. Diamond said everything they are doing is covered by their demolition permit. They plan on completing the project by July 14, 2016. He is requesting a two-week extension on this item.

   Bruce Nelsen, Chief Building Official, said a permit is required for roofing as long as it is over 2 squares of roofing area, equal to 200 square feet. They are not required to get a separate roofing permit for this job as a roofing contractor signed onto the Demolition permit, as was required. Mayor Hill noted the lines of communication between the City and Mr. Diamond are open. Discussion ensued regarding the request, whether it should be considered tonight, or in two weeks. Following discussion, Commissioner Brown moved to table the request to January 28, 2016. Commissioner Borom seconded the motion, which passed unopposed.

5. **RESOLUTION** authorizing the execution of a Memorandum of Agreement with Rotary Club of Palatka for the construction of a nature-based playground the Riverfront Park – Adopt -- The Clerk read a resolution entitled A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A MEMORANDUM OF UNDERSTANDING BETWEEN THE ROTARY CLUB OF PALATKA AND THE CITY OF PALATKA FOR THE FUNDING AND CONSTRUCTION OF A NATURE BASED PLAYGROUND AT THE RIVERFRONT PARK. Commissioner Norwood moved to adopt the Resolution as read. Commissioner Campbell seconded the motion, which passed unopposed.

6. **RESOLUTION** authorizing execution of US Department of Housing and Urban Development Conciliation Agreement/Voluntary Compliance Agreement between City of Palatka and Palatka Housing Authority, FHEO Case Number 04-15-0430-8/04-15-0430-6 – The Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING EXECUTION OF A US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT CONCILIATION AGREEMENT/VOLUNTARY COMPLIANCE AGREEMENT BETWEEN CITY OF PALATKA AND PALATKA HOUSING AUTHORITY, FHEO CASE NUMBER 04-15-0430-8/04-15-0430-6. Don Holmes, City Attorney, said Paragraph 12, Section F, is the language that was agreed upon by the Commission at the December 10 meeting. This Conciliation Agreement is before them tonight. This dates back historically to the PHA's submission of a five-year plan last year that included a request to develop up to twelve residential rental units on two lots in a historic district. The Commission found that this was not in keeping with the City's adopted comprehensive plan, and the development would not strengthen the tax base. The City was sued in Federal Court by the Palatka Housing Authority, which resulted in the City entering in to mediation, or a "conciliation session," which incorporates the agreed upon terms for development of the two lots. The PHA agreed to develop no more than two single family homes in the historic district and will make every effort to place families in those homes that will qualify to purchase those homes within 5 years. The parties have agreed that the intent is to return the homes to the tax rolls of the City.

   Commissioner Brown said the agreement requires the City to take part in Fair Housing Training at the City's expense, and noted the City takes part in Fair Housing Training on a regular and ongoing basis. She asked how much more training they want the Commission to undertake. The Clerk related discussions between the City and Edward Birk, the attorney representing the City in this matter, who has said HUD has tentatively agreed to reduced training requirements. They have provided HUD with minutes, sign-up sheets and copies of distributed materials on past training the Commission has received from Fred Fox as part of ongoing CDBG grant requirements. He has advised that said HUD has tentatively agreed to accept this provided a workshop is held soon, but they don't have this in writing. HUD has requested the Planning Director attend. Mr. Holmes noted this training requirement was not discussed nor agreed to during conciliation sessions by any of the parties. As to the reduced training requirement, that is not what this Agreement stipulates, and this Agreement is enforceable. Mr. Holmes asked if passage of this Resolution is time-sensitive.

   John Nelson, Executive Director, Palatka Housing Authority, said there is no deadline on signing this as far as the PHA is concerned, but this is not their document. It was submitted by HUD. The Commission approved their FY 2016-2020 five-year plan on 12/10/15 which allows them to construct no more than two units on the Laurel Street property, per the conciliated language.

   Mr. Holmes recommended tabling the item as the requirements under Paragraph 14 were never a topic of discussion. There is "teeth" in the agreement under Paragraph 18 which references monitoring and breech of agreement. Commissioner Norwood moved to table adoption of the resolution to January 28, 2016 to determine whether or not the reduced requirements are acceptable by HUD. Commissioner Campbell seconded the motion, which passed unopposed.

7. **ORDINANCE** extending the 2008 Economic Recovery and Incentive Program, suspending the collection of certain impact fees, through December 31, 2017 - First Reading – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA; AMENDING CITY OF PALATKA ORDINANCE NO. 08-20, THE CITY OF PALATKA 2008 ECONOMIC RECOVERY AND INCENTIVE PROGRAM; EXTENDING THE SUSPENSION OF COLLECTION OF THE CITY'S PARKS AND RECREATION FACILITIES IMPACT FEES, FIRE RESCUE IMPACT FEES, ROAD IMPACT FEES AND LAW ENFORCEMENT IMPACT FEES FOR A PERIOD NOT TO EXCEED TWO YEARS; PROVIDING FOR NOTICE OF IMPACT FEE RATES UPON EXPIRATION OF THE SUSPENSION PERIOD; PROVIDING FOR SEVERABILITY; AND

PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to pass the ordinance on first reading as read. Commissioner Borom seconded the motion. There being no public comment or discussion, a voice vote was taken, with the following results: Commissioners Borom, Brown, Campbell, Norwood and Mayor Hill, yes; Nays, none. The ordinance was declared passed on first reading.

