VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

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

AGENDA
CITY OF PALATKA
February 14, 2013

CALL TO ORDER:
a. Invocation – The Reverend Ben Tippett, Pastor Emeritus, Victory Outreach Fellowship
b. Pledge of Allegiance
c. Roll Call

APPROVAL OF MINUTES – 1/10/13 and 1/24/13 Regular Meetings

1. **PUBLIC RECOGNITION/PRESENTATIONS:**
   a. **PROCLAMATION Recognizing Black History Month** – February, 2013
   b. **CERTIFICATE OF ACHEVEMENT** for Excellence in Financial Reporting – Matt Reynolds
   c. **EAGLE SCOUT RECOGNITION**

2. **PUBLIC COMMENTS** - (Speakers limited to three minutes – no action taken on items)

3. **CONSENT AGENDA:**
   *a. **Adopt Resolution No. 2013-9- 72** selecting Bryant Miller Olive, PA (BMO) to serve as Bond & Disclosure Counsel for the City of Palatka per the results of an RFP and authorizing execution of an Agreement with BMO for said services
   *b. **Adopt Resolution No. 2013 – 9 - 73** authorizing the City Manager and Clerk to execute and attest a contract amendment with Shell Office Systems to modify Office Scanning Equipment and services, and authorizing budget amendments for same
   *c. **Adopt Resolution No. 2013 – 9 - 74** accepting the delivery of a Fire Truck and agreeing to perform an annual audit in accordance with Florida Statutes Ch218 Sec. 39 and USDA Grant Requirements
   *d. **Adopt Resolution No. 2013 – 9 - 75** authorizing the execution of a Memorandum of Agreement with the Putnam County Chamber of Commerce for Small Business Development Center Services and amending the FY 2012-13 Budget to fund said services
   *e. **Adopt Resolution No. 2013 – 9 - 76** authorizing the application for FY2013 FAA Grant Funds for Airport Improvements and authorizing execution of the FAA Grant Agreement upon receipt
   *f. **Adopt resolution No. 2013-9- 77 authorizing the issuance of Class A Special Event Permit #13-11 for 2013 Florida Azalea Festival,** March 1 – 3, 2013; Setting forth terms and conditions of the Permit, to include permission to exceed allowable noise levels during festival hours; authorizing the closure of certain streets to vehicular traffic during Festival events; and setting the advance permit fee
   *g. **Concur on Mayoral Appointment of Brenda Bivins to Palatka Housing Authority Board** for the remainder of a four-year term to expire 4/12/14 (Mayor's appointment per FL Statute)

* 4. **REQUEST** for compensation for placement of electrical boxes on E.W. Lawson & Sons Funeral Home – Johnny Brown, E. W. Lawson & Sons Funeral Home
   *a. Discuss Staff's proposal to relocate electrical boxes onto City Right-of-Way

* 5. **RESOLUTION** 2013-9-78 adopting Budget Amendments for FY 2012-13 thru 1/31/2013 – Adopt

* 6. **RESOLUTION 2013-9-79** adopting Tax Increment Finance Budget Amendments for FY 2012-13 – Adopt - Per recommendation at February 14, 2013 CRA meeting, for the following items:
   a. UF Master Planning @ $2,000.00
   b. SHNA Home & Garden Tour @ $500.00

* 7. **RESOLUTION 2013-9-80** authorizing the Mayor and City Clerk to execute and attest a Certified Local Government Agreement with the Florida Division of Historic Preservation and National Park Service that recognizes the City's commitment to historic preservation – Adopt

PUBLIC HEARINGS:

* 8. **ORDINANCE** – 100 Kelley Smith School Rd. and 119 & 121 Round Lake Road - Planning Board Recommendation to Annex and Rezone from Putnam Co. R-3 (Residential – 6 units per acre) to City of Palatka R-2 (two-family residential) – Billy & Betty Russ, Owners/Applicants
   *a. **ANNEXATION ORDINANCE** – 1st Reading
   *b. **REZONING ORDINANCE** – 1st Reading

* 9. **ORDINANCE** amending Chapter 94 of the Zoning Code of Ordinances to allow temporary outdoor sales in C-2 Zoning Districts – 1st Reading

* 10. **ORDINANCE** amending Palatka Municipal Code Sections 94-161 & 94-162 providing for additional accessory uses in Downtown zoning districts – 1st Reading

* 11. **ORDINANCE** amending the Adopted Comprehensive Plan Public Facilities Element to allow exceptions for required annexations for properties utilizing City Water & Sewer Utilities - Adopt

* 12. **ORDINANCE** amending Palatka Municipal Code Section 94-156 to allow Educational/Interpretative Signs in Historic Districts - 2nd Reading, Adopt

* 13. **RECOMMENDATION ON DISPOSITION OF CERTAIN CITY PROPERTIES** – Thad Crowe, B&Z

14. **CITY MANAGER & ADMINISTRATIVE REPORTS**
   *a. Novus Agenda Management Pilot Program – B. Driggers, Clerk & Chris Cheatham, IT Mgr.

15. **COMMISSIONER COMMENTS**

16. **ADJOURN**

*Attachment **Separate Cover

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

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

Upcoming Events:
March 1 – Azalea Festival Mayor's Reception
March 2 & 3 – Florida Azalea Festival
March 18 &19 – FLC Legislative Action Day, Tallahassee
April 20 – MOD March for Babies
May 24 thru 27 – Blue Crab Festival
May 27 – City Offices closed to observe Memorial Day Holiday

Board Openings:
Code Enforcement Board: 2 Vacancies (Arch. & Sub Contr.)

CITY OF PALATKA

Proclamation

WHEREAS, Dr. Carter G. Woodson, founder of the Association for the Study of Negro Life and History, initiated Negro History week in 1926, which grew and blossomed into Black History Month during the 1970's; and

WHEREAS, Black History Month is so designated to recognize, honor and record the historical contributions and achievements made by Blacks in the Armed Forces, Architecture, Arts, Business, Civil Rights, Economics, Education, Entertainment, Exploration, History, Law, Literature, Medicine, Music, Politics, Science and Sports; and

WHEREAS, February is nationally designated as Black History Month, and is annually set aside for all Americans to focus on the significant role African Americans have played in our Country's history and in the shaping of our nation and culture; and

WHEREAS, the Palatka City Commission wishes to maintain and promote harmonious inter-cultural relations and highlight the rich ethnic and cultural diversity throughout the City of Palatka and Putnam County; and

WHEREAS, the Palatka City Commission recognizes the historical aspect of the presence and contribution of Blacks to the growth of our society, and to recognize the contribution of Blacks to the history of Palatka and humankind.

NOW, THEREFORE, I, Vernon Myers, Mayor of the City of Palatka, Florida, together with the members of the Palatka City Commission, do hereby endorse and proclaim the month of February, 2013 as

BLACK HISTORY MONTH

in the City of Palatka, Florida, and I urge all citizens to join the Palatka City Commission in celebrating February as Black History Month each year, and to share in the spirit of the Month and take part in related activities that reflect the goals of Black History Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Palatka to be affixed this 14th day of February, in the Year of Our Lord Two Thousand and Thirteen.

Commissioners:
Mary Lawson Brown
Allegra Kitchens
Phil Leary
James Norwood, Jr.

Vernon Myers, MAYOR

Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

10/30/2012

NEWS RELEASE

For Information contact:
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **City of Palatka** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

Finance Department, City of Palatka

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

Agenda Item

3a

CITY of Palatka FLORIDA

AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, selecting Bryant Miller Olive, PA (BMO) to serve as Bond and Disclosure Counsel for the City of Palatka and authorizing the Mayor and City Clerk to execute and attest an agreement with BMO for those services

DEPARTMENT: Finance

ATTACHMENTS: ☐ Ordinance ☒ Resolution ☐ Motion
☒ Support Documents ☐ Other

SUMMARY: On December 21, 2012, the City submitted a request for proposals (RFP) for bond and disclosure counsel services. Bond and disclosure counsel services include the preparation and review of ordinances and resolutions related to the incurring of debt via bonds or bank loan.

The RFP specified that a Selection Committee, appointed by the City Manager, was to review and evaluate all responses to the RFP and make a recommendation for award to the City Manager. The Selection Committee consisted of three members: Finance Director Matt Reynolds, Financial Advisor Jeremy Niedfeldt, and City Attorney Don Holmes. The committee reviewed, evaluated and ranked the eight firms that responded to the RFP on January 24, 2013.

The Selection Committee ranked Bryant Miller Olive P.A. (BMO) as the most responsive bidder and recommended to the City Manager that they be selected to serve as Bond and Disclosure Counsel for the City of Palatka.

The City Manager has negotiated a contract with BMO that includes all terms listed in their proposal.

Please find attached a summary of the rankings completed by the Selection Committee as well as a Resolution selecting BMO to serve as Bond and Disclosure Counsel and authorizing the City Manager and City Clerk to execute and attest a contract with the firm. A copy of the negotiated contract between the City of Palatka and BMO has also been included.

RECOMMENDED ACTION: The Selection Committee and City Manager recommend adoption of resolution 2013 - 9-72 selecting BMO to serve as Bond and Disclosure Counsel for the City of Palatka and authorizing the City Manager and City Clerk to execute an agreement with BMO.

DEPARTMENT HEAD	Submitted: Matt Reynolds Requested Agenda: Consent	Date: 01-31-13 Date: 02-14-13
FINANCE DEPARTMENT	Budgeted ☐ Yes ☐ No ☒ N/A	Date: 01-31-13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/4/13

COMMISSION ACTION:
- ☐ Approved as Recommended
- ☐ Approved With Modification
- ☐ Other
- ☐ Disapproved
- ☐ Tabled To Time Certain

DISTRIBUTION: ☐CA ☐CC ☐CM ☐CD ☐FI ☐FD ☐GC ☐HR ☐MD ☐PD ☐PR ☐UD

H:\City Commission\Agenda Requests\Agenda Summary Template.doc

RESOLUTION No. 2013 - 9 -

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, SELECTING BRYANT MILLER OLIVE P.A. (BMO) AS BOND AND DISCLOSURE COUNSEL AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH BRYANT MILLER OLIVE P.A. (BMO) TO PROVIDE BOND AND DISCLOSURE COUNSEL SERVICES

WHEREAS, the City of Palatka is in need of Bond and Disclosure Counsel; and

WHEREAS, the City of Palatka advertised and accepted Requests for Proposals (RFP) on January 18, 2013; and

WHEREAS, the Bond and Disclosure Counsel Selection Committee reviewed and ranked each response to the RFP and determined that Bryant Miller Olive P.A. (BMO) was the most responsive firm; and

WHEREAS, the City Manager has concurred with the Selection Committee and negotiated a contract with Bryant Miller Olive P.A. (BMO); and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida:

1. That the City of Palatka selects Bryant Miller Olive P.A. (BMO) to serve as Bond and Disclosure Counsel to the City of Palatka.

2. That the City Manager and City Clerk are hereby authorized to execute and attest a contract with Bryant Miller Olive P.A. (BMO) to provide bond and disclosure counsel services for the City of Palatka.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 14th day of February, 2013.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

_____

CITY ATTORNEY

City of Palatka, Florida
Bond Counsel Response Matrix

			Nabors, Giblin & Nickerson	Holland & Knight	Bryant Miller Olive	Akerman Senterfitt	Broad and Cassel	Law Offices of Carol D. Ellis	Greenspoon Marder	Greenberg Traurig
1	Ability to meet requirements and completeness of "Request for Proposal".	20	20	20	20	20	20	10	10	20
2	Technical ability, reputation and experience of the firm with respect to providing Bond and Disclosure Counsel Services.	25	20	20	25	20	20	5	10	25
3	Demonstrate experiences, accessibility and availability of professional personnel assigned to provide services to the City.	20	20	15	20	15	10	5	5	10
4	Geographical proximity/travel/meeting costs.	10	5	10	5	10	10	5	5	5
5	Reasonableness of fee for services.	25	25	5	25	25	25	20	25	5
	Total	100	90	70	95	90	85	45	55	65

1/24/2013

AGREEMENT FOR BOND COUNSEL AND DISCLOSURE COUNSEL SERVICES

BRYANT MILLER OLIVE P.A., a professional association organized under the laws of the State of Florida, with offices in Jacksonville, Tallahassee, Orlando, Tampa, Miami, Atlanta and Washington, D.C. (the "Firm"), agrees to serve as Bond Counsel and Disclosure Counsel to the **CITY OF PALATKA, FLORIDA**, a municipal corporation organized under the laws of the State of Florida (the "City") in connection with the issuance of bonds, notes or other obligations of the City. The Bond Counsel Services described herein will be rendered by George Smith, as lead counsel and assisted by Judson Freemen, Greg West and Jason Breth. Len Marcinko and Will Milford will provide all services related to federal tax issues. The Disclosure Counsel Services described herein will be rendered by Grace Dunlap, as lead counsel and assisted by JoLinda Herring, George Smith, and Jason Breth. The Firm may include other members of the Firm, subject always to the approval of the City.

A. Upon request of the City Manager or with the City Manager's approval, the Finance Director or City Attorney, the Firm as Bond Counsel will perform the following services with respect to the issuance of bonds, notes and other obligations of the City, and matters relating thereto:

1. Review of proposed financing programs as to legal feasibility, compliance with applicable law and pending or proposed revisions to the law, including United States Treasury regulations.

2. Advice as to structuring procedures, required approvals and filings, schedule of events for timely debt issuance, and other legal matters relative to such debt.

3. Attend meetings with City Manager and staff, City Attorney and City elected officials, the City's financial advisor, the City's engineers, the underwriters and others as appropriate for development of the debt materials or dissemination of information in connection therewith.

4. Prepare ordinances or resolutions and any amendments thereto in order to authorize the debt.

5. Prepare or review the trust indentures, loan agreements, escrow agreements, and any other agreements or similar documents necessary, related or incidental to any financing.

6. If sale is by competitive bid, assist in preparation of the bid comments, notice of sale, evaluation of bids and any other documentation or action necessary to conduct a sale of the bonds in that manner.

7. Review the transcripts of all proceedings in connection with the foregoing and indicate any necessary corrective action.

8. Prepare, obtain, deliver and file all closing papers necessary in connection with any debt, including, but not limited to, certified copies of all minutes, ordinances, resolutions and orders; certificates such as officers, seal, incumbency, signature, no prior pledge; and verifications, consents and opinions from accountants, engineers, special consultants and attorneys.

9. Review all disclosure documents prepared and authorized by the City, but only insofar as such documents describe the bonds and summarize the underlying documents. However, we assume no responsibility for the disclosure documents insofar as such documents describe the financial circumstances of the offering or any other statistics, projections or data. Furthermore, we assume no responsibility for ensuring qualification of the bonds for sale under the "blue-sky" laws of any jurisdiction.

10. Render an opinion in written form at the time such transactions are closed as Bond Counsel to the City.

B. The Firm's duties as Bond Counsel hereunder are limited to those expressly set forth herein and do not include the following:

1. Bond validation proceedings and post-closing reinvestment of bond proceeds.

2. Preparation of blue sky or investment surveys with respect to the bonds, notes or other obligations.

3. Investigation or expression of any view as to the creditworthiness of the City, any credit enhancement provider, or the debt instrument; or, providing services related to hedging or derivative financial products (e.g. "swaps" and related documents or opinions).

4. Representation of the City in post-closing regulatory investigation or matters.

5. Bankruptcy matters.

C. Upon request of the City Manager or with the City Manager's approval, the Finance Director or City Attorney, the Firm as Disclosure Counsel will perform the following services with respect to the issuance of bonds, notes and other obligations of the City, and matters relating thereto:

1. Serve as a member of the City's financing team.

2. Assist the financing team in determining the information and specific language to be included in the Official Statement or other disclosure documents for bond and/or note issuances.

3. Make inquiries to assure that all material facts are fully disclosed to potential investors and that there have been no material omissions or misstatements of fact regarding a financing.

4. Advise the financing team as to disclosure requirements relative to issuance of the debt instruments.

5. Prepare, with the assistance of financing team members, the Preliminary Official Statement, Official Statement, and any other applicable disclosure document, and any amendments thereto in connection with City financings.

6. Render appropriate opinions as to the adequacy and completeness of information included in offering and disclosure documents relation to City financings.

7. Assist the City in complying with federal and state regulatory laws and regulations relating to municipal debt issuances.

8. Negotiate and prepare the Continuing Disclosure Undertaking.

9. Services relative to review and assistance with Annual Disclosure Documents.

10. Services relative to formulation of Comprehensive Policies and Standardized Documents for Primary and Secondary Disclosure.

11. Services relative to providing general advice and consultation to the City and its financing team related to disclosure issues.

D. The Firm's duties as Disclosure Counsel hereunder are limited to those expressly set forth herein and do not include the following:

1. Preparation of blue sky or investment surveys with respect to the Bonds.

2. Investigation or expression of any view as to the creditworthiness of the City, the Bonds, any credit enhancement provider, or the debt instrument; or, providing services related to hedging or derivative financial products (e.g. "swaps" and related documents or opinions).

3. Representation of the City in post-closing regulatory investigation or matters.

4. Representing the City in Securities and Exchange Commission investigations.

5. Addressing any other matter not specifically set forth above that is not required to render their Disclosure Opinion.

E. The Disclosure Opinion will be based on facts and law existing as of its date. In rendering the Disclosure Opinion, the Firm will rely on the certified proceedings and other certifications of public officials and other persons furnished to them without undertaking to verify the same by independent investigation, and the Firm will assume continuing compliance by the City with applicable laws relating to the Bonds. During the course of this engagement, the Firm will rely on City's staff and officials to provide them with complete and timely information on all developments pertaining to any aspect of the financing, the Bonds and the security for the Bonds.

F. For the services described above, the City agrees that the Firm shall be compensated for Bond Counsel and Disclosure Counsel services, at the time of closing, at a fee contingent on the closing of the Bonds as follows:

1. The Firm shall be compensated for the Bond Counsel and Disclosure Counsel services described above, at the time the bonds are issued, at the rate of $1.65 per bond with a minimum fee of $20,000. For a privately placed bank loan, the Bond Counsel Service fee will equal $12,500. The Firm shall be reimbursed for all routine or out-of-pocket expenses related to an issue at the actual cost of such expenses. "Out-of-pocket expenses" includes but is not limited to local and long distance phone calls, postage, word processing, clerical or secretarial services, legal computer services, photographic copies, printing, overnight express mail, facsimile transmissions, exhibits, and transcripts. Out-of-pocket expenses does not include travel, which will not be reimbursed by the City.

2. The payment of the Firm's fee is completely contingent in all cases on the sale and delivery of the bonds or notes; however, the Firm will be reimbursed for its out-of-pocket expenses irrespective of the completion of the bond issue.

The Firm shall also be available to assist the City for hourly rate services unrelated to the specific issuance of new debt or the provision of other extraordinary legal services identified and agreed to by the City and the Firm (including, without limitation, preparation of referendum resolutions or validation proceedings); such services unrelated to specific issuance of a new debt shall be performed upon the request of the City at an initial rate of $265 per hour for George Smith, Greg West, Grace Dunlap, JoLinda Herring, and other senior attorneys and $350 per hour for Len Marcinko or at such other rates as agreed to by the City and the Firm at the time of the services. Invoices to the City for hourly legal services unrelated to specific issuance of debt shall be itemized and shall set forth the attorney or paralegal, subject of the charge, the time applicable to the charge and the rate per hour. Upon mutual agreement, the

City and the Firm may alternatively agree to a negotiated fee structure for services unrelated to the specific issuance of new debt.

The Firm's fee described herein may vary: (1) if material changes in the structure or schedule of the financing occur; or (2) if unusual or unforeseen circumstances arise which require a significant increase in the Firm's time or responsibility; or (3) upon review of fees charged by counsel for comparable undertakings. If, at any time, the Firm believes that circumstances require an adjustment of the fee described above, the Firm will advise the City and seek an adjustment based upon the relevant circumstances. Such adjustment will only be made by the City, in its sole discretion.

G. This Agreement will be effective for a term of three (3) years from its date of execution and will be automatically extended without any action required for successive one year renewals following the initial period unless terminated in writing by either the City or the Firm.

H. The rules regulating The Florida Bar provide that common representation of multiple parties is permissible where the clients are generally aligned in interest, even though there is some difference in interest among them. The Firm has disclosed to the City that it has, and may in the future, serve as bond or disclosure counsel to other local governments or otherwise act as underwriter's counsel on public finance matters in Florida. From time to time, the Firm may represent the firms which may underwrite the City's bonds, notes or other obligations (and other financial institutions hired by the City) on financings for other governmental entities in Florida on unrelated matters. In either case, such representations are standard and customary within the industry and the Firm can effectively represent the City and the discharge of the Firm's professional responsibilities to the City will not be prejudiced as a result, either because such engagements will be sufficiently different or because the potential for such prejudice is remote and minor and outweighed by consideration that it is unlikely that advice given to the other client will be relevant in any respect to the subject matter, and the City expressly consents to such other representations consistent with the circumstances herein described. The City acknowledges and agrees that the Firm's role as bond counsel, disclosure counsel, or counsel to any local governmental entity or financial institution or in conjunction with public finance transactions is not likely to create or cause any actual conflict, and service as disclosure, bond, or counsel to other clients of the Firm will not per se be construed as a conflict or be objectionable to the City.

I. Upon the closing of a bond transaction, without notice, it will be presumed that the Firm's services on that transaction shall be complete, and the Firm will not be actively providing any services under this Agreement, until requested again by the City Manager or Finance Director or the City Attorney.

J. The City may cancel or terminate this Agreement upon sixty (60) days advance written notice to the Firm. In the event of cancellation, the Firm shall, unless otherwise requested by the City, immediately cease work hereunder and shall be reimbursed for eligible and documented reimbursable expenses incurred prior to the date of cancellation.

K. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. This Agreement may be amended only by a writing duly entered into by the City and the Firm.

DATED this 14th day of February, 2013.

BRYANT MILLER OLIVE P.A.

Witnesses:

_____ _____

Print Name **BY: George A. Smith, Shareholder**

_____

Print Name

CITY OF PALATKA, FLORIDA

ATTEST:

_____ _____

CITY CLERK **BY: Michael J. Czymbor, CITY MANAGER**

(Seal)

Agenda Item

3b

CITY COMMISSION AGENDA ITEM

SUBJECT: **A Resolution of the City of Palatka authorizing the execution of an Agreement with Shell Office Systems, Inc. in the amount of $3,316.00 for the purchase and maintenance of upgraded digital scanning equipment, and amending the FY 2012-13 budget to transfer $3,316.00 from contingency to fund the purchase**

DEPARTMENT: **Admin/Clerk/IT Department**

ATTACHMENTS: ___ Ordinance _X_ Resolution ___ Motion
_x_ Support Documents ___ Other

SUMMARY: The City purchased Shell Office Systems digital scanning equipment in January, 2007. This was a hybrid unit that scanned and microfilmed. At the time of purchase, microfilm was the State's only approved "100-year media" and this unit would satisfy our disaster recovery requirements. Two units were purchased (one for City Hall and one for the PD). A standard service agreement is renewed annually at a substantial cost.

"Cloud" technology has since rendered microfilm unnecessary. Media can be scanned and stored digitally off-premises with almost unlimited capacity. Shell Office Systems has proposed we trade in City Hall's current DR5060F scanner, which is obsolete, for a smaller, more efficient Canon DR-6010C Scanner. The cost savings on maintenance alone of $1,935.00 for the first year will offer a return on investment in about 9 months. This includes 5 hours of training for new personnel.

RECOMMENDED ACTION: Adopt Resolution No. 2013- 9-73 Authorizing the City Manager and Clerk to execute and attest an Agreement with Shell Office Systems in the amount of $3,316.00 authorizing the trade-in of City Hall's current DR-5060F Scanner towards the purchase and maintenance of a DR-6010C Scanner at a net cost of $3,316.00, with an annual maintenance contract of $795.00, and authorize a budget amendment to move funds from Contingency to fund this transaction.

DEPARTMENT HEAD	Submitted: B. Driggers/C. Cheatham Requested Agenda Consent	Date: 2/4/13 Date: 2/14/13
FINANCE DEPARTMENT	Budgeted X Yes ___No___ N/A Amendment included	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/5/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

RESOLUTION No. 2013 – 9 - _____

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST AN AGREEMENT WITH SHELL OFFICE SYSTEMS TO AUTHORIZE THE TRADE-IN OF OBSOLETE DIGITAL IMAGING EQUIPMENT TOWARDS THE PURCHASE AND MAINTENANCE OF A CANON DR-6010C SCANNER, AND AMENDING THE FY 2012-13 BUDGET TO TRANSFER $3,316.00 FROM CONTINGENCY TO PROFESSIONAL SERVICES TO FUND THE TRANSACTION

WHEREAS, on 1/17/07 the Palatka City Commission (the **City**) purchased a Canon DR-5060F Hybrid Scanner/Microfilm unit from Shell Office Systems for City Hall, and enters annually into a maintenance agreement on said equipment; and

WHEREAS, the Canon DR-5060F scanner is now obsolete, and Staff has determined that microfilming of City Hall records is no longer necessary due to the availability of current digital storage technology; and

WHEREAS, Shell Office System has proposed the **City** trade in its obsolete scanning equipment towards the purchase of a Canon DR6010C Scanner at a net cost of $2,521.00, which has an annual maintenance cost of $795.00, which is far lower than the annual cost to maintain the current obsolete scanning equipment; and

WHEREAS, the **City** deems it reasonable and necessary to authorize the execution of an agreement with Shell Office Systems to authorize the trade in of its obsolete scanning equipment towards the purchase and maintenance of a Canon DR6010C Scanner.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida:

1. That the City Manager and City Clerk are hereby authorized to execute and attest an agreement for purchase and maintenance of a Canon DR6010C Scanner from Shell Office Systems in the amount of $3,316.00, net of the trade-in allowance for the City's obsolete Canon DR5060F Hybrid Scanner; and

2. That the expenditures of the City of Palatka General Fund Budget for the Fiscal Year 2012-13 are hereby amended as follows:

EXPENDITURES:		**Last**	**Recommended**	**As**
Expenditure Number	*Description*	**Approved**	**Amendments**	**Amended**
001-17-516-3-3100	PROFESSIONAL SERVICES	$ 41,995	$ 3,316	$ 45,311
001-82-581-9-9900	GENERAL CONTINGENCY	$ 100,000	$ (3,316)	$ 96,684
	TOTAL EXPENDITURES AMENDED:	**$ 141,995**	**$ -**	**$ 141,995**

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 14th day of February, 2013.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM
AND CORRECTNESS:

_____

CITY ATTORNEY

SHELL
office systems

October 31, 2012

Ms. Betsy Driggers, City Clerk
City of Palatka
201 North Second Street
Palatka, FL 32177

Dear Ms. Driggers:

Thank you and the City of Palatka staff for meeting with Kip Torjusen and myself last Wednesday, October 17th, regarding your AX imaging system. We believe we have determined the best way to move forward with getting the Clerk's Office imaging system back up and running.

First, we can achieve the maintenance cost savings by trading your current Canon DR-5060F in for a much smaller and efficient Canon DR-6010C scanner. The cost savings on maintenance alone offer a return on investment of roughly nine (9) months. The Canon DR-5060F is an obsolete machine and will start to have parts availability issues within approximately 3 years (see breakdown, page 2). Also, the software drivers for this unit are limited to Windows XP. This will limit future software upgrades going forward.

We propose five (5) hours of refresher training for the Clerk's Office. This includes all departments which are ready for training (i.e. Personnel, Finance, etc.). We also propose five (5) hours of implementation which can be used over a period of time as needed. This will allow for smooth set-ups of applications, new and revised.

Our proposed solution should provide the needed element to get the City of Palatka's imaging system up and running at minimal costs. Please see the attached quote page with the pricing breakdown. Thank you for the opportunity to get your system fine tuned and ready for successful future usage.

Sincerely,

Bart B. Gregg
Account Representative

BBG/lc

SHELL
office systems

Scanner Cost Comparison

*Canon DR-5060F
Obsolete / Parts availability three (3) years
Annual maintenance – $2,730.00

Canon DR-6010C
New, after trade-in – $2,521.00
Annual maintenance – $795.00

$2,730.00 – 795.00 = $1,935 / 2,521.00 = 0.767 year
Return on Investment = Nine (9) months

*The Canon DR-5060F software drivers are limited to a Windows XP platform. This device is not compatible with Windows Vista or Windows 7.

Agenda Item

3c

CITY of Palatka FLORIDA

AGENDA ITEM

SUBJECT: USDA Fire Truck Grant Compliance

DEPARTMENT: Finance

ATTACHMENTS: ☐ Ordinance ☒ Resolution ☐ Motion
☐ Support Documents ☐ Other

SUMMARY:
The City accepted a $150,000 grant from the USDA for the purchase of a fire truck. The truck is estimated to be delivered in early March.

In order to be in compliance with the grant requirements, the City Commission needs to pass a resolution stating that they agree to perform an annual audit.

RECOMMENDED ACTION: Staff recommends adoption of Resolution 9-74 in order to be in compliance with the USDA Fire Truck grant requirements.

DEPARTMENT HEAD	Submitted: Matt Reynolds Requested Agenda: Consent	Date: 02-07-2013 Date: 02-14-2013
FINANCE DEPARTMENT	Budgeted ☐ Yes ☐ No ☒ N/A	Date: 02-07-2013
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/7/13

COMMISSION ACTION: ☐ Approved as Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled To Time Certain
☐ Other

DISTRIBUTION: ☐CA ☐CC ☐CM ☐CD ☐FI ☐FD ☐GC ☐HR ☐MD ☐PD ☐PR ☐UD

RESOLUTION No. 2013 - 9-____

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AGREEING TO PERFORM AN ANNUAL AUDIT IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 218 SECTION 39 AS PER USDA GRANT REQUIREMENTS

WHEREAS, the City of Palatka in accordance with the grant requirements provided by the USDA in regards to the Fire Truck grant agrees to perform an annual audit which is prescribed by Florida Statues chapter 218 section 39.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida:

1. That the City of Palatka shall perform an annual audit in accordance with Florida Statutes chapter 218 section 39.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 14th day of February, 2013.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

_____

CITY ATTORNEY

The following items are required for the closing set for _____ (date)

located at Ocala, Florida, at _____(time)

Responsible Party:

RD 1. Form RD 1942-47, Loan Resolution, page 3 certification completed.

City 2. Certified List of City Council Members indicating their offices and terms

Atty 3. Closing Statement from the attorney showing disbursement of Funds

RD 4. Form 3570-3, Community Facilities Grant Agreement (2)

City 5. Authorizing Resolution adopted by the City for the fire truck and related equipment

City 6. A brief resolution from the entity accepting the fire truck. - per Rebecca a letter will suffice

City 7. Certification in the form of Florida Instruction 1942-A, Guide 19 that the insurance coverage is adequate, including property insurance, fidelity bond coverage, worker's compensation, and public liability and property damage. Form RD 440-24 Position Fidelity Bond may be utilized (per RD Instruction 1942-A (j) (3).

* City 9. Resolution from the entity agreeing to an annual audit on the facility in accordance with OMB Circular.

Atty 10. Certification from the entity's attorney that he/she has been paid according to the legal services agreement.

City 11. Evidence of title for the fire truck and related equipment.

Atty 12. Attorney's legal opinion that the City of Palatka has the authority to carry out the planned method of acquisition (procurement) and is legally organized in accordance with Florida State Statutes, as of the date of closing.

RD/Atty 14. Two signed copies of the Regional Attorney's closing instructions, including referenced attachments

Noted and Concurred:

Applicant	Date
Attorney	Date
Bond Counsel	Date
Architect	Date
Rural Development	Date

NOTE: Should a grant be involved or interim financing come due prior to completion of a project, some items note above will have to be certified as of " to date," instead of "in full," or "has been completed".

USDA Rural Development

Florida/Virgin Islands
4440 Northwest 25th Place
Post Office Box 147010
Gainesville, FL 32614-7010

Community Programs
Telephone: (352) 338-3440
FAX: (352) 338-3452
TDD: (352) 338-3499
www.rurdev.usda.gov/fl

RECEIVED MAY

May 16, 2012

SUBJECT: City of Palatka - CF Grant Closing Instructions
EII CFG: $143,100- CFG: $6,900
Purchase of New Fire Truck and Related Equipment

TO: Area Director
Ocala, FL

The following are closing instructions for the City of Palatka $143,100 EII Community Facilities grant and $6,900 Regular Community Facilities grant:

The grant funds, in conjunction with an applicant contribution of $150,000 will be used to purchase a fire truck and related equipment.

The grant will be closed in accordance with the Letter of Conditions dated March 16, 2012, Form RD 3570-3 Grant Agreement, the attachment to the 1940-1and RD Instruction 3570-B and RD Instruction 1942-C.

All forms and documents to be executed on behalf of the City of Palatka are to be signed by the Mayor and attested to by the City Clerk.

The applicant's attorney is to provide a legal opinion that the City of Palatka has the authority to carry out the planned method of acquisition (procurement) and is legally organized in accordance with Florida State Statutes, as of the date of grant closing.

Form RD 3570-3 "Community Facilities Grants Agreement" must be properly completed and executed at grant closing. Please insure that the property description sections of the document are fully completed. If attachments are used they must be properly signed and dated.

A certified listing of the City's current officials showing their respective offices and terms must be obtained and made part of the file.

USDA is an equal opportunity provider and employer. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).

Verification of the availability of the required applicant contribution must be documented prior to closing. Applicant funds will be the first expended. Excess grant funds above those permitted for authorized grant purposes will be refunded to the Government.

Title to Property: The City will provide evidence of title satisfactory to Rural Development for the vehicle and equipment which will be purchased with grant funds. The City will provide equipment descriptions and purchase invoices that include the VIN number and model number satisfactory to Rural Development for all the equipment which will be purchased with grant proceeds. A copy of this should be attached to the Grant Agreement once executed. The original Grant Agreement is required to be stored in the safe with the other debt instruments.

A closing statement is to be prepared by the applicant's attorney which reflects the disbursement **of all grant funds**, as well as those funds contributed by the applicant. This statement should include a listing of expenditures and receipts for the project at grant closing for the RD grant and applicant contribution.

For post closing review and approval the following are to be submitted to the State Office:

1. Form RD 1942-47 Loan Resolution (Public Bodies) with the closing certification section fully completed.
2. Certified list of city council members indicating their offices and terms
3. Closing Statement
4. Copy of 402-2 Showing Disbursements
5. Original fully completed and executed Form 3570-3, Community Facilities Grant Agreement.
6. Authorizing resolution adopted by the City for Fire Truck and related equipment purchases.
7. Certified Closing Instructions.
8. Evidence of title for the Fire Truck and related equipment.

Please contact this office with any questions which may arise.

Please assure that the City is established in ADPS for Electronic Funds Transfer (EFT) delivery of funds.

MICHAEL A. LANGSTON
Community Programs Director

MAL/de

USDA is an equal opportunity provider and employer. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).

CERTIFICATION

We certify that all requirements of these instructions have been complied with.

Date: _____
Attorney for City of Palatka

Date: _____
Area Director

USDA is an equal opportunity provider and employer. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).

PRE-CLOSING CONFERENCE

APPLICANT'S NAME City of Palatka – Fire Truck

APPLICANT REPRESENTATIVES:

Jonathan Griffith CONTACT PERSON: Mike Lambert

ADDRESS: 201 N 2nd Street

386-328-1111 Palatka, FL 32177
Telephone

ATTORNEY Donald Holmes BOND COUNSEL None

ADDRESS 222 North 3rd Street ADDRESS

Palatka, FL 32177

TELEPHONE 386-328-1111 TELEPHONE

E-MAIL E-MAIL

ARCHITECT None

ADDRESS

TELEPHONE E-MAIL

RURAL DEVELOPMENT OFFICE Rebecca Manning

ADDRESS 2441 NE 3rd Street, Suite 204-1, Ocala, FL 34470

TELEPHONE 352-732-9796 ext 123 E-MAIL rebecca.manning@fl.usda.gov

Agenda Item

3d

CITY of Palatka FLORIDA

AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida authorizing the execution of a Memorandum of Agreement with the Putnam County Chamber of Commerce for full-time Small Business Development Center Services within Putnam County, and adopting a FY 2012-13 budget amendment in the amount of $10,000.00 to fund said Services

DEPARTMENT: Admin/City Hall

ATTACHMENTS: ☐ Ordinance ☒ Resolution ☐ Motion
☐ Support Documents ☐ Other

SUMMARY: On October 13, 2011 the CRA board approved the partial funding of a full-time Small Business Development Center (SBDC) staff person for Putnam County. Since April of 2012, Ms. Cheryl Lynch has been housed at the Putnam County Chamber of Commerce. The attached "Impact" report details the increased consulting and counseling realized from having a full-time staff person as compared to part-time. Ms. Lynch has been instrumental in the development of multiple businesses within the Central Business District. She has been extensively involved in recent discussions regarding business recruitment and retention, economic development incentives and the redevelopment of the two City owned blocks adjacent to the Riverfront Park.

This item is to be presented at the 2-14-2013 CRA meeting for funding consideration. Staff currently supports this level of funding based upon the amount of assistance received by the SBDC staff in the Central Business District. Future considerations for funding should take into account any change in the level of assistance received.

RECOMMENDED ACTION: Adopt resolution No. 2013 - 9-175 authorizing the City Manager and City Clerk to execute and attest a Memorandum of Agreement with the Putnam County Chamber of Commerce for full-time Small Business Development Center Services within Putnam County, and authorizing a FY 2012-13 budget amendment to fund those services

DEPARTMENT HEAD	Submitted: Jonathan Griffith Requested Agenda: City Commission	Date: 2-6-13 Date: 2-14-13
FINANCE DEPARTMENT	Budgeted ☒ Yes ☐ No ☐ N/A Amendment includes	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/7/13

RESOLUTION 2013 - 9-____

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST A MEMORANDUM OF AGREEMENT WITH THE PUTNAM COUNTY CHAMBER OF COMMERCE FOR FULL-TIME SMALL BUSINESS DEVELOPMENT CENTER SERVICES WITHIN PUTNAM COUNTY AND AMENDING THE FY 2012-13 BUDGET TO FUND SAID SERVICES

WHEREAS, The Putnam County Chamber of Commerce has contracted with the Small Business Development Center at the University of North Florida (SBDC) for a full-time Certified Business Analyst; and

WHEREAS, The City of Palatka Community Redevelopment Agency ("CRA") desires to redevelop the Central Business District through the use of economic development mechanisms; and

WHEREAS, The CRA approved the use of Central Business District Tax Increment Funds on February 14, 2013, to partially fund the SBDC Certified Analyst position; and

WHEREAS, The City and CRA desires to provide the SBDC Analyst as an economic development mechanism for the Downtown Central Business District.

WHEREAS, the City of Palatka deems it reasonable and necessary to amend the FY 2012-2013 budget in order to fund said analyst services.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida:

1. That the City Manager and City Clerk are hereby authorized to execute and attest an a Memorandum of Agreement with the Putnam County Chamber of Commerce, which is attached hereto as Exhibit "A," stipulating the terms of a quarterly payment and reporting procedure; and

2. That the expenditures of the City of Palatka Tax Increment Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

EXPENDITURES:		**Recommended**
Expenditure Number	*Description*	**Amendments**
030-30-580-3-3105	SMALL BUSINESS DEVELOPMENT CENTER	$ 10,000
030-30-580-3-3104	UNIVERSITY OF FLORIDA MASTER PLANNING	$ (2,000)
030-30-580-6-6316	WAYFINDING	$ (8,000)
	TOTAL EXPENDITURES AMENDED:	**$ -**

PASSED AND ADOPTED by the City Commission of the City of Palatka this **14th day of February, 2013.**

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

EXHIBIT "A"

MEMORANDUM OF AGREEMENT

Regarding

ANNUAL SMALL BUSINESS DEVELOPMENT CENTER SERVICES

This **Memorandum of Agreement ("Agreement")** is entered into as of the _____ day of _____, 2013, by and between **Putnam County Chamber of Commerce ("PCCC")**, and the **City of Palatka (the "City")**, a municipality chartered under the laws of the State of Florida, located in Putnam County, located in Putnam County, (each referred to herein as a "Party" and collectively referred to herein as "Parties").

WHEREAS, The PCCC has executed a Memorandum of Agreement (Attachment A) with the Small Business Development Center at the University of North Florida (SBDC) for a full-time Certified Business Analyst; and

WHEREAS, The City of Palatka Community Redevelopment Agency ("CRA") desires to redevelop the Central Business District through the use of economic development mechanisms; and

WHEREAS, The City is seeking to partially fund a full-time Certified Business Analyst position for Putnam County; and

WHEREAS, The City desires to provide SBDC services as an economic development mechanism for the Downtown Central Business District.

NOW THEREFORE, in consideration of the promises and considerations set forth herein, the parties hereto agree as follows:

1. Services provided: As set forth in a Memorandum Of Agreement (Attachment A) between the PCCC and the SBDC .

2. Funding: The City will provide the PCCC with quarterly payments of $2,500 on the first day of each quarter (Dec. 1; March 1; June 1; and September 1), totaling $10,000.

3. Collaboration/Cooperation: Under the Memorandum of Agreement between the Putnam County Chamber of Commerce and the SBDC at UNF, the SBDC will collaborate, cooperate and liaise with the City of Palatka Staff, Community Redevelopment Agency Staff (stakeholder) and Palatka Main Street (stakeholder) to further economic development efforts within the Central Business District.

4. Reporting: The SBDC records and reports a number of metrics on a quarterly basis. Those range from number of clients consulted, hours of consulting, and number of workshop attendees to client jobs created and retained, capital investment made, and sales increases. The SBDC will report these metrics to the CRA Board quarterly or at the first available CRA meeting thereafter.

5. Term: This agreement is for one full year from the date of execution by both parties. At the end of the full year, this agreement will automatically renew each year unless 60 days written notice is given by either party. This agreement shall also be considered as an annual item within the City CRA budget.

6. Default by Either Party/ Termination: If any party fails to fulfill its obligations under this agreement in a timely and proper manner, the other parties shall have the right to terminate their participation by giving written notice of any deficiency. The party in default shall then have thirty (30) calendar days from receipt of the notice to correct the deficiency. If the defaulting party fails to correct the deficiency within this time, this agreement shall terminate, unless mutually amended, at the expiration of the thirty (30) day time period.

7. Each party acknowledges, warrants, and represents that it has all necessary rights, authority and corporate power to enter into, execute and perform this Agreement in accordance with its terms without violating the rights of any other person, and that it has no knowledge of the existence of any other contract or agreement which would prevent it from carrying out its respective responsibilities under this Agreement.

IN WITNESS WHEREOF, each Party has caused this MOU to be executed by its duly authorized representative as of the date first written above.

(SEAL)

ATTEST:

_____
CITY CLERK

THE CITY OF PALATKA, FLORIDA

By: _____

Title: Michael J. Czymbor, City Manager

Date: _____

WITNESS:

_____
Print Name:

_____
Print Name:

PUTNAM COUNTY CHAMBER OF COMMERCE

By: _____

Title: _____

Date: _____

ATTACHMENT A

MEMORANDUM OF AGREEMENT
January 1, 2013-March 1, 2014

PARTIES
This memorandum of agreement ("Agreement") is between the Putnam County Chamber of Commerce (PCCC) and the University of North Florida Board of Trustees, for and on behalf of the Small Business Development Center at the University of North Florida (SBDC).

PURPOSE
The purpose of this Agreement is to set forth the services the SBDC will undertake in Putnam County in exchange for the funding provided by PCCC.

ACTIONS

I. Agreement Term and Funding

a. The term of this Agreement is fourteen months, commencing on January 1, 2013. The term may be extended upon agreement by the parties.

b. The PCCC will provide the SBDC with quarterly payments of $8,125 upon invoice and due on February 1, 2013; May 1, 2013; August 1, 2013 and November 1, 2013.