8. **ORDINANCE** amending Chapter 50, Article III of the Code of Ordinances to amend various elements of the Special Events Ordinance - 1st Reading – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING PALATKA MUNICIPAL CODE, CHAPTER 50, ARTICLE III, SPECIAL EVENTS, TO REVISE MEETING TIMEFRAMES, EXEMPT PERMIT FEES FOR FREE EVENTS OPEN TO THE PUBLIC, AND REDUCE NOTICE AREA FOR CLASS A AND B EVENTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Campbell moved to pass the ordinance on first reading as read. Commissioner Brown seconded the motion. There being no public comment or discussion, a voice vote was taken, with the following results: Commissioners Borom, Brown, Campbell, Norwood and Mayor Hill, yes; Nays, none. The ordinance was declared passed on first reading.

9. **DISCUSSION** - Planning Board recommendation to amend the Municipal Code to eliminate Zoning Board of Appeals and transfer this Board's duties to the Palatka Planning Board – Thad Crowe, Planning Director said the Planning Board has recommended approval. The ZBOA is an appeals board and offers exceptions over flood and zoning standards as well as appeals of zoning administrator decisions. The Planning Board interprets the zoning code but doesn't handle its appeals. Due to the light case load, the BZOA has only met 9 times over the past five years. They have problems meeting quorums. The Planning Board has the experience and knowledge to handle these cases. Per discussion, Mr. Crowe said appeals for a Planning Board decision go directly to the City Commission. Commissioner Norwood said he is not in favor of doing away with the BZOA and provided reasons for this. He likes having a separate board of appeals.

   Marcia Lane, 210 E. Forest Park Drive, said she has served on this board for a number of years. The Board did not receive any notice of this pending action. She was told about this by Planning Board members. She did receive a call on December 8th about a meeting. This board serves to allow another set of individuals to hear appeals.

   Commissioner Borom said he is a former member of this board and is also in favor of keeping this Board in place; he provided those reasons.

   Allegra Kitchens 1027 S. 12th Street said she did attend the Planning Board meeting when this was discussed. She contested this. It is important for citizens to have another method of appeals besides the Planning Board. The BZOA doesn't always agree with the Planning Director. She will be glad to apply to serve on that Board.

   Commissioner Campbell said he concurs with many of the comments and believes the Board serves a purpose. Mayor Hill said there seems to be consensus that they need to carry this discussion no further. He encouraged people to apply for appointment to this Board.

10. **DISCUSSION – Purchase and Sale Agreements on three (3) residential properties** – Jonathan Griffith, Project Manager, said the City took bids on redevelopment of three residential properties. Multiple responses were received. Those rankings were concurred upon and Staff was directed to negotiate purchase and sale agreements with the selected respondents. They have reached a point in negotiations with Mr. Harwell on the 215 Dodge Street property wherein they need commission direction on what level of security the City is willing to accept on his proposal. The RFP proposes the City will sell the properties for $1.00 provided they are renovated, occupied and put back on the tax rolls. Eco Covering Group is in negotiations for two

properties and have confirmed in writing the agreement for security on 300 S. 9th Street in the amount of $40,000, which is adequate, but not the 2022 Eagle Street property.

Anthony Harwell, 322 Madison Street, Palatka, said he has met with Staff regarding options for security. He spoke with Mayor Hill about this. The majority of the work will be done by him, but some items will be subbed and will be permitted, and he has offered to pay for the contracted work in full prior to the work being performed. Another option is for the City to hold a mortgage note until the agreement is fulfilled. A third option is to move forward with contract with the contractor providing monthly clear title reports. A forth option is to provide the City surety by phases until all phases are complete. The 5th option is to permit and pay the contractor in full prior to work being performed. Discussion regarding Commission questions and answers provided by Mr. Harwell followed, who said this will be a true restoration; he is moving into the house himself. Mr. Holmes said it is not for Staff to decide what security the Commission is comfortable with. The contracts in the package were prepared by Staff, but negotiations broke down when they got to securities. These are publicly owned properties; the idea is to put these houses back on the tax rolls in private ownership. They contain a reverter clause that states within 15 months if a CO hasn't been issued, they revert back to the City. The issue arose again as to the potential for construction liens being placed on the property, which would render the reverter clause useless. Construction liens are only trumped by tax liens. It is Staff's job to provide the Commission with this information. If they want to take the properties back, they do not want them to have liens on them. The City needs something with which to satisfy those liens. They spoke of letters of credit and bonds. Mr. Harwell has dealt with the City in good faith. They are now looking for guidance from the Commission. He is advising the Commission to cover this risk in whatever fashion they desire.