II. Services

a. The SBDC will provide a full-time Certified Business Analyst (CBA) whose services are dedicated to Putnam County.

i. A full-time Certified Business Analyst is expected to:

1. Individually counsel small business owners and would-be entrepreneurs. Success will be measured by number of clients, number of consulting hours, number of success stories, and economic impact.
2. Present group training programs on a variety of business topics specifically tailored to the needs of Putnam County businesses. Success will be measured by number of programs, program attendance, revenue generated, and economic impact.
3. Conduct a variety of outreach activities including participating in appropriate trade shows, making public presentations on business topics, and serving on appropriate boards and committees. Success will be measured by number of outreach activities and participation in these activities.
4. Engage in a variety of professional development programs to enhance business management skills and to keep current on small business development resources and tools. Success will be measured by achievement of Certified Business Analyst designation and achievement of required recertification.
5. Perform all required administrative functions including those reporting requirements prescribed by the SBDC and PCCC. Success will be measured by timely input of all required data in the CenterEX management information system and timely production of required quarterly impact reports for stakeholders.

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b. Services currently provided by Robert Myers, Area Director, in Putnam County will continue and will supplement those provided by the full-time CBA.

III. Hiring

The SBDC will employ an appropriate business analyst, and the person hired will be employed, on a 12-month contract, and paid by the SBDC.

IV. Supervision

The full-time CBA will be supervised by Robert Myers, Area Director, who is responsible for SBDC operations in a number of counties, including Putnam County.

V. Location

The SBDC office and the full-time CBA will be housed in an office located in the PCCC and provided as an in-kind contribution.

VI. Oversight

Programmatic oversight of the SBDC is provided by the University of North Florida, the Florida SBDC Network, the Association of SBDC's, the U.S. Small Business Administration, and the Florida Office of the Inspector General.

VII. Reporting

The SBDC records and reports a number of metrics on a quarterly basis. Those range from number of clients consulted, hours of consulting, and number of workshop attendees to client jobs created and retained, capital investment made, and sales increases. The SBDC will report these metrics to the PCCC Board of Directors and any third party the PCCC designates.

TIMING

Full-time SBDC services will be provided to small businesses in Putnam County on the first work day in January 2013. The funding provided by the PCCC will enable the SBDC to provide the aforementioned services for twelve months, beginning on the program effective date.

COLLABORATION /COOPERATION

The SBDC will collaborate, cooperate, and liaise with all entities and organizations involved in economic development, or supporting small businesses in order to create synergies that will benefit the businesses, government, and taxpayers of Putnam County. Subject to availability of funding, SBDC and PCCC anticipate extending the term of this Agreement beyond the one (1) year term.

STATE UNIVERSITY

SBDC is a unit within UNF, which is a constituent member of the Florida state university system established under the Constitution of Florida administered by The University of North Florida Board of Trustees, a public body corporate. SBDC and BOCC will allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes made or received in conjunction with the Agreement. Any failure to so allow shall constitute ground for SBDC's termination of this Agreement.

MISCELLANEOUS

Neither SBDC nor BOCC may assign this Agreement or subcontract performance without the prior written consent of the other. This Agreement shall not be modified in any manner except by instrument executed by each party. This Agreement is governed by the laws of Florida. Any legal action arising in connection with this Agreement shall be brought in the Fourth Judicial Circuit in the State of Florida. The failure of either party to perform any obligation due to an event beyond its reasonable control shall be excused, provided no party shall recover compensation or damages. No delay or failure by either party to exercise or enforce any right or

DRAFT

provision of this Agreement will be a waiver thereof. If any provision of this Agreement is determined to be invalid or unenforceable, such determination shall not invalidate the remainder of this Agreement. The obligations under this Agreement which by their nature would continue beyond the expiration of the term of this Agreement shall survive termination or expiration of this Agreement. This Agreement contains the entire understanding between the parties with respect to the subject matter of this Agreement. A complete, executed copy of this Agreement shall be enforceable as an original.

For the Putnam County Chamber of Commerce

Signed: _____ Date:_____
Dana Jones, President

The University of North Florida Board of Trustees, for the Small Business Development Center at the University of North Florida

Signed:_____ Date:_____
Shari Shuman
Vice President, Administration & Finance

DRAFT

Agenda Item

3e

CITY of Palatka FLORIDA

AGENDA ITEM

SUBJECT: Federal Aviation Administration (FAA) grant application for the Design, Environmental Review and Permitting of multiple projects

DEPARTMENT: Admin/City Hall

ATTACHMENTS: ☐ Ordinance ☒ Resolution ☐ Motion
XX Support Documents ☐ Other

SUMMARY: Please see attached a FY2013 FAA Airport Improvement Program grant application for the following projects at the Palatka Municipal Airport:

1. Taxiway C1 (Design only) Connector at Runway 17 Extension/Reclamation; and
1a. Environmental review of Taxiway C1 Connector at Runway 17 Extension/Reclamation; and
2. Transient Aircraft Parking Apron-North (Design only); and
3. Taxiway F and Transient Aircraft Parking Apron-South (Preliminary Design & Storm water Permitting).

Staff is requesting authorization to submit the pre-application as well as authorization to execute and attest the final grant documents once received. Once awarded, the contracts to perform this work will be brought to the City Commission for consideration.

RECOMMENDED ACTION: Adopt resolution No. 2013 - 9-76 authorizing Staff to submit a FY2013 FAA Airport Improvement Program grant application and authorizing the City Manager and Clerk to execute and attest the final FAA Grant Agreement and all associated documents

DEPARTMENT HEAD	Submitted: Jonathan Griffith Requested Agenda: CC Regular	Date: 2-7-13 Date: 2-14-13
FINANCE DEPARTMENT	Budgeted ☐ Yes ☒ No ☐ N/A	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date: _____
CITY MANAGER	Approved Agenda Item For:	Date: 2/7/13

COMMISSION ACTION: ☐ Approved as Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled To Time Certain
☐ Other

DISTRIBUTION: ☐CA ☐CC ☐CM ☐CD ☐FI ☐FD ☐GC ☐HR ☐MD ☐PD ☐PR ☐UD

RESOLUTION NO. 2013 – 9 - ____

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE EXECUTION OF AN APPLICATION FOR FEDERAL ASSISTANCE FOR FAA FY2013 GRANT FUNDS; AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST THE NECESSARY DOCUMENTS TO ACCEPT AN FAA FY 2013 GRANT FOR IMPROVEMENTS TO TAXIWAY C-1, TAXIWAY F AND NORTH & SOUTH TRANSIENT AIRCRAFT PARKING APRONS AT THE PALATKA MUNICIPAL AIRPORT

WHEREAS, the City of Palatka, Florida desires to make application to the Federal Aviation Administration for FY 2013 grant funds for improvements to Taxiway C-1, Taxiway F and Transient Airport Parking North & South Aprons as per the adopted Airport Layout/Improvement Plan as described in the Detailed Project Sheet included with the Application for Federal Assistance attached hereto as Exhibit "A" in the amount of $153,000.00, which constitutes 90% of the estimated Project cost of $170,000.00; and

WHEREAS, should the City be awarded said FAA F/Y 2013 Grant Funds, the FAA will offer a Grant Agreement to the City setting forth the terms of said Grant; and

WHEREAS, time is of the essence in executing and returning said FAA Grant Agreement in order to secure those funds; and

WHEREAS, the City Commission finds that the approval and execution of the Application for Federal Assistance and any related necessary documents pertaining to the Award of FAA Grant Funds for the Airport Improvement project as described herein is in the best interest of the City.

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

Section 1: That the City Manager is hereby authorized to make application for Federal Assistance for FY 2013 FAA Funds for Palatka Municipal Airport Improvements as described in Exhibit "A" attached; and

Section 2: That the City Manager, City Clerk and City Attorney are hereby authorized and directed to execute, attest and certify the resulting USDOT/FAA Grant Offer/Agreement for F/Y 2013 Federal Assistance for T/W C-1, T/W F and North/South Transient Parking Apron improvements herein described, as well as any other documents necessary to carry out the provisions of the Grant.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, this 14th day of February, 2013.

CITY OF PALATKA, FLORIDA

EXHIBIT "A"

APPLICATION FOR FEDERAL ASSISTANCE

		2. DATE SUBMITTED 2/5/2013	Applicant Identifier 28J
1. TYPE OF SUBMISSION		**3. DATE RECEIVED BY STATE**	State Application Identifier
Application ☐ Construction ☐ Non-Construction	*Pre-application* ☐ Construction ☒ Non-Construction	**4. DATE RECEIVED BY FEDERAL AGENCY**	Federal Identifier

5. APPLICANT INFORMATION

Legal Name: City of Palatka	Organizational Unit:
Organizational DUNS: 01-059-5445	Department: City Hall
Address:	Division: Airport
Street: 201 N. 2nd Street	Name and telephone number of the person to be contacted on matters involving this application (give area code):
	Prefix: Mr. First Name: Michael
City: Palatka	Middle Name:
County: Putnam	Last Name: Czymbor
State: Florida Zip Code: 32177	Suffix:
Country: USA	Email: mczymbor@palatka-fl.gov
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 59-6000401	Phone Number (give area code): 386-329-0100 / Fax Number (give area code): 386-329-0106

8. TYPE OF APPLICATION: ☒ New ☐ Continuation ☐ Revision If Revision, enter appropriate letter(s) in box(es) ☐ ☐ (See instructions for description of letters.) Other (specify)	**7. TYPE OF APPLICANT:** (See instructions for Application Types) C Other (specify) **9. NAME OF FEDERAL AGENCY: Federal Aviation Administration**
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 20.106 TITLE (Name of Program): Airport Improvement Program	**11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:** 1. Taxiway C1 (Design only) Connector at Runway 17 Extension/Reclamation; 1a. Environmental review of Taxiway C1 Connector at Runway 17 Extension / Reclamation; 2. Transient Aircraft Parking Apron-North (Design only) 3. Taxiway F and Transient Aircraft Parking Apron-South (Preliminary Design & Stormwater Permitting)
12. AREAS AFFECTED BY PROJECT *(Cities, Counties, State, etc.)*: City of Palatka, County of Putnam	
13. PROPOSED PROJECT Start Date: 8/1/13 Ending Date: 5/1/14	**14. CONGRESSIONAL DISTRICTS OF:** a. Applicant 7 b. Project 7
15. ESTIMATED FUNDING:	**16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?**
a. Federal $153,000 b. Applicant $8,500 c. State $8,500 d. Local e. Other f. Program Income g. TOTAL $170,000.00	a. Yes. ☐ THIS PREAPPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE: b. No. ☒ PROGRAM IS NOT COVERED BY E.O. 12372 ☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW **17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?** ☐ Yes If "Yes", attach an explanation. ☒ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE GOVERNING BODY OF THE APPLICANT HAS DULY AUTHORIZED THE DOCUMENT, AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Authorized Representative	
Prefix: Mr. First Name: Michael	Middle Name:
Last Name: Czymbor	Suffix:
b. Title: City Manager	c. Telephone Number (give area code): 386-329-0100
d. Signature of Authorized Representative X	e. Date Signed: X

Detailed Project Information Sheet
Airport Improvement Program
Grant Pre-Application

Airport:	Palatka Municipal Airport
City, ST:	Palatka, FL
Project Title:	Taxiway C1 (Design only) Connector at Runway 17 Extension / Reclamation; Environmental review of Taxiway C1 Connector at Runway 17 Extension/Reclamation; Transient Aircraft Parking Apron-North (Design only) Taxiway F and Transient Aircraft Parking Apron-South (Preliminary Design & Stormwater Permitting)
Project Description:	The project will involve design, permitting, environmental services and bidding for the following projects: • Taxiway C1 Pavement & Edge Lighting (265 LF x 35' wide) & Runway 17 Extension (300 LF x 75' wide), including environmental services associated with the Runway extension; • Transient Aircraft Parking Apron parking apron (76,000 SF); • Taxiway F pavement (400 LF x 35') and a transient aircraft parking apron (140,000 SF) at the southwest quadrant of the airport.
Project Justification:	Runway 17 will be extended (reclamation of previous runway end) in accordance with the Airport Layout Plan. With the proposed runway extension, the new taxiway pavement will be required to provide access to the new runway threshold without the need to back taxi. The new transient apron is to support additional demand for aircraft parking near the terminal. Taxiway F pavement and the transient apron are for the support of additional aviation demand in the southwest quadrant of the airport.

Special Circumstances: None

Project Cost Information:

Total Cost (100%)	FAA Share (Insert %)	State (Insert %)	Local (Insert %)
$170,000	$ 153,000	$8,500	$8,500

Type of Funding Proposed (FAA Share Only)			
Fund Type	Funds Available	Funds to be Used	Funds Remaining
NP (2013)	$153,000	$153,000	$ 0
D (2013)	$0	$0	$ 0
Total	$153,000	$153,000	$ 0

Alternate Funding Plan: *None (at Pre-Application Stage).*

Palatka Municipal Airport
PROJECT COSTS

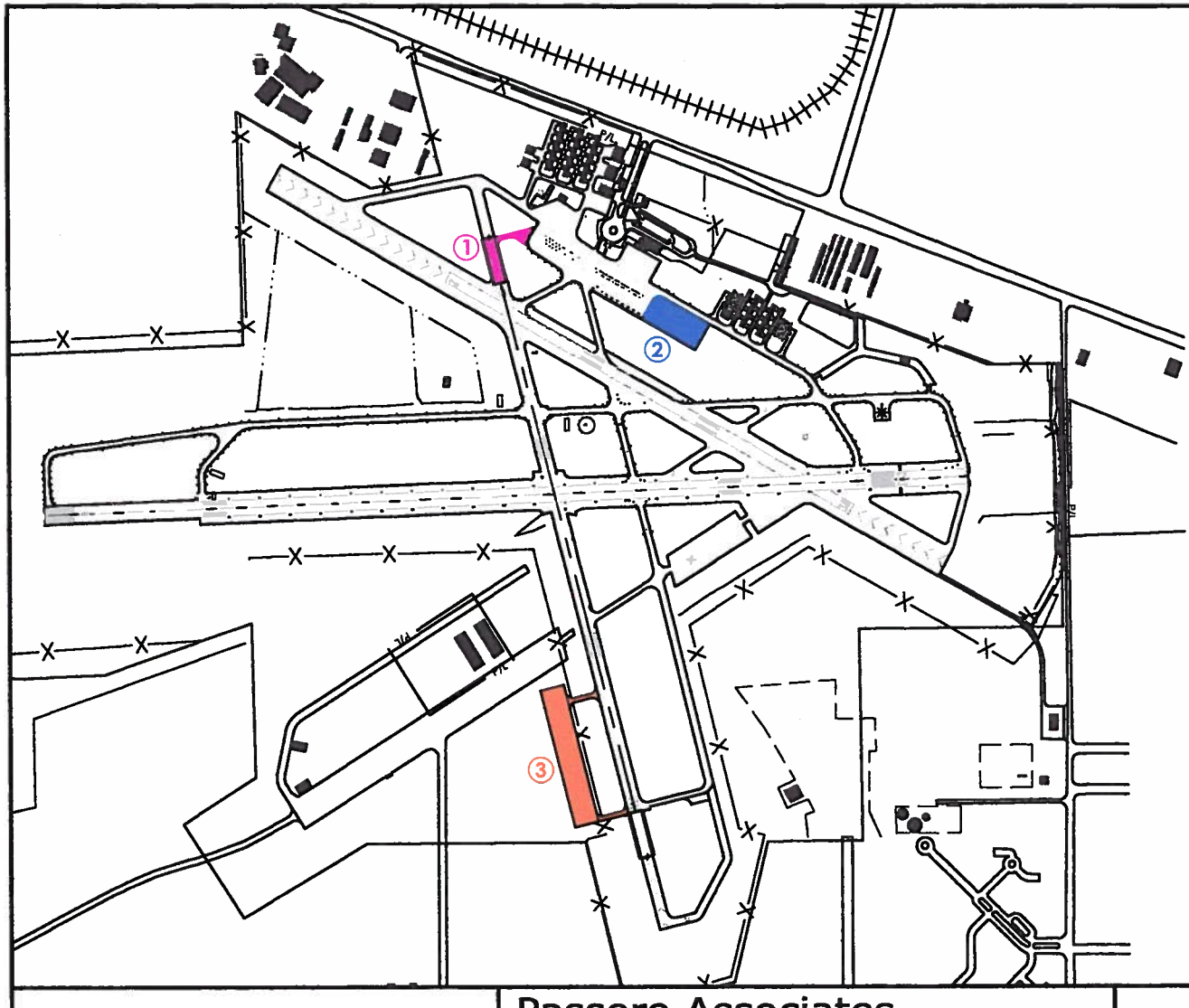
Design, Permitting, Bidding, Topographic Survey, & Geotechnical Investigation for:	Cost 100%	FAA Share (90%)
1. Taxiway C1 (Design only) Connector at Runway 17 Extension/Reclamation	$ 35,000	$ 31,500
1a. Environmental review of Taxiway C1 Connector at Runway 17 Extension/Reclamation	$ 30,000	$ 27,000
2. Transient Aircraft Parking Apron-North (Design only)	$ 35,000	$ 31,500
3. Taxiway F and Transient Aircraft Parking Apron-South (Preliminary Design & Stormwater Permitting)	$ 65,000	$ 58,500
4. City Admin	$ 5,000	$ 4,500
Subtotal Amount	**$ 170,000**	$ 153,000

Palatka Municipal Airport

Taxiway C1, Runway 17 Extension, Transient Aircraft Parking Apron (North), Taxiway F & Transient Aircraft Parking Apron (South) Design, Permitting, Bidding

PROPOSED PROJECT SCHEDULE

Proposed Project Schedule:	**Dates:**
Submittal of Project Application to FAA	June 2013
FAA Submission of Grant to Sponsor	August 2013
Execution of FAA Grant	September 2013
Notice to Proceed to Consultant	October 2013
Final Design (2014)	May 2014



FY 2013 CONSTRUCTION PROJECTS

① TAXIWAY C1 NEW CONSTRUCTION AND RUNWAY 17 EXTENSION
- 265 LF X 35' WIDE (TW)
- 300 LF X 75' WIDE (RW)

② TRANSIENT AIRCRAFT APRON
- 190 LF X 400 LF (76,000 SF)

③ TAXIWAY F AND AIRCRAFT PARKING APRON
- 400 LF X 35' WIDE (TW)
- 140,000 SF APRON

FY 2013

Palatka Municipal Airport

Passero Associates
13453 N. Main St., Suite 104
Jacksonville, FL 32218
904-757-6106 Fax 904-757-6107
Engineering Surveying
Architecture Planning

Project Sketch

January, 2013

DETERMINATION OF ENVIRONMENTAL IMPACTS

Airport: Palatka Municipal Airport.

Detailed Project Description (attach project drawing and additional pages as necessary):

Taxiway C1 (Design only) Connector at Runway 17 Extension/Reclamation; Environmental review of Taxiway C1 Connector at Runway 17 Extension/Reclamation; Transient Aircraft Parking Apron-North (Design only); Taxiway F and Transient Aircraft Parking Apron-South (Preliminary Design & Stormwater Permitting)

Is the proposed project(s) listed as categorically excluded in one or more of *paragraphs 307-312* of *FAA Order 1050.1E*? Yes.

Please identify which paragraph(s): 309 & 310.

In order for the FAA to determine the appropriate course of action, as a Categorical Exclusion, the sponsor must certify that the proposed action does **NOT** (1) involve any of the following circumstances, and does **NOT** (2) have a significant effect. A determination as to whether the proposed project (s) may have a significant environmental effect is made by considering any requirements applicable to the specific resource (see *FAA Order 1050.1E Appendix A*).

a. Have an adverse effect on cultural resources protected under the *National Historic Preservation Act of 1966*, as amended.
b. Have an impact on properties protected under *section 4(f) of the Department of Transportation Act.*
c. Have an impact on natural, ecological (e.g. invasive species), or scenic resources of Federal, Tribal, State, or local significance (for example: Federally listed or proposed endangered, threatened, or candidate species or designated or proposed critical habitat under the Endangered Species Act), resources protected by the Fish and Wildlife Coordination Act; wetlands; floodplains; prime, unique, State or locally important farmlands; energy supply and natural resources; and wild and scenic rivers, including study or eligible river segments and solid waste management.
d. Cause a division or disruption of an established community, or a disruption of orderly, planned development or an inconsistency with plans or goals that have been adopted by the community in which the project is located.
e. Cause an increase in congestion from surface transportation (by causing a decrease in Level of Service below acceptable level determined by appropriate transportation agency, such as a highway agency).
f. Have an impact on noise levels of noise-sensitive areas.
g. Have an impact on air quality or violate local, State, or Federal air quality standards under the *Clean Air Act Amendments of 1990.*
h. Have an impact on water quality, sole source aquifers, a public water supply system, or State or Tribal water quality standards established under the *Clean Water Act* and the *Safe Drinking Water Act.*
i. Have effect(s) on the quality of the human environment that are likely to be highly controversial on environmental grounds. The term "controversial" means a substantial dispute exists as to the size, nature, or effect of a proposed Federal action. The effects of an action are considered highly controversial when reasonable disagreement exists over the project's risks of causing environmental harm. Opposition on environmental grounds by a Federal, state, or local government agency or by a Tribe or by a substantial number of the persons affected by the action should be considered in determining whether or not reasonable disagreement regarding the effects of a proposed action exists.
j. Likelihood to be inconsistent with any Federal, State, Tribal, or local law relating to the environmental aspects of the proposed action.
k. Likely to directly, indirectly, or cumulatively create a significant impact on the human environmental, including, but not limited to, actions likely to cause a significant lighting impact on residential areas or commercial use of business properties, likely to cause a significant impact on the visual nature of surrounding land uses likely to be contaminated with hazardous materials based on Phase I or Phase II Environmental Due Diligence Audit (EDDA's), or likely to cause such contamination

I certify that the project(s) described above meet(s) the test for a Categorical Exclusion in accordance with *FAA Order 1050.1E* and *paragraphs a* thru *k* above.

_____

Signature of Authorized Airport Representative Date

FAA Determination (by program manager signature):

Categorically Excluded: _____ Date: _____

Requires further environmental analysis: _____ Date: _____

ENVIRONMENTAL DETERMINATION CHECKLIST (FY 2013)

Airport: Palatka Municipal Airport.

Proposed Project(s):

Taxiway C1 (Design only) Connector at Runway 17 Extension/Reclamation; Environmental review of Taxiway C1 Connector at Runway 17 Extension/Reclamation; Transient Aircraft Parking Apron-North (Design only); Taxiway F and Transient Aircraft Parking Apron-South (Preliminary Design & Stormwater Permitting)

Prepared and certified by: Andrew Holesko, Passero Associates, LLC. Date: 2/5/2013.

	YES	NO	COMMENTS
IS THIS PROPOSED PROJECT LISTED AS CATEGORICALLY EXCLUDED IN FAA ORDER 1050.1E, paragraphs 307-312	X		
THIS PROPOSED PROJECT WILL AFFECT:		X	
Coastal Resources		X	
Section 4(f) Land		X	
Farmland		X	
Endangered or Threatened Species (Federal or State listed)		X	
Floodplains		X	
Hazardous Materials or Solid Waste Management		X	
Historic/Architectural, Archaeological/Cultural Resources		X	
Light Emissions or Cause Visual Impacts		X	
Natural Resources or Energy Supply		X	
Low Income or Minority Populations or Children		X	
Wetlands		X	
Wild and Scenic Rivers (study or eligible)		X	
THIS PROPOSED PROJECT IS LIKELY TO:		X	
Be highly controversial on environmental grounds including opposition by Federal, state, local, or Tribal or a substantial number of persons affected by the action.		X	
Be inconsistent with any Federal, State, or local law relating to the environmental aspects of the proposed action.		X	
Cause community disruption or inconsistency with plans or goals that have been adopted by the community		X	
Cause an increase of 1.5 DNL over noise sensitive areas		X	
Displace persons or businesses		X	
Disrupt local traffic patterns and substantially reduce levels of service (LOS) of roads serving the airport and surrounding communities		X	
Result in a substantial loss in community tax base		X	
Impact water quality, sole source aquifers, public water supply system, or state or tribal water quality standards		X	
Impact or violate local, state, Tribal, or Federal air quality standards		X	

Attach detailed comments for all "yes" answers on a separate sheet, and explain your justification for a request for a determination of Categorical Exclusion.

Airport Improvement Program
Orlando Airports District Office
Federal Assistance Request Checklist

APPLICATION CHECKLIST

Airport:	Palatka Municipal Airport
Sponsor:	City of Palatka
City, State:	Palatka, FL
Date of Application:	2/5/2013

Cover Letter:

_X_ Letter of Credit method of payment requested.
_X_ Project(s) identified. (Any changes from previous meetings/discussions should be discussed prior to submission.)
_N/A_ If pre-application, proposed application date identified.
_N/A_ If application, any changes to requested amount are identified and reasons provided.
_N/A_ If application, identify if any changes have taken place on Exhibit "A" Property Map since last grant.
_N/A_ If application, identify if any changes have taken place on Exhibit "C" Title Opinion since last grant.

Application:

_X_ Standard Form 424 -- Application for Federal Assistance
_X_ Detailed Project Information Sheet
_X_ Project Cost Estimates -- One for each project and a summary
_X_ Project Sketch – One for each or one drawing with all projects
_X_ Environmental Determination Documentation for each project (CatEx Checklist, Copy of FONSI or ROD Signature Page)
_X_ Individual Project Schedules

Agenda Item

3f

CITY COMMISSION AGENDA ITEM

SUBJECT: A Resolution of the city of Palatka, Florida, authorizing the issuance of Special Events Permit #13-11 for the 2013 Florida Azalea Festival, setting forth provisions of the Permit, authorizing the closure of certain streets to vehicular traffic during Festival events, and setting advance and other permit fees

DEPARTMENT: **Parks/Special Events – Jeff Norton**

ATTACHMENTS: ___ Ordinance ___ Resolution ___ Motion
_x__ Support Documents _X__ Other - Permit application

SUMMARY: Downtown Palatka, Inc. has made application for a Class A Special Events Permit for the 2013 Azalea Festival, scheduled for March 2 – 3, 2013. This includes granting permission to exceed allowable noise levels for the Mayor's Reception, scheduled for March 1 from 6 – 8 pm at the Bronson-Mulholland House. The Special Events Committee has met with the organizers. There are no changes from last year's event. There were no issues last year with this Event. This permit includes the following provisions:

1. **Class 'A' Permit for Riverfront/Festival Area** March 2 & 3, 2013; 8:00 a.m. – 5:00 p.m.
2. **Grant Permission to exceed allowable noise levels** March 1, 2013; 6:00 pm – 8:00 pm
   (no boat races or amplified sound on Sunday, 3/3/13 prior to 1:00 p.m.) March 2, 2013; 10:00 am – 5:00 pm
   March 3, 2013; 1:00 pm – 5:00 pm
3. **Close St. Johns Avenue from Memorial Parkway to 8th Street** during festival hours to parking and vehicular traffic.
4. **Grant Permission to use City Hall parking lot** for Handicapped Parking on Saturday and Sunday
5. **Grant permission to close Main Street from 1st Street to 11th Street** on 3/2/13 from 10:00 a.m. – 11:30 a.m. for Azalea Festival Parade
6. **Festival Permit fee** – per staff recommendation; $2,300.00 for police security fees (@ $23.00/hr.); $450.00 for Festival Permit Fee ($225/day for two days); $375.00 for green roll-outs (25 @ $15/ea). Applicant pays actual landfill tipping fees. Applicant agrees to pay City of Palatka for the actual FP&L charges for use of their electrical boxes. Total Advance Permit Fee: $3,125.00

RECOMMENDED ACTION: Adopt Resolution No. 2013-9-77 authorizing the issuance of Special Events Permit #13-11 for the 2013 Florida Azalea Festival; setting forth terms and conditions of the Permit including the closure of certain streets to vehicular traffic during Festival events and setting forth advance and other permit fees.

DEPARTMENT HEAD	Submitted: Jeff Norton JN	Date: 1/30/13
	Requested Agenda Consent	Date: 2/14/13
FINANCE DEPARTMENT	Budgeted ___Yes ___No_X N/A MH	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For: (M)	Date: 2/7/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

RESOLUTION NO. 2013 – 9 - ____

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, GRANTING A SPECIAL EVENTS PERMIT TO DOWNTOWN PALATKA, INC. FOR THE 2013 FLORIDA AZALEA FESTIVAL; SETTING FOR THE PROVISIONS OF THE PERMIT; ALLOWING FOR THE CLOSURE OF CERTAIN STREETS TO VEHICULAR TRAFFIC DURING FESTIVAL EVENTS; AND SETTING ADVANCE AND OTHER PERMIT FEES

WHEREAS, The Florida Azalea Festival, a time-honored event and Florida's oldest documented Festival, is held annually in Downtown Palatka during the first weekend in March; and

WHEREAS, Downtown Palatka, Inc. has made application to the City of Palatka for a special events permit for the 2013 Florida Azalea Festival and related events; and

WHEREAS, City Special Events and Public Safety Staff have met with Festival organizers and all parties have reached an agreement as to the provisions of the issuance of the Special Events Permit; and

WHEREAS, the City Commission finds that the approval and issuance 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.

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

Section 1: That Special Events Permit No. 13-11 for the 2013 Florida Azalea Festival is hereby granted to Downtown Palatka, Inc. with the following provisions and stipulations:

a. Class 'A' Permit for Riverfront/Festival Area March 2 & 3, 2013; 8:00 a.m. – 5:00 p.m.
b. Permission granted to exceed allowable noise levels (no boat races or other amplified sound on Sunday, 3/3/13 prior to 1:00 p.m.)
   March 1, 2013; 6:00 pm – 8:00 pm
   March 2, 2013; 10:00 am – 5:00 pm
   March 3, 2013; 1:00 pm – 5:00 pm
c. St. Johns Avenue from Memorial Parkway to 8th Street to be closed during festival hours to parking and vehicular traffic beginning Friday, 3/1/13 through Sunday, 3/1/13.
d. Grant Permission to use City Hall parking lot for Handicapped Parking on Saturday and Sunday
e. Main Street from 1st Street to 11th Street to be closed to vehicular traffic on Saturday, 3/2/13 from 10:00 a.m. – 11:30 a.m. for Azalea Festival Parade
f. Festival Permit fee – per staff recommendation; $2,300.00 for police security fees (@ $23.00/hr.); $450.00 for Festival Permit Fee ($225/day for two days); $375.00 for green roll-outs (25 @ $15/ea). Applicant pays actual landfill tipping fees. Applicant agrees to pay City of Palatka for the actual FP&L charges for use of their electrical boxes.

Section 2: That the total Advance Permit Fee shall be $3,125.00.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, this 14th day of February, 2013.

APPLICATION # 13-11

New Form 1-1-13

(circle one below)
CLASS A PERMIT – Filing Deadline: 60 days prior to event
CLASS B PERMIT - Filing Deadline: 30 days prior to event
CLASS C PERMIT - Filing Deadline: 30 days prior to event

RECEIVED
JAN 1 4 2013
BY: .....

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
Downtown Palatka Inc -
CONTACT PERSON Sam Deputy / Angela Murtaugh TELEPHONE 328-4021
FAX # 329-5842

2. NAME AND ADDRESS OF PERSON, CORPORATION OR ASSOCIATION SPONSORING THE ACTIVITY, IF DIFFERENT FROM ABOVE
CONTACT PERSON _____ TELEPHONE _____
FAX # _____

3. DESCRIPTION AND/OR NAME OF PROPOSED ACTIVITY 67 Florida Azalea Festival

4. DATE & HOURS OF DESIRED USE: Friday, March 1st Setup. Sat. 8-5 Sunday 10-5

5. PORTION FOR WHICH PERMISSION IS DESIRED (City Dock, Amphitheater, Gazebo, etc.)
River Front - See Map

6. REQUEST FOR ROAD CLOSURES: St Johns River to 8th St.

7. REQUEST FOR NOISE VARIANCE(Dates and Times): _____

8. REQUEST FOR ALCOHOL VARIANCE: _____

9. ESTIMATE OF ANTICIPATED ATTENDANCE 10-40,000

10. NUMBER AND TYPE OF AUXILIARY VEHICLES/EQUIPMENT _____

11. ARTICLE IV SPECIAL EVENT ORDINANCE: FEES
a.) CLASS A: ___ **$150.00 up to 10,000 in attendance per day**
X **$225 .00 10,000 – 40,000 in attendance per day**
___ **$300.00 – 40,000 – 80,000 in attendance per day**
b.) CLASS B: ___ **$100.00 per day**
c.) CLASS C: ___ **$ 50.00 per day** (Limited impact on traffic, parking etc.) Events such as Weddings, Fishing tournaments with less than 40 boats, ETC.
d.) Any private entity/business(es) who are holding a function on private property that impacts neighboring businesses/residents within the City limits and, impacts City services will be assessed a fee amount accordingly. **(7% Sales Tax)**

Number of Days 2 Fee Required (Yes/No) Yes Check Enclosed? _____

12. OTHER COSTS: Fees will be determined at the pre-assessment meeting with the organizers and the Special Events Committee.

13. 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 Parks Department office at 386-329-0100 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 cost 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 persons., suits, actions, damages, or cause of actions or any personal injury, loss of life or damages to personal or real property sustained by reason of, result of, pr by presence of the applicant(s) on public property by applicant's agents, employees, invitee and/or any other**

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.

1-22-13 — DATE

SIGNATURE OF APPLICANT

Redo New Form
1-11-13

APPROVED:

SPECIAL EVENTS COORDINATOR — DATE

RETURN TO:
JEFF NORTON
SPECIAL EVENTS COORDINATOR
201 N. 2nd Street
Palatka, FL 32177

COPIES TO:
Parks Dept.
Police Dept.
Fire Dept.
Sanitation Dept.
City Clerk
Downtown Palatka, Inc.
Keep Putnam Beautiful
Chamber of Commerce
Palatka Daily News

(FOR ADDITIONAL INFORMATION PLEASE CALL THE PARKS DEPARTMENT OFFICE AT 386-329-0175.)

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA
FLORIDA

MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

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

Special Events Vendor Requirements

1. A 12ft clearance must be maintained in front of each vendor site. This clear area will allow for the passage of emergency response vehicles.
2. Temporary vendor tents and/or canopies of 200sf or less and without food preparation are exempt from fire retardant requirements. Tent stakes, guy ropes, etc. will be clearly marked with a visible warning, i.e. flag, barricade tape, or protective cap.
3. Temporary electrical cords and boxes will NOT cross any street and where crossing sidewalks, will be protected and pose no trip hazards. NFPA70
4. A 44" accessible clear path maintained on all City sidewalks. FBC Ch 11
5. Generators will be located to the rear of the vendor space, have a fire extinguisher and be sound deadened.

Food Vendors

1. All food vendors must have a minimum of a 2A-10BC fire extinguisher currently certified and tagged by a licensed fire extinguisher company. (Tag showing inspection within 1 year of event date.)
2. Vendor deep frying, in addition to the ABC extinguisher, must also have a K-Class extinguisher currently certified and tagged by a licensed extinguisher company.
3. Temporary vendor tents or canopies used for cooking or assembly must be fire retardant certified in accordance with NFPA 101, Sec. 10.3.1.
4. Concession trailers that are cooking food that produces grease laden vapors will also be required to have a hood and suppression system installed in accordance with NAPA 96.
5. The Department of Business and Professional Regulation WILL INSPECT all vendors prior to opening for business.
   Event staff will coordinate the overall inspection time. DPBR contact numbers (850)-487-1395, 904-727-5540 or 5541, 800-226-5561.
   Exceptions;
   a. Non-profit organizations. The vendor must have a State of Florida Tax Exemption Certificate, issued in the name of the vendor on site.
   b. Vendor selling food items not prepared on sit, i.e. pre-packaged.

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
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COMMISSIONER

CITY OF PALATKA
CITY OF PALATKA
FLORIDA

MICHAEL J. CZYMBOR
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CITY ATTORNEY

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

Special Events Vendor Requirements

Vendor RV Camping

1. **Temporary camping with motor homes, 5th wheels and travel trailers is permitted in coordination with the event staff. No tent camping is allowed.**
2. **Under NO circumstances will any grey or black water be dumped, except into a proper disposal facility to be provided by the Event Organizer. (The City of Palatka does not have a disposal facility)**
3. **Parking of RV Campers will insure that no driveway, street or parking lot is blocked or obstructing traffic.**
4. **Campers will be locked when not occupied.**
5. **Permission to connect to utilities will only be authorized by Event Staff.**
6. **A placard issued by the event staff will identify vendor RV's.**

201 N. 2ND STREET • PALATKA, FLORIDA 32177
PHONE: (386) 329-0100
www.palatka-fl.gov
FAX: (386) 329-0106

CITY OF PALATKA
PLANNING MEETING
PRE-EVENT ASSESSMENT LIST

To be completed by Special Events Coordinator

Meeting Date: _____ Special Events Coordinator: _____

☐ Site Sketch Provided
☐ Tentative Schedule of Events

Event Classification:
Class A ☒
Class B ☐
Class C ☐

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

Name of Special Event/Production: 67th Florida Azalea Festival

Type of Event: Festival

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

Location of Event: Downtown Palatka

Requested dates and times of events (not including set-up and tear down):

	Date	Day	Begin	End
Event Day 1	3-1-13	Fri	6 AM/PM	set up AM/PM
Event Day 2	3-2-13	Sat	8 AM/PM	6 AM/PM
Event Day 3	3-3-13	Sun	10 AM/PM	5 AM/PM
Event Day 4			AM/PM	AM/PM

Set-up for event will begin on (Date) Friday March 1 at (time) 6:00p.m.

Break down will be completed by (Date) Sunday, March 3 at (time) 6:00p.m

Revised: 1/22/01

EVENT _____ EVENT SPONSOR/ORGANIZATION _____

Name of Promoter _____ Tax Exempt No.: _____

Fee Worksheet (To be completed by Special Events Coordinator or Designee)

Special Event Permit fees $ 225 Per Day x 2 Days = $ 450.00

Law Enforcement (City Police) $23.00 per hour x _____ Officer(s) x _____ Hours = $ TBD

Fire Personnel $23.00 per hour x _____ Personnel x _____ Hours = $ _____

Building Inspector $23.00 per hour x _____ x _____ Hours = $ _____

Sanitation Equipment fee

Of Green Roll Out Containers 25 x $ 15.00 per container = $ 375.00

Additional Charges (List)

_____ = $ _____

_____ = $ _____

_____ = $ _____

Refundable Deposit $500.00 required (circle one) Yes No $ _____

Total Estimated Fees $ TBD

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: 328-4021 Fax: _____ Cellular: 983-2998
Address: [redacted] 623 St Johns Ave.

Name: Angela Murtaugh
Telephone: _____ Fax: _____ Cellular: 836-1133
Address: _____

Other contacts/Keyholders:

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

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

☐ Estimated Peak Number of Participants (each day of event): Day 1 20,000 Day 2 15,000 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: None

☐ Number and proposed location of fire protection services: Can we use the current Downtown Palatka Station

☐ Inspection(s) – Date and time requested: 8:00 A.M.

☐ Emergency medical services: Ambulance Location(s) (note on site map): See Site Map.

Number of EMS Personnel required: _____

☐ Number and proposed location of portable toilets: (note location on site map)
See Site Map.

- [x] Carnival location (if any) (note location on site map)_____
- [ ] Number of sanitation roll-out containers required: _____
- [ ] Location of parking/transportation services, if any: _____
- [ ] Type Transport Vehicles (Van, buses, etc.): _____
- [x] Location of security and emergency vehicle parking on site: On Map.
- [x] Public street barricades/street closures/detours: (note locations on site map) On Map
- [x] Temporary Parking, directional Signage needed: On Map
- [ ] Main emergency vehicle access to site (location – also note on site map): Any Side Street
- [ ] Location of proposed temporary structures, fences, grandstands, bandstands, judges stands, bleachers, hospitality tents, booths, etc.: (note on site map) Booths on St Johns, Tent @ Courthouse
- [ ] Number and proposed location of vendors, concessions and/or Sponsor/Promoter(s) stands (note on site map): Map will be given with List before Inspection
- [ ] Number and location of static/mobile displays (note on site map):_____
- [ ] Location of event staff management (headquarters): Old County Commission Chambers
- [ ] Staff Uniform Identification: Badges
- [ ] Main sound system location: ~~Music~~ Music Stages
- [ ] Number and location of special activities (launching areas, animal attractions, amusements, car shows, parade routes, competition courses, etc.): _____

Shrine Parade - Car Show, ~~Pet~~ Pet Section all on Map

- ☐ Number and location of temporary signs/banners: On Stage
- ☐ Number and location of promotional visual effects: _____
- ☐ Watercraft: Rat Island Yacht Club / Blue ways Paddling
- ☐ Aircraft: _____
- ☐ Types & Location of On-Site Advertising (banners, balloons, posters, flyers, air structures, signs, etc.): Street Signs on Rail for Parking
- ☐ Date(s) and times of setup/breakdown: Friday, March 1st Sunday / Monday - Breakdown
- ☐ Name(s) and Type of Musical Bands to Perform (dates & times of performances): List of Bands will be provided The week of Festival
- ☐ Noise Abatement Requirements: Only Playing during day Light Hrs
- ☐ Adjoining Properties Impacted (Notification needed?): All Businesses Are Notified
- ☐ Location, Dates and Times for Alcohol Ordinance Open Container Waiver: None
- ☐ Alcohol Sale Requirements (Temporary license, commercial establishment license, etc.): None
- ☐ Handicapped Accessibility: Yes

Items Outstanding:

- ☐ Outstanding Fees: $ _____
- ☐ Site Plan Sketch
- ☐ 501(c)(3) Certificate of Exemption,

- [x] Nonprofit Articles of Incorporation AND Charter AND Mission Statement -On file
- [ ] Financial Statement (last audit period)
- [x] Consent Letter (event property): property owners on which Special Event location is held (if not held on city property) County will provide -
- [ ] Fire resistive rating certificates (tents, fabric, 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: _____
- [ ] Required permits (federal, state, local): _____
- [ ] Alcohol License (copy)
- [ ] Additional Meeting Required (Adjacent Properties, Special Events Committee, others)
- [ ] Musical Band Names/Times
- [ ] _____
- [ ] _____
- [ ] _____

PRE-PLANNING MEETING

Name of Special Event/Production: _____ Date _____

Persons Attending Planning Meeting:

Name _____ Representing _____ Position _____ Phone#

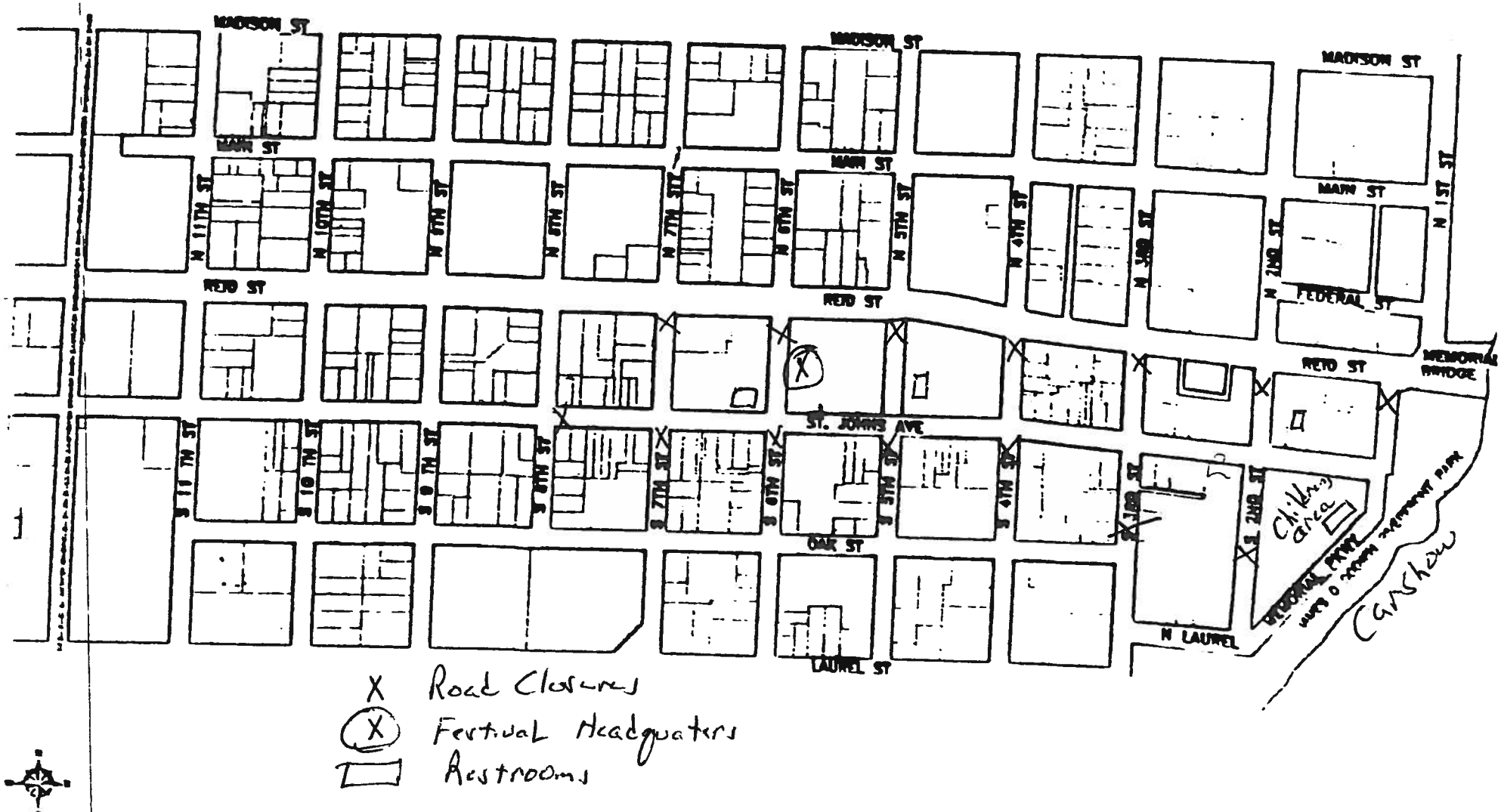
_____

NOTES

POST-EVENT CHECKLIST (Class A Events Only)

- ☐ Report listing income/expenses of event, showing amount of gross revenues, payments, net proceeds, and distribution of net proceeds.
- ☐ Affidavit listing main suppliers (advertising, t-shirts, alcohol and/or soft drink concessions, paid entertainment) who have provided goods or services in connection with the event, stating they have been paid in full, or if not, a listing of those suppliers with the amount they are owed.