Commission discussion ensued as to options. Mayor Hill said there could be some eligibility for grant programs. Mr. Griffith said the Harwell property is eligible for a new TIF grant which provides money to renovate extremely blighted properties. Discussion ensued regarding options; Mr. Griffith stated the grant he speaks of is a dollar-for-dollar matching grant, and explained the mechanics of the grant which is reimbursable, to be paid upon documentation of bills paid by the property owner. Discussion ensued on the Eco Covering Group property Agreement for the S. 9th Street property, which comes with a $40,000 letter of credit. There was commission consensus to direct staff to move forward with contract on the S. 9th Street property. As to the 215 Dodge Street property, Mr. Harwell said he doesn't want any help from the City or TIF funds; he just wants to be able to move forward with the project.

Roberta Correa, 118 Dodge Street, said it is public record that Mr. Harwell's home on Madison Street is on the foreclosure docket for March, and is scheduled for foreclosure.

Zinnie Bess, 200 Hayes Drive, Interlachen FL said he'd like to speak with the Commission about purchasing a property for $1.00. Mayor Hill asked him to meet with staff following the meeting. Commissioner Brown said they are trying to put houses and properties back on the tax rolls.

Discussion ensued as to estimated construction costs on the Dodge Street property. Mr. Griffith said his estimates are higher than Mr. Harwell's as they desire a total restoration, and the house contains asbestos. Mr. Holmes said once they convey title to the property the City will not receive notification of liens or potential liens. If the city was still an owner of the property, it would receive those notices. Instead of a title, the City could give an Agreement for Deed, which specifies that the city would convey title upon issuance of a Certificate of Occupancy (CO). If he could qualify for a grant with that, it would be more protection than no protection. Mr. Griffith noted that Mr. Harwell has stated he is not seeking grant funds. Mr. Harwell stated he agrees to the City holding title until a CO is granted. Mr. Griffith suggested combining this with the "phased" approach. The Commission agreed by consensus.

Commissioner Brown reminded the Commission of the need to provide opportunities to employees to purchase housing owned by the City at a minimum cost.

11. **DISCUSSION** – Golf Course Management and Restaurateur RFP – Jonathan Griffith, Projects Manager, said at a recent meeting with USDA representatives, USDA inquired as to the status of the City securing a restaurant operator for the Golf Course. The City had one response to the RFP they put out last year, and that was rejected. The management contract is also up in September. They wanted to bring these two RFPs to the attention of the Commission as they may wish to advertise for both management of the restaurant and golf course at the same time. The RFQ was packaged as management of both the course and restaurant when the management RFP originally went out but was separated when the restaurant renovation began. The restaurant operator has to be a small or emerging business with 50 or less employees. Discussion ensued and consensus was reached to direct staff to advertise this as an either "one or both" opportunity, to allow respondents to apply for management of one or both operations.

12. **DISCUSSION** – RFQ for Consultant/lobbyist services for Adopted City of Palatka Community Development and Sustainability Goals – City Manager Suggs said they have developed an RFQ to go out for consultant lobbyist services, which should be issued tomorrow. The successful respondent will cover part of this year's session and all of next year's session.

13. **CITY MANAGER & ADMINISTRATIVE REPORTS**
Jonathan Griffith said he distributed a Project Update Status sheet (filed) and will take questions.

The Clerk noted that the City's Arbor Day celebration is scheduled for next Friday.

Terry Suggs, City Manager, said they have been contacted by the State Auditor's office; they will be here in February. He and members of the Commission are headed to Jacksonville tomorrow to meet with Senator Nelson's office at 2:30 p.m. to discuss the City's adopted goals and funding opportunities. The City has advertised several positions for hire. Staff is still working on collection of the Fire Assessments.

14. **COMMISSIONER COMMENTS**
Commissioner Campbell invited the Community and Staff out to the City's Arbor Day ceremony, noting the Moseley Elementary School drum line and cheerleaders will be a part of this. Moseley is the only elementary school with a student drum line.

Commissioner Borom thanked first responders for all they do and for putting their lives on the line. He congratulated the City on its 163rd anniversary. He also congratulated the City Manager on meeting his six-month probation period.

Mayor Hill said three of them took office on January 5th and have celebrated their one-year anniversary on the Commission. They held a wonderful installation ceremony for new Police Chief Jason Shaw, who is committed to serving the community. He noted Vice Mayor Brown and Commissioner Borom both celebrated birthdays this past week.

Mayor Hill invited the community to take part in the Martin Luther King Day celebration on Monday, January 18th.

15. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 7:50 p.m. by Mayor Hill.

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