Downtown Palatka



Agenda Item

3g

CITY COMMISSION AGENDA ITEM

SUBJECT: **Appointment to the Palatka Housing Authority Board – remainder of a four-year term to expire 4/12/14**

DEPARTMENT: **Admin/Clerk**

ATTACHMENTS: ___ Ordinance ___ Resolution ___ Motion
_x_ Support Documents ___ Other

SUMMARY: The Palatka Housing Authority Board currently has an opening for an at-large member due to the retirement of Annie Mae Spells. The only statutory requirement for at-large members appointed to this Board is that he/she lives within five miles of the Palatka City Limits. Also, per the Statute, the Mayor is authorized to appoint the members of this Board.

Attached you will find an application from Brenda Bivins. Mrs. Bivins meets the resident requirement and has been made aware of the duties and responsibilities of this Board, as well as the attendance requirements. She is qualified for this appointment. John Nelson, Executive Director of the Palatka Housing Authority Board, has been notified of this pending appointment.

Mayor Myers is requesting concurrence from the Commission on the appointment of Brenda Bivins to the Palatka Housing Authority Board to serve the remainder of a four-year term, which expires on April 12, 2014.

RECOMMENDED ACTION: Concur on Mayoral Appointment of Brenda Bivins to the Palatka Housing Authority Board for the reminder of a four-year term to expire 4/12/14.

DEPARTMENT HEAD	Submitted: B. Driggers BD Requested Agenda Consent	Date: 2/4/13 Date: 2/14/13
FINANCE DEPARTMENT	Budgeted ___Yes ___No_X N/A	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/4/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA

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

MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

CITY OF PALATKA ADVISORY BOARD APPLICATION

I wish to apply for appointment to the Palatka Housing Authority Board of Director **Board.**
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: Brenda Bivins **(Must be at least 18 yrs. old)**
Residence (911 Address) 345 Alabama Ave. **Phone:** 386-325-9907
Fax:
Business Name & Address **Phone:**
Fax:

(City Residents or business/property owners will be given preference when board member residency is not specified by statute or city ordinance)

Preferred Mailing Address:

E-mail: brenda9907@comcast.net **Daytime Phone:** 386-325-9907

PROFESSIONAL QUALIFICATIONS (include occupation - attach additional sheet if necessary)

Retired Educator (Putnam Co. Schools - 35 yrs.)
P/T Testing Specialist (St Johns River State College)
Master of Ed degree (UNF) Guidance/Counseling
Wife, Mother, Grandmother and Member of Calvary Baptist Ch

OTHER COMMENTS OR INFORMATION:

AGREEMENT: by filing this document, I agree and understand that this document becomes a part of the official records of the City of Palatka, and I hereby certify that all the information contained herein is true, to the best of my knowledge. I also understand that, if appointed, the State of Florida may require me to file a financial disclosure with the Putnam Co. Supervisor of Elections within thirty (30) days of my appointment, and each year thereafter, covering my term of appointment.

Brenda Bivins 1/18/13
SIGNATURE OF APPLICANT **DATE**

Applicants will be interviewed by the Palatka City Commission during regular public meetings.

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA
FLORIDA

MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
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CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

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

January 15, 2013

Ms. Brenda Bivins
345 Alabama Avenue
Palatka FL 32177

Dear Ms. Bivins:

Mayor Myers asked me to send you some information on the function and duties of the Palatka Housing Authority Board. I've attached a copy of the press release on this, which gives you a good idea of how this Board functions. This Board primarily sets policy for the operation of the Palatka Housing Authority. They meet every other month (January, March, April 11th Annual Meeting, May, July, etc), on the 2nd Thursday of the month, at 12:15 p.m. at the Palatka Housing Authority Offices. Mr. John Nelson, the Executive Director, and his assistant provide the agenda and back-up material for each meeting.

I've also enclosed a Board application. If you'd like to discuss this with me, please call me at 386-329-0100 ext. 211.

Sincerely,

Betsy J Driggers

Betsy Jordan Driggers
City Clerk

Bjd/s

Cc: Vernon Myers, Mayor

201 N. 2ND STREET • PALATKA, FLORIDA 32177
PHONE: (386) 329-0100
www.palatka-fl.gov
FAX: (386) 329-0106

Betsy J. Driggers, City Clerk
City of Palatka
201 N. 2nd Street
Palatka, Florida 32177
386-329-0100 // Fax 386-329-0199
e-mail: bdriggers@palatka-fl.gov

PRESS RELEASE

To: Local Press/interested parties **Fax:** N/A

From: Betsy J. Driggers, City Clerk **Date:** 8/2/2012

Re: PHA Commission Seat Opening **Pages:** 1

FOR IMMEDIATE RELEASE - For more information contact Betsy Driggers, City Clerk, at 329-0100 ext 211.

The City of Palatka is accepting applications for appointment to the Palatka Housing Authority (PHA) Board of Directors. PHA Board members serve in a volunteer capacity and are appointed by the Mayor, with concurrence of the Palatka City Commission. To qualify for this appointment, you must reside within 5 miles of Palatka City limits. Applications will be accepted until the position is filled.

PHA Commissioners serve as the governing officers of a public-corporate entity that functions as a developer and landlord of local low-income housing programs. Some of the principal responsibilities are:

- Providing leadership and advocacy for public housing
- Setting policies governing the operations of the PHA
- Ensuring that the PHA operates within the law and according to HUD regulations;
- Adopting operating budgets
- Assisting in establishing policies to prevent fraud, abuse, mismanagement and discrimination.

Commissioners help keep the community focused on the PHA's mission to provide decent, safe and sanitary housing for residents, and help set goals for assisted housing. The Board holds six regular bimonthly meetings per year at the PHA offices, and also meets periodically to address time-sensitive issues.

Applications can be found on the City's website (www.palatka-fl.gov) or obtained at Palatka City Hall, 201 N. 2nd Street, Palatka, or from the Executive Offices of the Palatka Housing Authority, 400 N. 15th Street, Palatka. For more information, please contact the City Clerk's office at 329-0100, or John Nelson, Executive Director of the PHA, at 386-329-0132.

05/21/12

PALATKA HOUSING AUTHORITY

5 Members - 4-Yr. Terms
(Created by Legislative Act)

RESOLUTION DECLARING THE NEED FOR A HOUSING AUTHORITY DATED 4/12/62

Orig. Appt. Date		Term Expires	Phone #
3/25/04	Dr. Gilbert L. Evans 5001 St. Johns Avenue (wk)	4/12/2013	312-4127 wk 698-2662
6/14/07	Emily Blevins 126 Eagerton Trail Palatka FL 32177 day phone	4/12/2013 937-6260	(h)329-9800 (w)328-0457 (f)328-0459
1/10/02	Annie M. Spell 5019 Crill Avenue Palatka FL 32177	4/12/2014	328-0062
12-10-09	* Christine Bolden P.O. Box 2484 Palatka, FL 32178	4/14/2015	972-4738 336-4102
3/23/06	Marshall Fulghum 312 St. Johns Ave. Palatka, FL 32177	4/12/2016	312-9804 wk 937-7904 cell

Executive Dir. John Nelson
Palatka Housing Authority
P. O. Box 1277

Regular meetings - Bimonthly on the 3rd Thursday at 12:15 P.M. at PHA office, 400 N. 15th St. (July 1985) February, April, June, August, October, December

*Resident Representative

Agenda Item

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VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA
CITY OF PALATKA
FLORIDA

ELWIN C. "WOODY" BOYNTON, JR.
CITY MANAGER

BETSY JORDAN DRIGGERS
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MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

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

REQUEST TO BE PLACED ON CITY COMMISSION AGENDA

NOTE: Regular City Commission meetings are held on the 2nd and 4th Thursdays of the month at 6:00 p.m. If you wish to appear on the Palatka City Commission meeting agenda, you should submit this request form, together with any attachments or backup material that would help the Commission to better consider your request, to the City Clerk's office either in person, by mail (201 N. 2nd Street, Palatka 32177), fax (386-329-0106) or e-mail (bdriggers@palatka-fl.gov). Please note that without adequate supporting documentation or information, it is unlikely that the Commission will be in a position to take any action on your request.

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

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

Johnny Brown / E.W. Lawson & Son Funeral Ho

Address: 109 N 9th St, Palatka e-mail JHBROWN3@AOL.C

Daytime Phone 972-9612 Other ph. _____ Fax _____

Requested meeting date: 2/14/12 *Meeting date assigned:* _____
(For Clerk's Office Use Only)

__/__ Request for Commission Action; OR _____ Presentation Only; no action required

Subject Matter you wish to address: Compensation for electrical Boxes on Funeral Home since 1985

(attach additional sheet if necessary)

Commission Action Requested, if any: _____

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FS 286.105
PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.

ESTABLISHED 1916

E. W. Lawson & Son Funeral Home

Post Office Box 236 Palatka, FL 32178 (386)325-4543

July 30, 2007

City of Palatka
Allen Bush, City Manager
201 North 2nd Street
Palatka, FL 32177

Dear Mr. Bush:

E. W. Lawson & Son Funeral Home contacted you in March of 2006, by letter, in reference to the electrical boxes which operate the red lights at the intersection of St. Johns Ave. and 9th Streets. These boxes are attached to E. W. Lawson & Son Funeral Home. We have made significant improvements to our building at that time. We gave you the option of moving the electrical boxes or leasing the space at that time. Your response was that you would have someone take a look at it. It has been over a year and we have not received a response from your office. We contacted you prior to making the improvements to the building to minimize the cost and you never contacted us with your intentions. Therefore, we moved ahead with the building improvements.

In our communication, you said you would have your people take a look at it and get back with us. Till this date, no one has made contact with us on this matter. These boxes have been attached to our building for over 10 years.

We have learned that there are several cellular companies who pay the city for use of attaching equipment to city property. We feel that we should receive some compensation for maintaining the physical appearance of the city's equipment.

I feel that $300 per month is a fair price per month. I am also requesting that the $300 per month be retroactive from March 2006. We have given the city over 10 years of free maintenance.

Please contact us concerning this matter at your earliest convenience. We would like to resolve this matter as soon as possible.

Sincerely,

Johnny M. Brown
Business Manager

Agenda Item

4a

CITY COMMISSION AGENDA ITEM

SUBJECT: **City-owned Electrical Boxes located on the side of E. W. Lawson & Sons Funeral Home**

DEPARTMENT: **City Manager's Office**

ATTACHMENTS: ___ Ordinance ___ Resolution ___ Motion
__X_ Support Documents ___ Other

SUMMARY: This past December Mr. Johnny Brown of Lawson & Son's Funeral Home delivered a copy of a letter to me dated July 30, 2007, in which he requested reimbursement from the City for the placement of some electrical boxes on this side of his family's business for several years. These boxes operate a portion of the street lights on St. Johns Avenue near 9th Street. A former City Manager previously requested and received verbal permission from the property owner to place the electrical boxes on the privately-owned building.

Generally, public infrastructure is not placed on private property and if it is, this requires a written recorded agreement as well as an easement to place and maintain the public property. In this case I directed the City staff to consider alternatives for the relocation of these specific electric boxes onto public property. The City has met with the FDOT and has received a permit to place the electrical box and is in the process of getting proposals to relocate the box and the appurtenant wiring. The estimated cost will be approximately $6,000.00

RECOMMENDED ACTION: Direct City Manager to proceed with relocation of electrical boxes onto public property and begin negotiations to make the necessary repairs to the building where the electrical boxes are now located in order to return the property to its original condition.

DEPARTMENT HEAD	Submitted: Michael J. Czymbor Requested Agenda Regular	Date: 2/4/13 Date: 2/14/13
FINANCE DEPARTMENT	Budgeted ___Yes _X_No ___N/A	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/7/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

SUMMERVILLE ELECTRIC, INC.
161 Comfort Road
Palatka, Florida 32177
386-328-1965
ER#0008568

To: Michael J. Czymbor
Re: Quote for Street Scape Lighting
9th Street and St. John's Ave
Date: January 11, 2013

OPTION A

1. Pending DOT right of way approval and Florida Power and Light approval, install a cabinet on a concrete pad approximately 10 to 20 ft north of the existing street light cabinet.
2. Install existing electrical panel interiors for the street scape lights and receptacles in this cabinet. This will require that part of the existing sidewalk be removed in order to intercept the underground conduits and install them into the cabinet.
3. The concrete removal will be a combined effort between the City of Palatka and Summerville Electric. In an effort to save some money, inmate labor may be an option to break up and remove the existing sidewalk. Also, if there is any concrete being delivered for any ongoing project, the concrete for this project may be combined in order to save the trip charge that will be assessed by the concrete company.
4. This quote **DOES NOT INCLUDE** any additional fees that may be charged by Florida Power and Light. We are meeting with a member of Florida Power and Light on the job site on Monday January 14, 2013 at 10:00a.m to discuss which option would best be served.
5. The existing conduits are buried under the existing sidewalk. Summerville Electric is assuming that these conduits are not damaged. We reserve the right to add additional charges to this proposal if the existing conduits are damaged in any way and cannot be reused. If it is determined that the conduits cannot be reused, we will meet with a representative from the City of Palatka before installing new conduit.
6. **THE PROPOSED PRICE FOR THIS OPTION IS: $5,427.70**

Thank you for the opportunity to give you a proposal on your project. If you have any questions, please feel free to call me

Jeff Fleming
Project Manager

Copy: Ed Channdler

SUMMERVILLE ELECTRIC, INC.
161 Comfort Road
Palatka, Florida 32177
386-328-1965
ER#0008568

To: Michael J. Czymbor
Re: Quote for Street Scape Lighting
9th Street and St. John's Ave
Date: January 11, 2013

OPTION B

1. Pending DOT right of way approval and Florida Power and Light approval, install a cabinet on the existing sidewalk across the intersection from the existing traffic signal cabinet and approximately 10 to 20 ft east of the street intersection.
2. If this option is chosen, the east bound side of St. John's Ave. will have to be closed to thru traffic. Upon identifying the location of the existing conduits, it may be necessary to shut down the entire intersection.
3. Install existing electrical panel interiors for the street scape lights and receptacles in this cabinet. This will require that part of the existing sidewalk and the asphalt roadway be removed. The concrete removal and roadway removal will be a combined effort between the City of Palatka and Summerville Electric. In an effort to save some money, inmate labor may be an option to break up and remove the existing sidewalk and roadway. Also, if there is any concrete being delivered for any ongoing project, the concrete for this project may be combined in order to save the trip charge that will be assessed by the concrete company.
4. This quote **DOES NOT INCLUDE** any additional fees that may be charged by Florida Power and Light. We are meeting with a member of Florida Power and Light on the job site on Monday January 14, 2013 at 10:00a.m to discuss which option would best be served.
5. The existing conduits are buried under the roadway. Summerville Electric is assuming that these conduits are not damaged. We reserve the right to add additional charges to this proposal if the existing conduits are damaged in any way and cannot be reused. If it is determined that the conduits cannot be reused, we will meet with a representative from the City of Palatka before installing new conduit.
6. **THE PROPOSED PRICE FOR THIS OPTION IS: $8,733.56**

Thank you for the opportunity to give you a proposal on your project. If you have any questions, please feel free to call me

Jeff Fleming
Project Manager

Copy: Ed Channdler

Florida Department of Transportation

RICK SCOTT
GOVERNOR

3600 DOT Road
St. Augustine, FL 32084
(904) 825-5036

ANANTH PRASAD, P.E.
SECRETARY

February 4, 2013

City of Palatka
201 N. 2nd Street
Palatka, FL 32177

Re: Approved General Use Permit

Permit # 2013-K-297-02, remove 3-4 sections of sidewalk to access electrical conduit, is approved. Your copy of the approved permit is enclosed.

George Adamick is the Department's Permits Coordinator for this project. **You are required to contact George prior to work beginning and provide a schedule of your work activities.** You should also contact him when all work is completed to obtain your final inspection. He can be reached at (904) 825-5018, (904) 759-1730 (cell) or via email at george.adamick@dot.state.fl.us. George's work hours are Tuesday - Friday, 7:00 am – 5:30 pm.

If you have any questions, please feel free to contact me at (904) 825-5023.

Sincerely,

Connie B Walker

Connie B. Walker
Maintenance Permits Manager

Enclosures

Special Provisions: 2013-K-297-02

1. Work within the FDOT right of way shall not commence until you have made contact with the Department's Permits Staff. 48 hours notice is required. If a pre-work meeting is required, it will be scheduled at that time.
    a. If work stops and then resumes at a later date, 24 hours notice is required prior to work resuming.
2. The contact person for this permit is:
    - George Adamick, Permits Coordinator, george.adamick@dot.state.fl.us, Office-(904) 825-5018 or Cell-(904)759-1730 (Work Schedule: T-F, 7:00 am – 5:30 pm)
    - Sandy Parker, Permits Inspector, william.parker2@dot.state.fl.us, Office-(904) 825-5004 or Cell-(904)759-1732 (Work Schedule: T-F, 7:00 am – 5:30 pm)
    - Gary Nelson, Permits Inspector, gary.nelson@dot.state.fl.us, Office-(904) 825-5078 or Cell-(904)759-1725 (Work Schedule: M-Th, 7:00 am – 5:30 pm)
    - Nathan Gottschalk, Permits Inspector, nathan.gottschalk@dot.state.fl.us, Office-(904) 825-5090 (Work Schedule: M-Th, 7:00 am – 5:30 pm)
    - If you are unable to make contact with the assigned staff member, contact Connie Walker, Maintenance Permits Manager, connie.walker@dot.state.fl.us, (904) 825-5023.
3. A copy of the approved permit and plans must be onsite at all times. This permit does not cover any work outside the state right-of-way. It is the permittee's responsibility to contact private property owners and/or other government entities to gain permission to work on private property if all work cannot be confined to the state right-of-way. This permit does not alleviate the permittee from acquiring other necessary permits from other state departments, agencies or local municipalities.
4. All work within the department's right of way shall conform to the latest Design Standards, Standard Specifications, Utility Accommodation Manual, and applicable safety criteria.
5. Approved work times within FDOT right of way are 7:00 am – 5:30 pm, Monday – Friday. All work should be scheduled such that the work is completed and the job site is secured by 5:30 pm. The work consists of digging the ditch down to the original grade (matching the existing culvert invert elevations), removing the mittered-end-section (MES) from north end of existing driveway culvert, and installing approximately 100' foot of corrugated-metal-pipe (CMP). Then reattaching the MES to the north end of the newly installed pipe per the attached index no. 273, sht. 2 of 7. The finished grade above the pipe is to fall away from the roadway some 4" to 6" and flow north to the open ditch.
6. The attached Best Management Practices (BMPs) for Erosion and Sedimentation Control at Construction Sites, Tips for Commonly Used BMPs, Erosion & Sedimentation Control Requirements on Department's Right of Way, and Dewatering Information apply to this permit and must be followed.

Information Required for Dewatering Approval for FDOT Permits

Please provide the following at the time of application. If your permit was previously approved, please submit this information as soon as you recognize the need for dewatering activities:

- **Dewatering Plan, signed and sealed by a Professional Engineer of a Professional Geologist, which addresses the following:**
  - Project Background and dewatering requirements
  - Plan and profile view of dewatering systems
  - Subsurface soil and groundwater conditions in the project area
  - The hydraulic conductivity of the sub-soils present at the site
  - The nature, locations, and depths of subsurface installations for the dewatering systems
  - The nature, locations, and detailed dewatering pump(s) information
  - The general route of discharge and all points of discharge
  - The estimated groundwater extraction and discharge rates for system
  - The Best Management Practices to control turbidity and erosion at the discharge location.
- **FDEP Generic Permit for Discharge of Produced Ground Water from Non-Contaminated Site Activity**
- **WMD Noticed General Permit for Short Term Construction Dewatering Activities will be required if :**
  - Withdrawal is over 300,000 gallons per day
  - Withdrawal exceeds 30 days duration
  - The capacity of the pump is over 1,000,000 gallons per day

A Short-Term Construction Dewatering Permit can be issued for activities when:

1. The withdrawal method is a well-point system or vacuum underdrain (sock).
2. A hydraulic pump is used to maintain or repair existing permitted systems, and discharges through the permitted control structure.
3. The withdrawal method does not discharge directly into an OFW, Class I or Class II water body ("not directly" means a mixing zone or dispersal method must be employed).
4. The withdrawal method cannot be used on lands used for industrial purposes or landfills.
5. The maximum total withdrawal does not exceed 180 million gallons (maximum daily for first 5 days (<6 mgd, thereafter <4 mgd. Average daily for first 60 days = 2 mgd and = 1 mgd for duration).
6. The maximum duration does not exceed 180 days.
7. Turbidity control measures are in place when needed.
8. No adverse impacts occur off-site.

Note A – Exceeding the above Short-Term Construction Dewatering Permit thresholds will require a general or individual CUP based on project rate/volume thresholds.

Note B – Dewatering projects with numerous phases and/or contractors may not qualify for Short-Term Construction Dewatering Permits based on the connectivity/complexity of the project and will be assessed on a case-by-case basis.

- **Proposed steps and effort to be taken to prevent offsite flooding, if not addressed in the Dewatering Plan.**

Pollution Prevention

EROSION & SEDIMENT CONTROL REQUIREMENTS ON DEPARTMENT"S RIGHT OF WAY

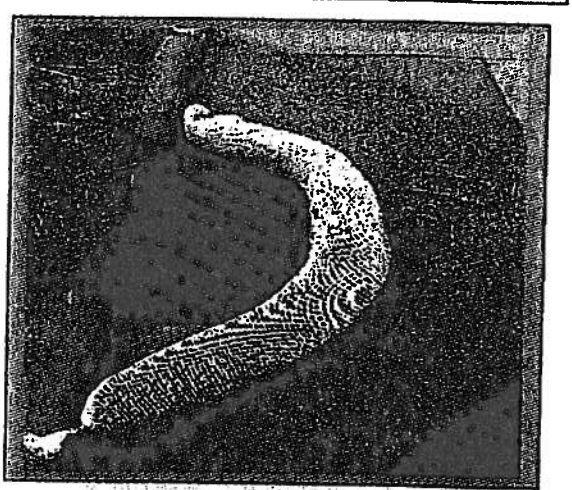
No Clearing, grading, excavating, filling, dewatering, or other construction related activities will be permitted until the Department reviews the erosion and sediment controls plan submitted along with the Permit Application.

Erosion and sediment control measures are site specific and performance oriented. Even if the structural controls are installed on site as specified in the permit application, the site is only in compliance when these controls are **effectively maintained.**

In general, the need for erosion and sediment control measures should be evaluated prior to Permit Application. This evaluation should include gathering the appropriate information to address the identified needs of the project. Once the proper erosion and sediment control measures are determined, A plan should be developed. The sequence of construction operations need not be specified in the plans for this purpose. The Department's Best Management Practices for Erosion and Sedimentation Control at Construction Sites should be used as a guide (see attachment)

SPECIAL NOTE: A Florida Department of Environmental Protection Generic Permit for the discharge of produced ground water from any non-contaminated site activity is required as part of any Permit sought from FDOT which involves dewatering activities. In addition, the erosion and sediment control plan must include a double filter socks or any other similar absorbent type protection for all inlets in the construction zone. Otherwise, an installation of a flexible discharge pipe or hose through the Departments' storm sewer system to the outfall point will be required.

The rational behind these requirements is to avoid any potential adverse impact or deleterious effect on receiving waters, including their quality, quantity, surface area, aesthetics or usefulness for human or natural uses. Such deleterious effect is or may potentially be harmful or injurious to human health, welfare, safety or property, or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation.



Call 1-800-749-2967 For more information:

Alan Obaigbena, P.E. Extn 7064

Karen K. Lucas, P.E. Extn [illegible]

[illegible]

[illegible]

TIPS FOR COMMONLY USED BMPs

Construction Entrances

- Remove vegetation, roots, and other material from entrance.
- Lay down geotextile then 6 inches of FDOT No. 1 Coarse Aggregate on top.
- The length of entrance must be at least 50 feet.
- Maintain as needed to prevent tracking or flow of mud onto public rights-of-way.

Silt Fences

- Install within 24 hours of land disturbance.
- Bury 8 inches of fabric in trench.
- Leave no gaps (overlap or twist ends together).
- **Maintain and repair until a ground cover is established.**

Soil Piles

- Locate away from downslope streets, driveways, streams, wetlands, lakes, etc.
- Keep covered with plastic sheeting.
- Carefully wet down exposed soil to keep dust and erosion to a minimum.

Storm Sewer Inlet Protection

- Protect nearby storm sewer inlets with straw or synthetic bale, synthetic fabric, filter sock, or other measure.
- Inspect, repair, and replace as needed, and remove sediment deposits after every storm.

Sediment Cleanup

- Remove soil tracked onto the street after each workday.
- Cleanup all soil that has washed off site following a storm.

Preserving Existing Vegetation

- Preserve existing trees, shrubs, and other vegetation whenever possible.
- To prevent root damage, do not grade, place soil piles, or park vehicles near trees marked for preservation.
- Place plastic mesh around trees extending to the drip line to protect the area below their branches.

Revegetation

- Seed, sod, or mulch bare soil as soon as possible. **Vegetation is the most effective way to control erosion.**

Seeding and Mulching

- Spread and compact 2 – 4 inches topsoil.
- Seed with appropriate mix for site and season.
- Rake lightly to cover seed with ¼ inch of soil.
- Mulch with anchored straw.
- Gently water every other day until grass is 2 inches tall.

Sodding

- Leave or replace 4 inches of topsoil.
- Lightly water soil before laying sod.
- On slopes, lay sod starting at the bottom and work toward the top, laying in a brickwork pattern. Peg each piece down in several places.
- Use sod from sources certified by the Division of Plant Industry as "noxious weed-free".
- Initial watering should wet soil 6 inches deep. Then water lightly every other day to keep soil moist.

For additional information regarding erosion and sediment control, refer to the "Florida Development Manual: A Guide to Sound Land and Water Management" and the FDEP "Stormwater, Erosion, and Sedimentation Control Inspector Manual".

For more information contact:

Alan Ohnigbena, P.E.

Florida Department of Transportation

800-749-2967 ext 7963

Date: January 30, 2013 Permit No.: 2013-K-297-02

Name of Applicant or Authorized Agent: Michael J. Czymbor, City Manager

Entity (if applicable): City of Pakatka

(If entity, furnish contact information for responsible representative)

Address: 201 North 2nd Street Zip Code: 32177

City/State: Palatka, Florida Telephone No.: 386-329-0100

Email Address: mczymbor@palatka-fl.gov

Activity / Project Site

County: Putnam State Road: 20 / 9th Street Section: 76050000

From Mile Post: 26.248 to Mile Post:

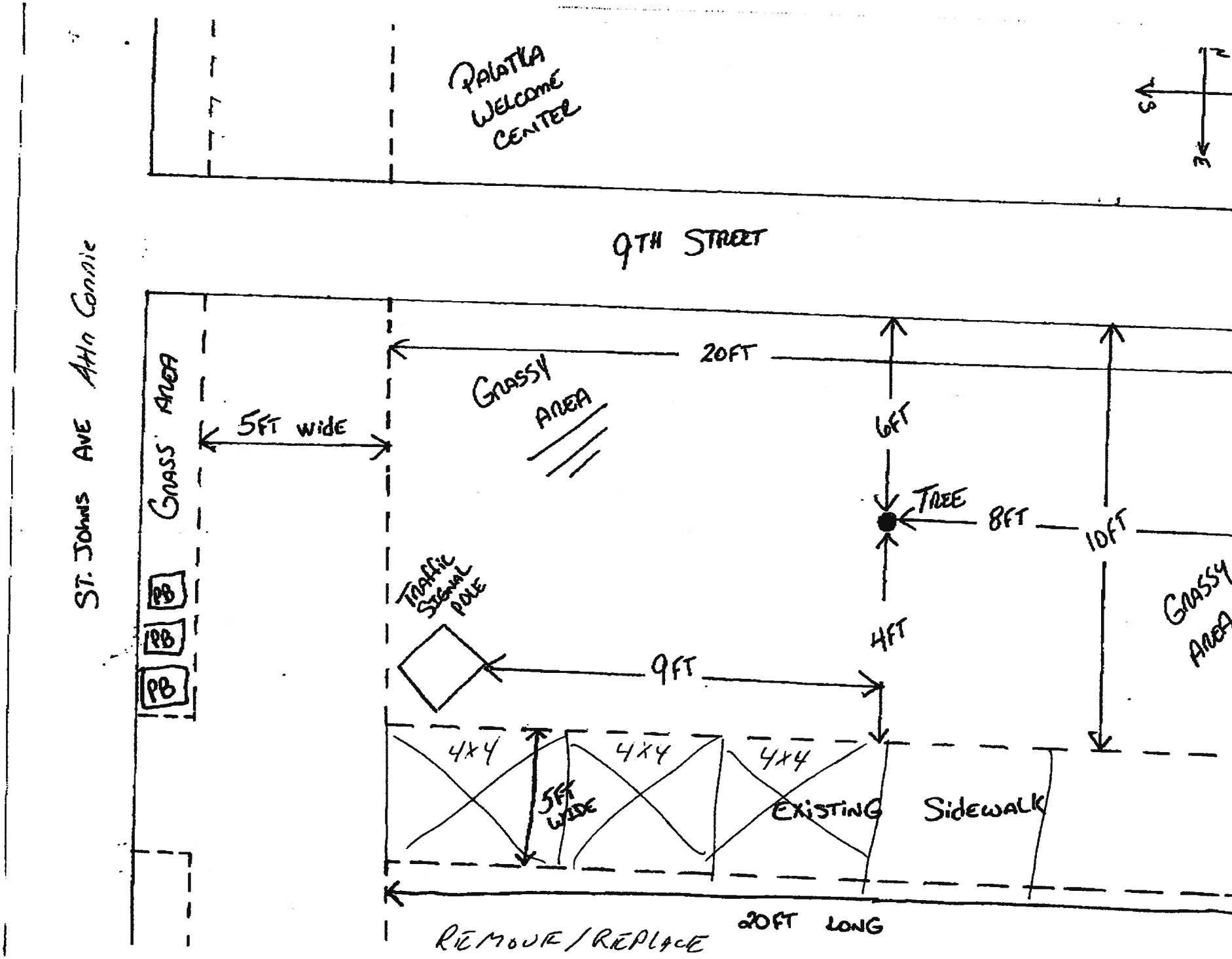
Construction Proposed or Underway: Yes ☒ No ☐ FM Project No.:

Name of Municipality if Work is within Limits: City of Palatka

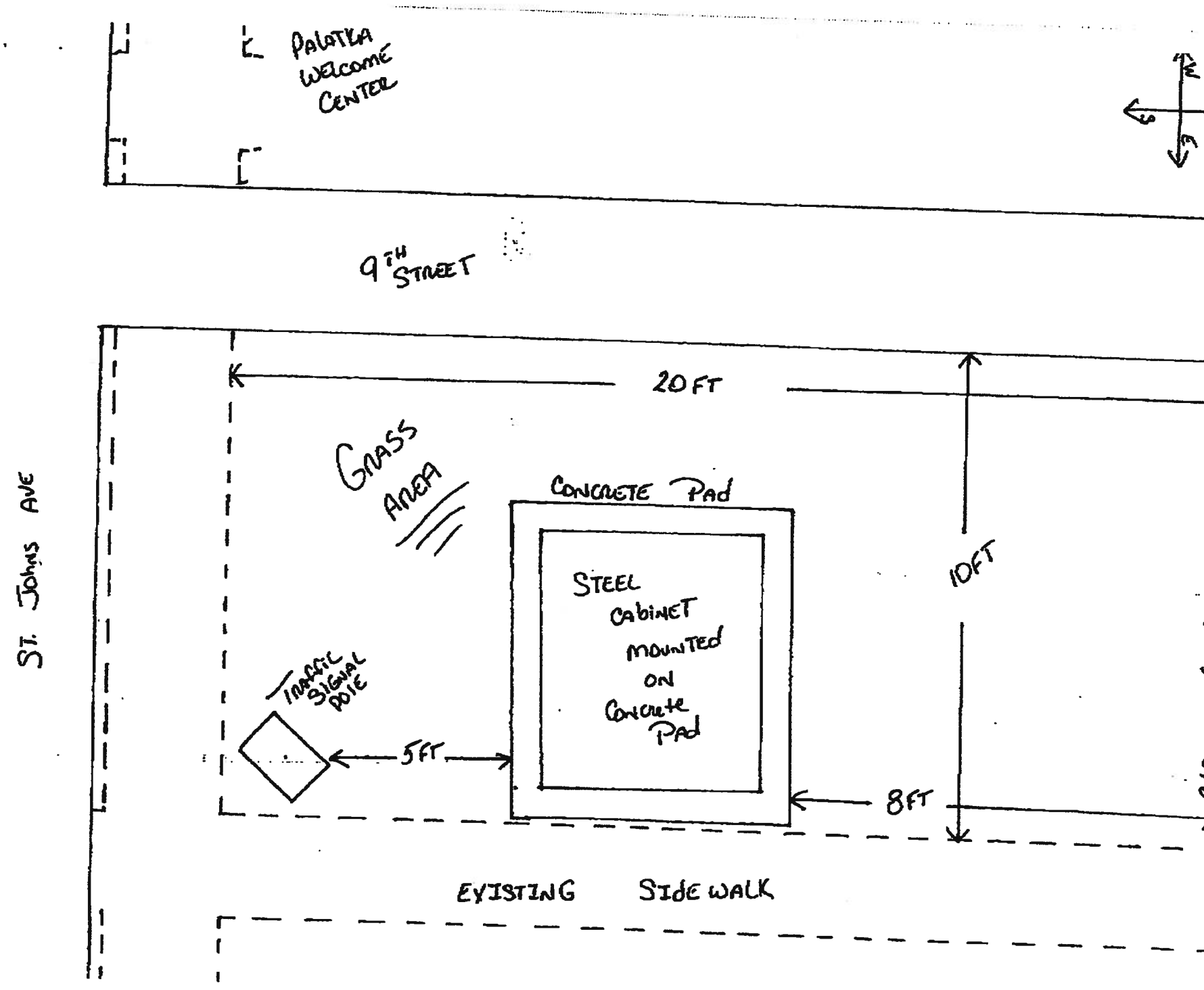
Description of Work Activity: Remove 3 or 4 sections of sidewalk to access existing electrical conduit and replace sidewalk per ADA standards.

General Provisions

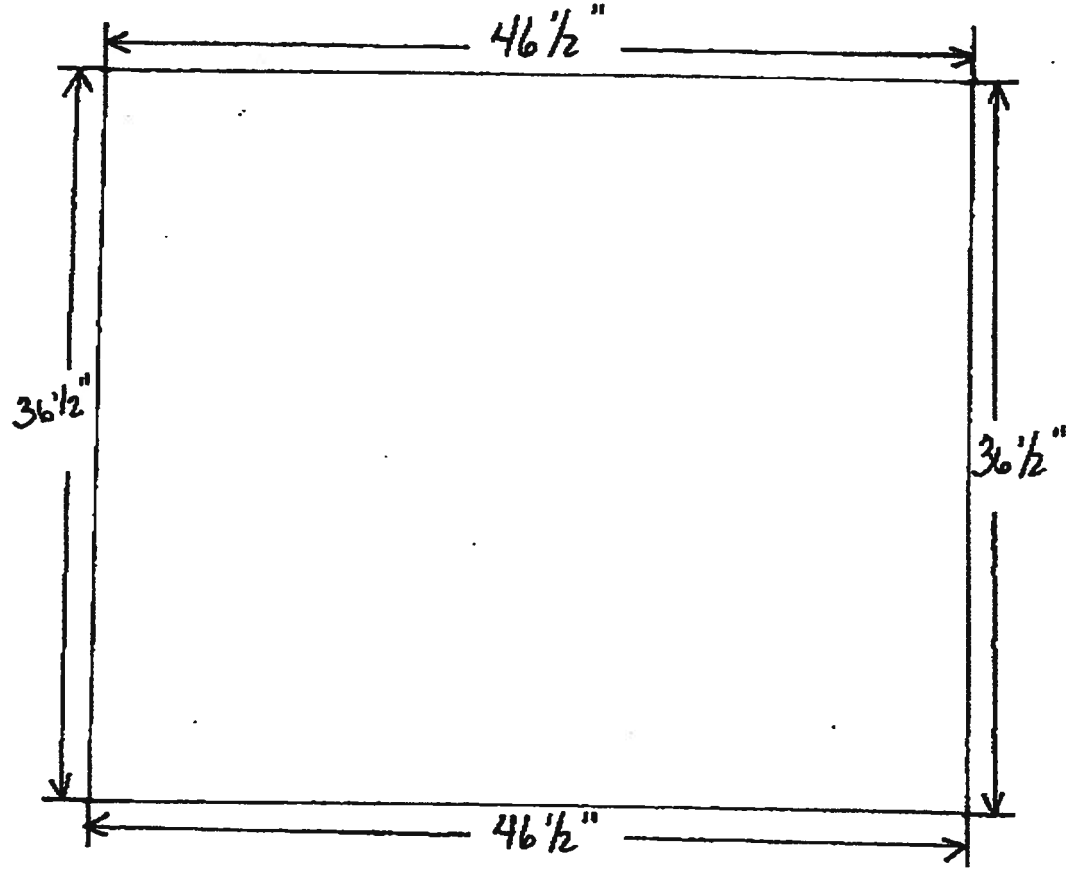
1. Attach any pertinent plans or drawings.
2. Attach notification letters sent to any Utilities both aerial and underground that will be potentially impacted.
3. The designated FDOT Engineer shall be notified 48 hours prior to beginning of work. Contact George Adamick at (904) 825-5018.
4. All work, materials and equipment shall be subject to inspection and approval by FDOT. Applicants certification of work at completion is required.
5. The permittee shall be responsible to place and display safety devices and proper maintenance of traffic in accordance with the latest version of the Department's Design Standards, index series 600, or an alternative plan signed and sealed by a professional Engineer and attached with the permit.
6. All FDOT property shall be restored to its original condition. Any damage to FDOT property as a result of this work shall be repaired and restored in a manner acceptable to the FDOT at the sole expense of the permittee.



REMOVE/REPLACE
3-4, 4'x4' SECTIONS OF EXISTING SIDEWALK

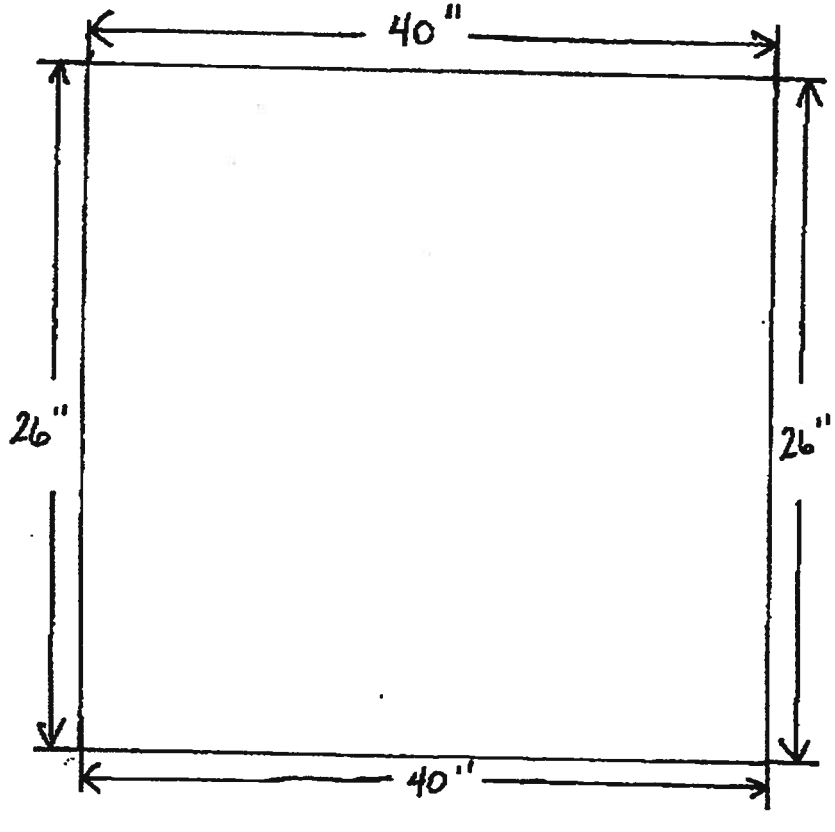

PALATKA WELCOME CENTER
9TH STREET
ST. JOHNS AVE
20 FT
GRASS AREA
CONCRETE PAD
STEEL CABINET MOUNTED ON CONCRETE PAD
10FT
TRAFFIC SIGNAL POLE
5FT
8FT
EXISTING SIDEWALK
W
S
E

Concrete Pad



CABINET

CABINET OUTSIDE



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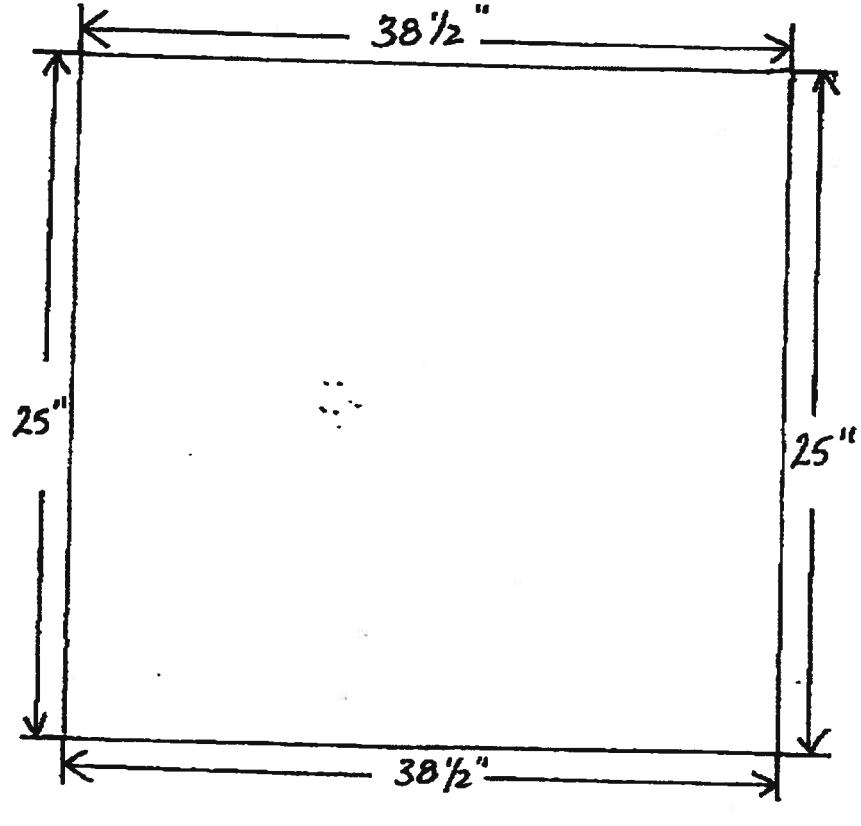

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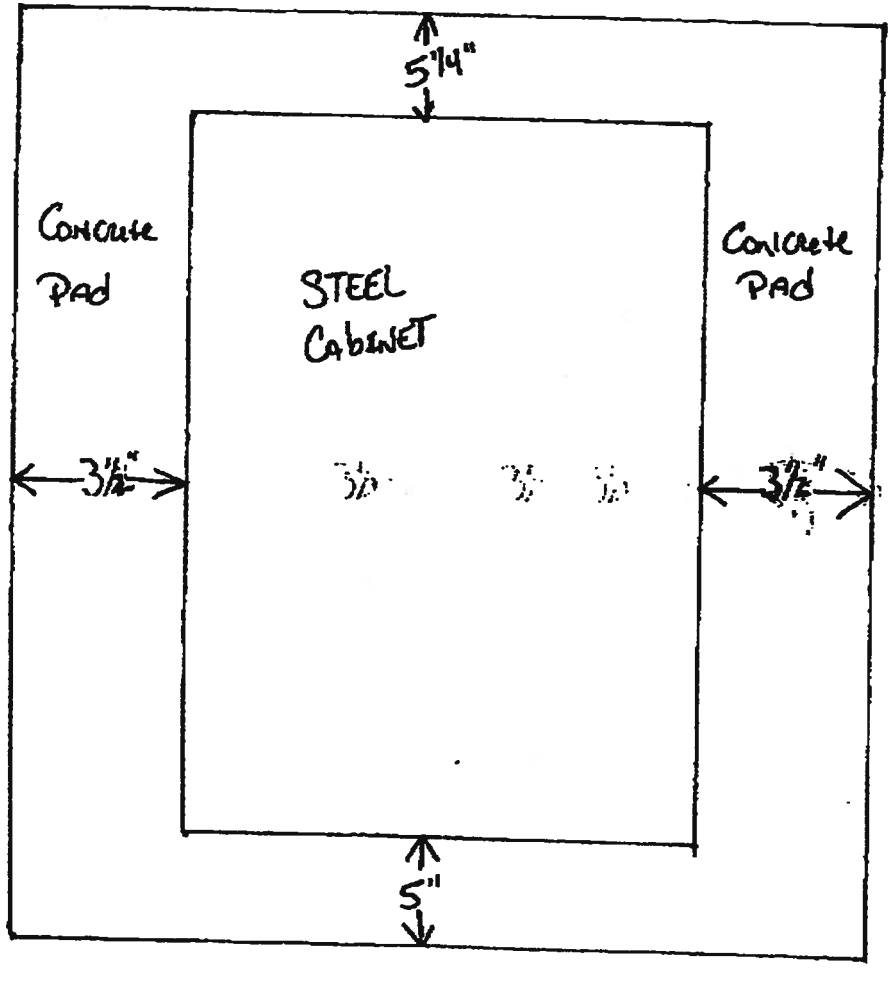
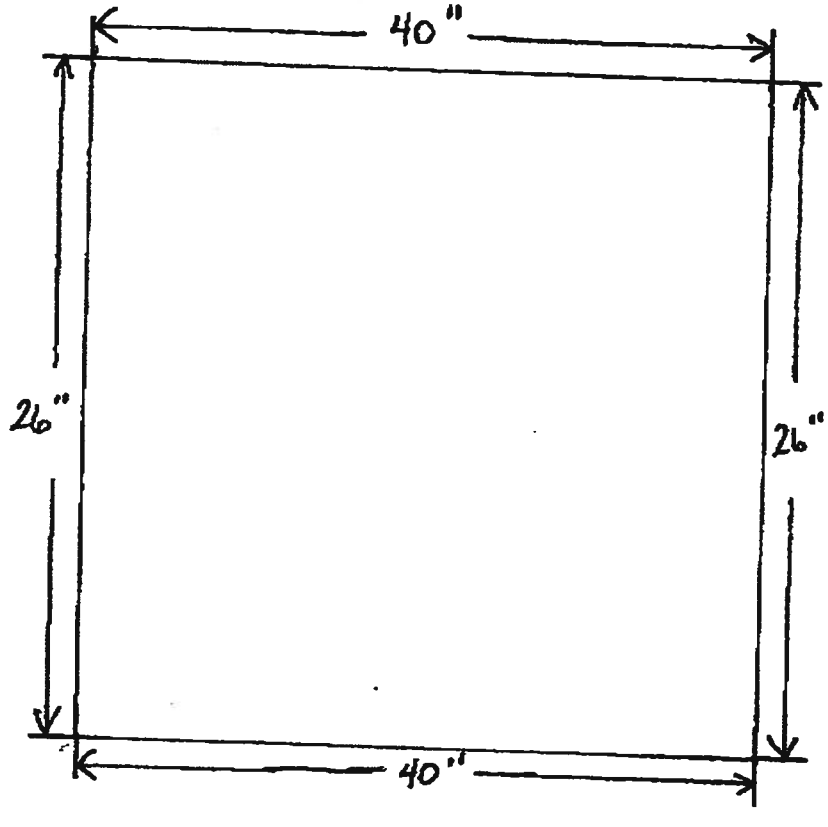
CABINET MOUNTED ON CONCRETE PAD



ST. JOHNS AVE
EXISTING SIDEWALK
EXISTING SIDEWALK
9TH STREET
GRASSY AREA
TREE
GRASSY AREA
TRAFFIC SIGNAL POLE
DAIRY QUEEN SIGN
ASPHALT DRIVEWAY INTO DAIRY QUEEN
EXISTING SIDEWALK
ASPHALT DRIVE
DAIRY QUEEN
JEFF FLENTJE SUMMERDRIVE ELECTRIC
NOT TO SCALE

CABINET

CABINET OUTSIDE



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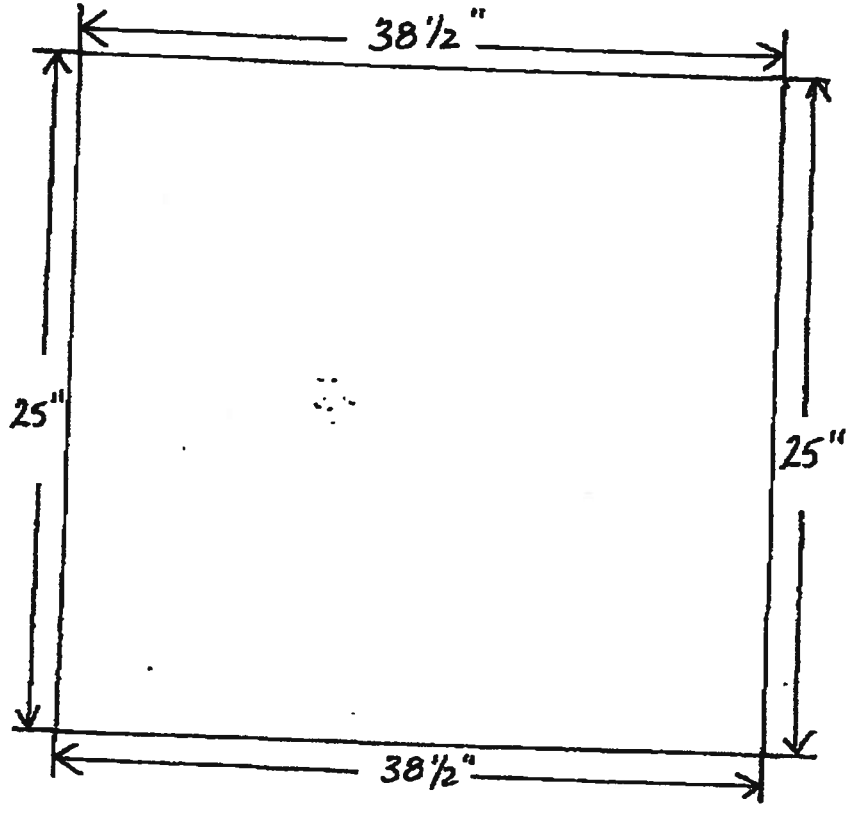

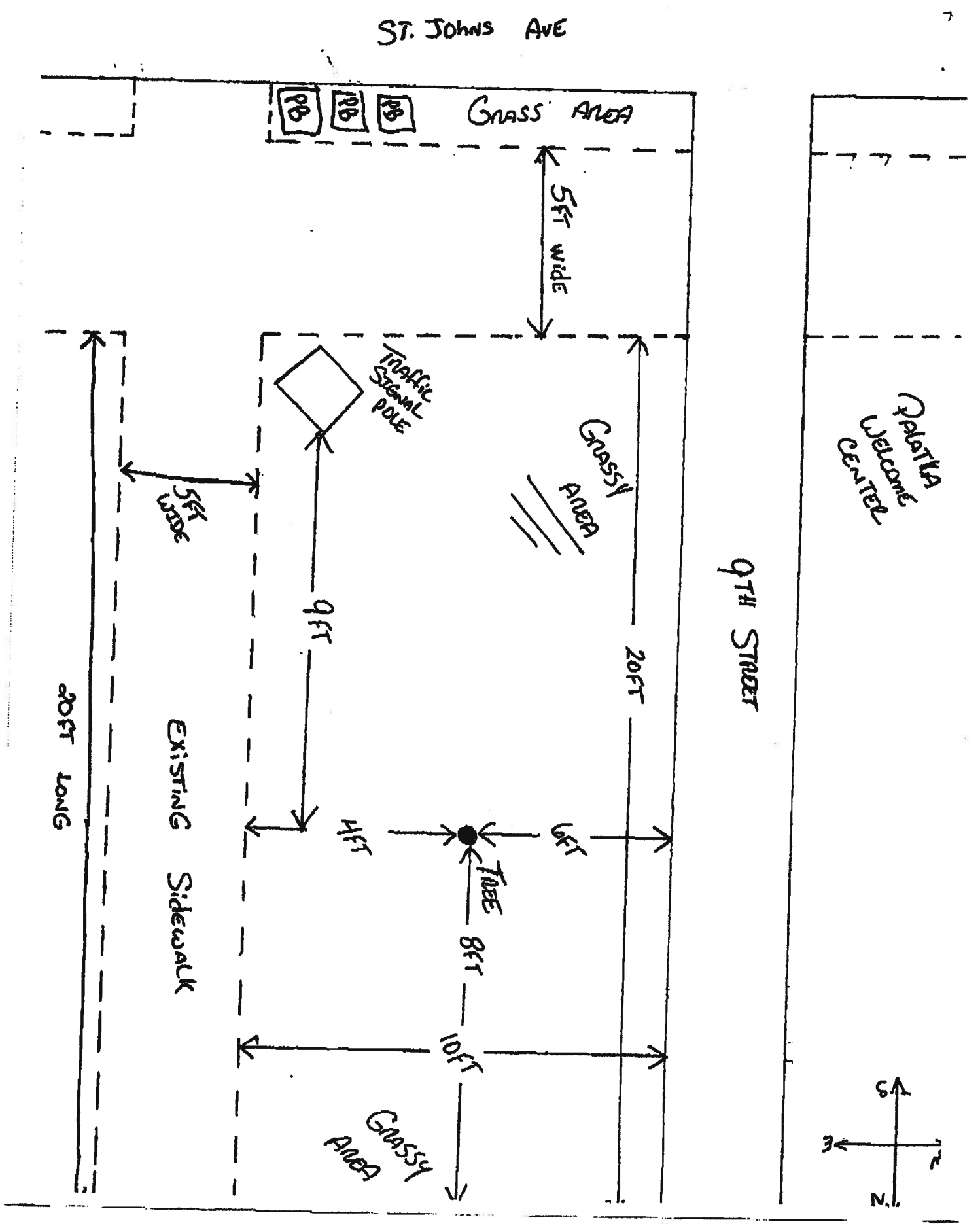
ST. JOHNS AVE
GRASS AREA
5FT WIDE
TRAFFIC SIGNAL POLE
GRASSY AREA
PALATKA WELCOME CENTER
5FT WIDE
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6TH STREET
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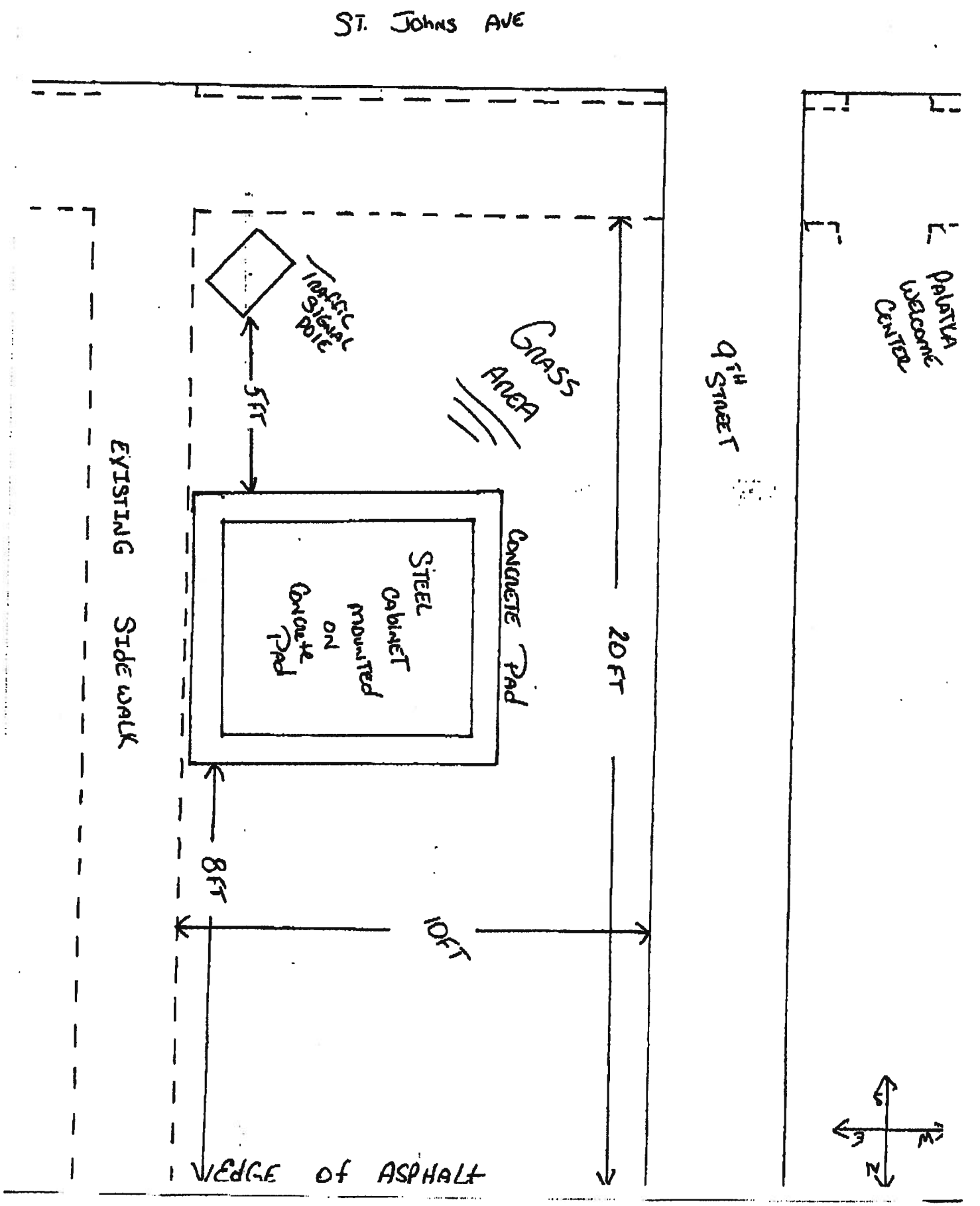
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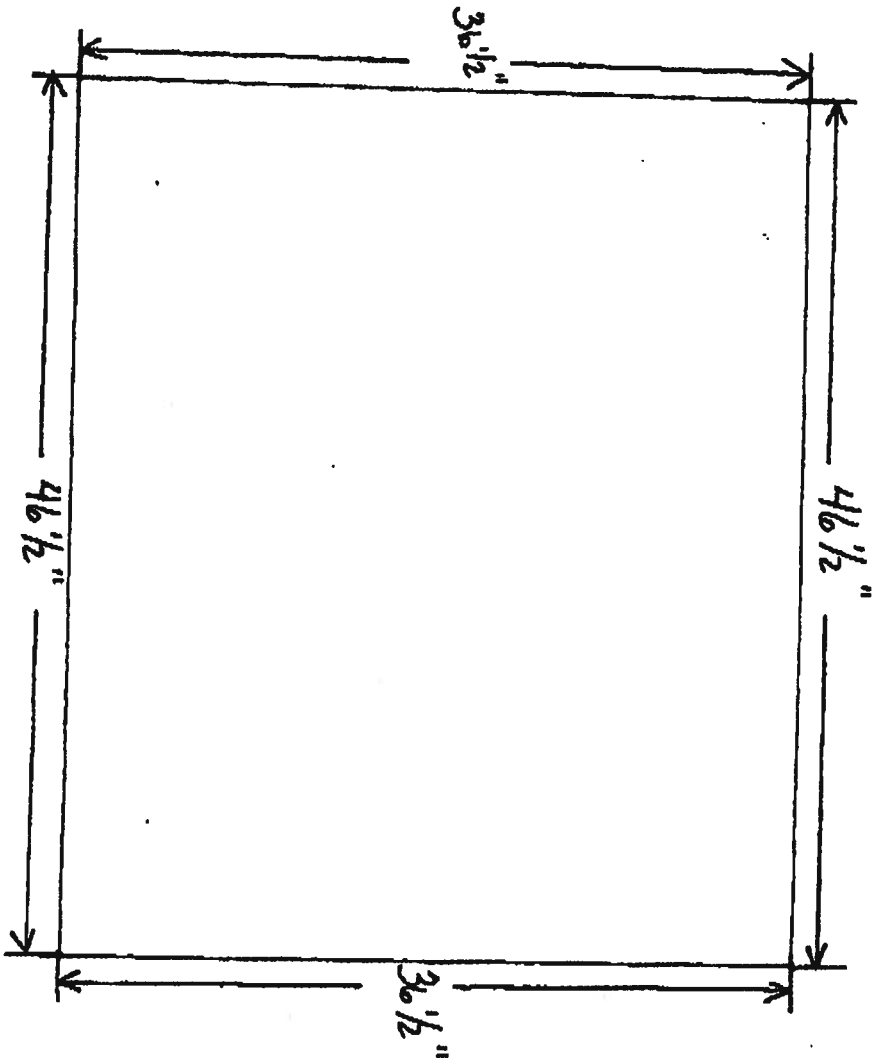
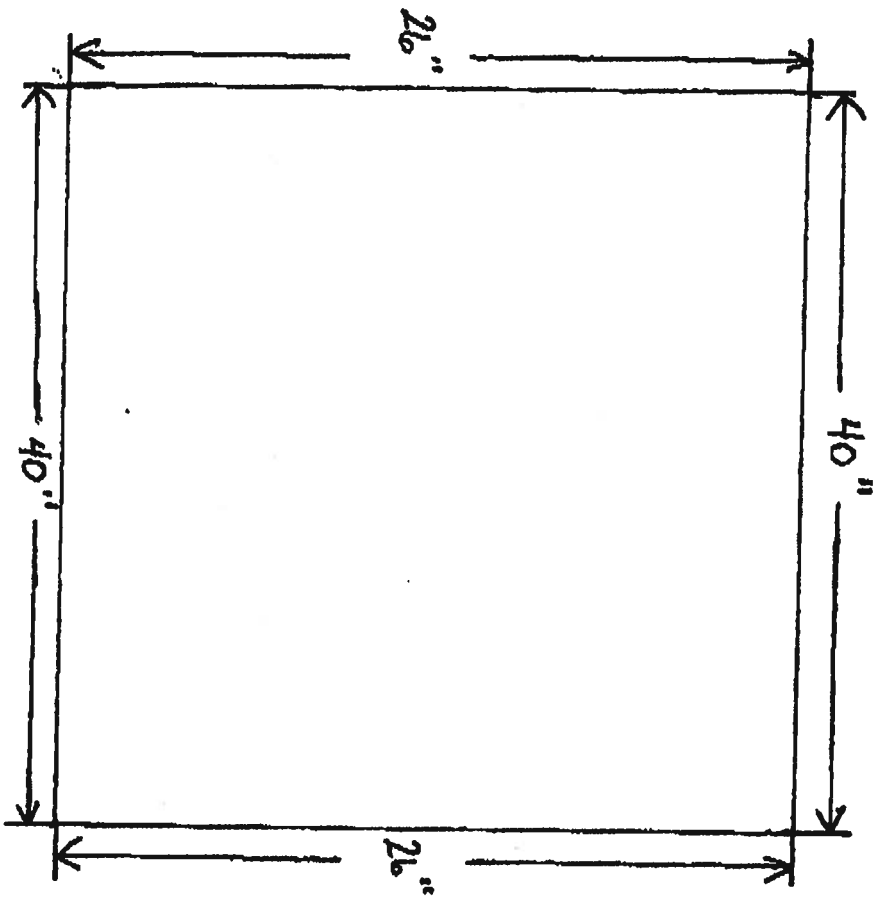


Concrete Pad

CABINET

CABINET OUTSIDE



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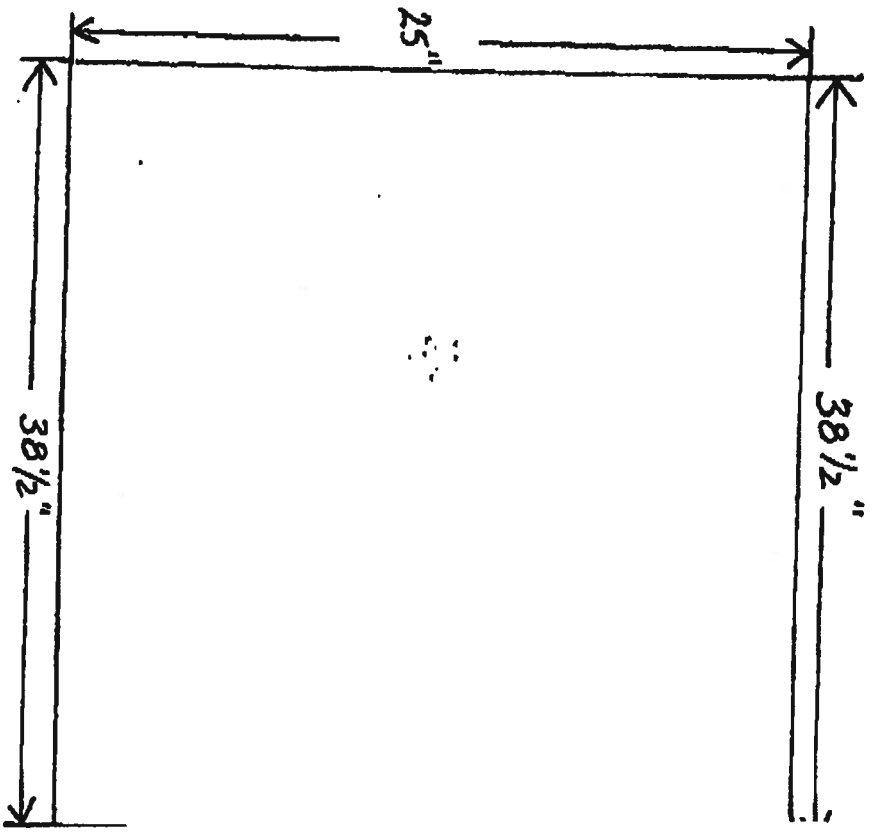


Agenda Item

5

CITY of Palatka FLORIDA

AGENDA ITEM

SUBJECT: Budget Amendments for FY2012-2013 through 01/31/2013

DEPARTMENT: Finance

ATTACHMENTS: ☐ Ordinance ☒ Resolution ☐ Motion
☐ Support Documents ☐ Other

SUMMARY:
The City budget is governed by Chapter 166.241 and 200.065, Florida Statutes. These Statutes provide that the total budget at the fund level, once approved, cannot be exceeded unless a supplemental budget appropriation is enacted by the City Commission.

The budget needs to be amended to adjust the balance forwards of all funds to match the actual amount that was carried forward from last fiscal year. Other adjustments are included which were needed in order to ensure that expenditures are within budget.

RECOMMENDED ACTION: Staff recommends adoption of Resolution 9-~~78~~ in order to be in compliance with Florida Statutes.

DEPARTMENT HEAD	Submitted: Matt Reynolds Requested Agenda: Regular	Date: 02-01-2013 Date: 02-14-2013
FINANCE DEPARTMENT	Budgeted ☒ Yes ☐ No ☐ N/A MMR	Date: 02-01-2013
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/5/13

COMMISSION ACTION: ☐ Approved as Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled To Time Certain
☐ Other

DISTRIBUTION: ☐CA ☐CC ☐CM ☐CD ☐FI ☐FD ☐GC ☐HR ☐MD ☐PD ☐PR ☐UD

RESOLUTION No. 2013 - 9 -

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AMENDING THE FY 2012-2013 BUDGET

WHEREAS, the City of Palatka deems it reasonable and necessary to amend the FY 2012-2013 budget.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida:

1. That the revenues of the City of Palatka General Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

REVENUES:		**Recommended**
Revenue Number	*Description*	**Amendments**
001-00-301-0-1000	OPERATING CASH BALANCE FORWARD	$ 63,378
001-00-301-0-1001	EVIDENCE FUND BALANCE FORWARD	$ (5,937)
001-00-301-0-1002	LOT DEMOLITION/CLEANUP BALANCE FORWARD	$ 150
001-00-301-0-1005	IMPACT FEES-SCHOOL BOARD BALANCE FORWARD	$ (4,260)
001-00-301-0-1007	BETTER PLACE BALANCE FORWARD	$ 294,125
001-00-301-0-1009	SPECIAL CEMETERY BALANCE FORWARD	$ 3,325
001-00-301-0-1010	SPECIAL POLICE BALANCE FORWARD	$ 9,450
001-00-301-0-1013	FIRE PUBLIC EDUCATION BALANCE FORWARD	$ (400)
001-00-342-1-1000	POLICE SERVICES	$ (45,000)
001-00-342-1-1001	POLICE DEPT-FINGERPRINTS	$ 280
001-00-342-1-1002	POLICE DEPT-ADMIN TOW FEES	$ 1,500
001-00-342-1-1003	POLICE DEPT-INVESTIGATIVE COST REIMB	$ 2,000
001-00-342-1-1004	POLICE DEPT-RECORDS REQUESTS	$ 3,200
001-00-342-1-1005	POLICE DEPT-ADMIN FEES	$ 8,000
001-00-342-1-1006	POLICE DEPT-OFFENDER PAYMENTS	$ 200
001-00-342-1-1007	POLICE DEPT-OT REIMBURSEMENTS	$ 26,970
001-00-342-1-1008	POLICE DEPT-REPORTS	$ 2,550
001-00-342-1-1009	POLICE DEPT-MISCELLANEOUS	$ 1,300
001-00-346-4-1000	ANIMAL CONTROL FEES	$ (1,000)
001-00-362-0-4000	CONCESSION STAND RENT	$ (800)
001-00-364-0-4900	SURPLUS EQUIPMENT-GENERAL	$ 1,040
001-00-381-0-1000	TRANSFER FROM TAX INCREMENT	$ (59,476)
001-00-382-0-5000	CONTRIB FROM AIRPORT	$ (15,000)
001-00-382-0-6000	CONTRIB FROM TAX INCREMENT	$ (44,369)
	TOTAL REVENUES AMENDED:	**$ 241,226**

2. That the expenditures of the City of Palatka General Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

EXPENDITURES:		**Recommended**
Expenditure Number	*Description*	**Amendments**
001-01-512-1-1100	EXECUTIVE SALARIES	$ (44,378)
001-01-512-1-2200	RETIREMENT EXPENSE	$ 17,683
001-01-512-1-2400	WORKERS COMP	$ (484)
001-01-512-3-3100	PROFESSIONAL SERVICES	$ 298
001-01-512-3-3120	PHYSICALS	$ 95
001-01-512-3-3200	ACCOUNTING AND AUDITING	$ (300)
001-01-512-3-4020	SCHOOLING, CONFERENCE, ETC	$ 1,200
001-01-512-3-4024	SCHOOLING/CONF-COMM KITCHENS	$ (100)
001-01-512-3-4400	RENTALS AND LEASES	$ (200)
001-01-512-3-4500	LIABILITY INSURANCE	$ (467)
001-01-512-3-4610	BUILDING MAINTENANCE	$ 2,300
001-01-512-3-4620	EQUIPMENT MAINTENANCE	$ (2,000)
001-01-512-3-4700	PRINTING AND BINDING	$ (168)
001-01-512-3-5100	OFFICE SUPPLIES	$ (95)
001-01-512-3-5280	OPERATING SUPPLIES	$ (1,030)
001-02-524-1-1200	REGULAR SALARIES	$ (46,000)
001-02-524-1-2400	WORKERS COMP	$ (43)
001-02-524-3-3100	PROFESSIONAL SERVICES	$ (2,500)
001-02-524-3-3400	OTHER CONTRACTUAL SERVICES	$ 46,000
001-02-524-3-4500	LIABILITY INSURANCE	$ 1,780
001-02-524-3-5280	OPERATING SUPPLIES	$ 2,500
001-03-573-3-4601	HAMMOCK HALL-MAINTENANCE	$ 1,000
001-03-573-3-4610	WILLARD COOPER BUILDING	$ 268
001-03-573-3-4980	DEPOT-OPERATING	$ (1,000)
001-03-575-1-2400	WORKERS COMP	$ (99)
001-03-575-3-4500	LIABILITY INSURANCE	$ 11,020
001-04-514-1-2200	RETIREMENT-GENERAL	$ 859
001-04-519-3-3120	SURPLUS EQUIPMENT AUCTION COSTS	$ 240
001-04-519-3-3430	CHRISTMAS LIGHTING	$ 3,813
001-04-519-3-4510	INSURANCE CLAIMS	$ (2,348)
001-04-519-3-4800	ADVERTISING	$ (3,000)
001-04-519-3-4900	LEGAL ADVERTISING	$ 3,000
001-07-521-1-2400	WORKERS COMP	$ (5,454)
001-07-521-3-4500	LIABILITY INSURANCE	$ (30,500)
001-07-521-3-5282	EVIDENCE FUND EXPENSE	$ 16,745
001-08-522-1-2201	FIRE PENSION	$ 41,660
001-08-522-1-2400	WORKERS COMP	$ (3,569)
001-08-522-3-4500	LIABILITY INSURANCE	$ (7,690)
001-08-522-3-4640	RADIO MAINTENANCE	$ 500
001-08-522-3-5280	OPERATING SUPPLIES	$ (500)
001-09-541-1-1200	REGULAR SALARIES	$ (33,109)
001-09-541-1-2100	FICA TAX EXPENSE	$ (3,254)
001-09-541-1-2200	RETIREMENT EXPENSE	$ 5,043

001-09-541-1-2400	WORKERS COMP	$	(1,325)
001-09-541-3-3100	PROFESSIONAL SERVICES	$	40
001-09-541-3-4500	LIABILITY INSURANCE	$	(3,180)
001-09-541-3-4610	BUILDING MAINTENANCE	$	400
001-09-541-3-5280	OPERATING SUPPLIES	$	(440)
001-14-569-1-2400	WORKERS COMP	$	(710)
001-14-569-3-4500	LIABILITY INSURANCE	$	(740)
001-14-569-3-5100	OFFICE SUPPLIES	$	200
001-14-569-3-5280	OPERATING SUPPLIES	$	(200)
001-15-572-1-2200	RETIREMENT EXPENSE	$	2,680
001-15-572-1-2400	WORKERS COMP	$	(534)
001-15-572-3-4500	LIABILITY INSURANCE	$	5,170
001-15-572-3-4610	BUILDING MAINTENANCE	$	(2,738)
001-15-572-3-5100	OFFICE SUPPLIES	$	35
001-15-572-3-5270	CHEMICALS AND FERTILIZERS	$	(268)
001-15-572-3-5280	OPERATING SUPPLIES	$	(35)
001-17-516-1-1100	EXECUTIVE SALARIES	$	8,824
001-17-516-1-2100	FICA TAX EXPENSE	$	408
001-17-516-1-2200	RETIREMENT EXPENSE	$	6,409
001-17-516-1-2400	WORKERS COMP	$	(157)
001-17-516-3-4500	LIABILITY INSURANCE	$	650
001-17-516-3-4620	EQUIPMENT MAINTENANCE	$	400
001-17-516-3-4630	VEHICLE MAINTENANCE	$	(400)
001-18-519-8-6351	BOAT RAMP PARKING IMPROVEMENTS	$	7,515
001-26-579-3-4320	ELECTRICITY	$	(300)
001-26-579-3-4500	LIABILITY INSURANCE	$	(2,195)
001-26-579-3-4610	BUILDING MAINTENANCE	$	442
001-26-579-3-5280	OPERATING SUPPLIES	$	(142)
001-83-581-9-9900	OPERATING CASH RESERVE	$	(18,492)
001-83-581-9-9901	EVIDENCE FUND RESERVE	$	(22,682)
001-83-581-9-9902	LOT DEMOLITION/CLEANUP RESERVE	$	150
001-83-581-9-9905	IMPACT FEES-SCHOOL BOARD RESERVE	$	(4,260)
001-83-581-9-9907	BETTER PLACE RESERVE	$	286,610
001-83-581-9-9909	SPECIAL CEMETERY RESERVE	$	3,325
001-83-581-9-9910	SPECIAL POLICE RESERVE	$	9,450
001-83-581-9-9913	FIRE PUBLIC EDUCATION RESERVE	$	(400)
	TOTAL EXPENDITURES AMENDED:	**$**	**241,226**

3. That the revenues of the City of Palatka Airport Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

REVENUES:		Recommended
Revenue Number	*Description*	Amendments
005-00-301-0-0000	OPERATING CASH BALANCE FORWARD	$ (86,764)
005-00-302-0-0000	SURPLUS LAND BALANCE FORWARD	$ (20,925)
005-00-389-2-8100	FAA RUNWAY 9/27 21-2011	$ 159,862
005-00-389-3-8500	FDOT GRANT AQ799	$ 4,207
005-00-389-3-8900	FDOT GRANT AQG14	$ 52,268
	TOTAL REVENUES AMENDED:	**$ 108,648**

4. That the expenditures of the City of Palatka Airport Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

EXPENDITURES:		Recommended
Expenditure Number	*Description*	Amendments
005-05-542-1-2400	WORKERS COMP	$ (484)
005-05-542-3-4500	LIABILITY INSURANCE	$ 3,827
005-05-542-6-6280	RUNWAY 9-27 FDOT-AQ799 FAA-21 2011	$ 168,276
005-05-542-6-6285	MAIN ACCESS ROAD REHAB AQ614	$ 52,268
005-05-542-9-9100	REIMB GENERAL FUND-ADMIN EXP	$ (15,000)
005-05-542-9-9900	CONTINGENCY/RESERVE	$ (100,239)
	TOTAL EXPENDITURES AMENDED:	**$ 108,648**

5. That the revenues of the City of Palatka Tax Increment Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

REVENUES:		Recommended
Revenue Number	*Description*	Amendments
030-00-301-0-0001	DOWNTOWN REDEVELOPMENT FORWARD	$ (4,269)
030-00-311-0-3100	DOWNTOWN REDEV COUNTY SHARE	$ (252)
030-00-311-0-3110	DOWNTOWN REDEV CITY SHARE	$ (269)
030-00-311-0-3200	SOUTH HISTORIC COUNTY SHARE	$ (1,209)
030-00-311-0-3220	SOUTH HISTORIC CITY SHARE	$ (1,294)
030-00-311-0-3300	NORTH HISTORIC COUNTY SHARE	$ (568)
030-00-311-0-3330	NORTH HISTORIC CITY SHARE	$ (608)
	TOTAL REVENUES AMENDED:	**$ (8,469)**

6. That the expenditures of the City of Palatka Tax Increment Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

EXPENDITURES:		Recommended
Expenditure Number	*Description*	Amendments
030-30-580-3-3103	SECOND SATURDAY DOWNTOWN TRUCK & JEEP RALLIES	$ (2,534)
030-30-580-3-3106	MAINSTREET MANAGER	$ 46,912
030-30-580-9-9102	REIMB GENERAL-MAINSTREET MANAGER SALARY	$ (44,378)
030-30-580-9-9901	CONTINGENCY/RESERVE-DOWNTOWN	$ (4,790)
030-30-580-9-9902	CONTINGENCY/RESERVE-SOUTH HISTORIC	$ (2,503)
030-30-580-9-9903	CONTINGENCY/RESERVE-NORTH HISTORIC	$ (1,176)
	TOTAL EXPENDITURES AMENDED:	**$ (8,469)**

7. That the revenues of the City of Palatka Water Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

REVENUES:		Recommended
Revenue Number	*Description*	Amendments
041-00-301-0-0100	CASH BALANCE FOWARD	$ (189,841)
041-00-301-0-0101	WATER IMPACT FEES BALANCE FORWARD	$ 4,560
041-00-301-0-0102	SEWER IMPACT FEES BALANCE FORWARD	$ 11,068
041-00-361-1-4000	INTEREST-2004 CLEAN WATER SRF	$ 2
041-00-361-1-6000	INTEREST-SERIES 2010A SINKING FUND	$ 8
041-00-369-9-3000	INSURANCE CLAIMS-WATER	$ 5,450
	TOTAL REVENUES AMENDED:	**$ (168,753)**

8. That the expenditures of the City of Palatka Water Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

EXPENDITURES:		Recommended
Expenditure Number	*Description*	Amendments
041-11-533-1-2400	WORKERS COMP	$ (1,254)
041-11-533-3-3120	PHYSICALS	$ 125
041-11-533-3-4500	LIABILITY INSURANCE	$ 36,573
041-11-533-3-5280	OPERATING SUPPLIES	$ (125)
041-11-533-6-6380	WELL UPGRADES	$ (183)
041-11-533-6-6400	CAPTIAL OUTLAY	$ 183
041-12-535-1-2400	WORKERS COMP	$ (951)
041-12-535-3-4500	LIABILITY INSURANCE	$ 8,720
041-13-536-1-2400	WORKERS COMP	$ (1,762)
041-13-536-3-4200	POSTAGE AND FREIGHT	$ 20
041-13-536-3-4500	LIABILITY INSURANCE	$ (1,099)
041-13-536-3-4610	BUILDING MAINTENANCE	$ 75
041-13-536-3-4620	EQUIPMENT MAINTENANCE	$ 12,037
041-13-536-3-5280	OPERATING SUPPLIES	$ (95)
041-29-536-1-2400	WORKERS COMP	$ (17)
041-29-536-3-3100	PROFESSIONAL SERVICES	$ 6,700

041-29-536-3-4500	LIABILITY INSURANCE	$	1,741
041-29-536-3-5280	OPERATING SUPPLIES	$	(400)
041-29-536-9-9901	CONTINGENCY/RESERVE	$	(244,669)
041-29-536-9-9903	WATER IMPACT FEE CONTINGENCY/RESERVE	$	4,560
041-29-536-9-9904	SEWER IMPACT FEE CONTINGENCY/RESERVE	$	11,068
	TOTAL EXPENDITURES AMENDED:	**$**	**(168,753)**

9. That the revenues of the City of Palatka Golf Course Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

REVENUES:

Revenue Number	*Description*	**Recommended Amendments**	
042-00-301-0-1000	CASH BALANCE FORWARD	$	(40,483)
042-00-366-0-0001	DONATION FROM PMGA	$	3,500
	TOTAL REVENUES AMENDED:	**$**	**(36,983)**

10. That the expenditures of the City of Palatka Golf Course Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

EXPENDITURES:

Expenditure Number	*Description*	**Recommended Amendments**	
042-16-572-3-4500	LIABILITY INSURANCE	$	(11,930)
042-16-572-3-4650	IRRIGATION SUPPLIES	$	3,500
042-16-572-3-4690	OVERSEEDING	$	4,700
042-16-572-3-5270	CHEMICALS AND FERTILIZERS	$	(4,700)
042-24-572-3-4500	LIABILITY INSURANCE	$	(22,160)
042-24-572-9-9900	CONTINGENCY/RESERVE	$	(6,393)
	TOTAL EXPENDITURES AMENDED:	**$**	**(36,983)**

11. That the revenues of the City of Palatka Sanitation Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

REVENUES:

Revenue Number	*Description*	**Recommended Amendments**	
043-00-302-0-0000	CASH BALANCE FORWARD	$	(126,988)
	TOTAL REVENUES AMENDED:	**$**	**(126,988)**

12. That the expenditures of the City of Palatka Sanitation Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

EXPENDITURES:

Expenditure Number	*Description*	**Recommended Amendments**	
043-10-517-7-7110	LOAN #281 SANIT TRK	$	2,680
043-10-517-7-7210	LOAN #281 SANIT TRK	$	18

043-10-534-1-2400	WORKERS COMP	$	(3,691)
043-10-534-3-4400	RENTALS AND LEASES	$	573
043-10-534-3-4500	LIABILITY INSURANCE	$	(7,923)
043-10-534-3-5280	OPERATING SUPPLIES	$	(287)
043-10-534-3-5290	GARBAGE CONTAINERS/DUMPSTERS	$	(286)
043-10-534-9-9900	CONTINGENCY/RESERVE	$	(116,623)
043-28-534-1-2400	WORKERS COMP	$	(352)
043-28-534-3-4500	LIABILITY INSURANCE	$	(1,097)
	TOTAL EXPENDITURES AMENDED:	**$**	**(126,988)**

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 14th day of February, 2013.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM
AND CORRECTNESS:

_____

CITY ATTORNEY

Agenda Item

6

CITY of Palatka FLORIDA

AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka adopting Tax Increment Fund Budget Amendments F/Y 2012-13

DEPARTMENT: City Hall

ATTACHMENTS: ☐ Ordinance ☒ Resolution ☐ Motion
☐ Support Documents ☐ Other

SUMMARY: On 2/14/13 Staff will ask the CRA to approve budget amendments requested by the South Historic Neighborhood Association during its October 15, 2012 and January 21, 2013 Association meetings. The amendments were requested as follows:

- Add $2,000 for UF Master Planning Expenses
- Add $500.00 for Homes & Gardens tour promotion expenses
- Deduct $2,500.00 from contingency/Reserve for South Historic TIF District to cover these additions to the TIF Budet

RECOMMENDED ACTION: Adopt resolution No. 2013-9-79 amending the FY 2012-13 Budget s to cover the South Historic District Neighborhood Association's requested Tax Increment Financing Fund expenditures

DEPARTMENT HEAD	Submitted: Jonathan Griffith Requested Agenda: CC Regular	Date: 2-6-13 Date: 2-14-13
FINANCE DEPARTMENT	Budgeted ☐ Yes ☐ No ☐ N/A	Date: _____
CITY ATTORNEY	Approved as to Form and Correctness	Date: _____
CITY MANAGER	Approved Agenda Item For:	Date: 2/7/13

COMMISSION ACTION: ☐ Approved as Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled To Time Certain
☐ Other

DISTRIBUTION: ☐CA ☐CC ☐CM ☐CD ☐FI ☐FD ☐GC ☐HR ☐MD ☐PD ☐PR ☐UD

RESOLUTION No. 2013 - 9 - 79

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AMENDING THE FY 2012-2013 BUDGET

WHEREAS, the City of Palatka deems it reasonable and necessary to amend the FY 2012-2013 budget.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida:

1. That the expenditures of the City of Palatka Tax Increment Fund Budget for the Fiscal Year 2012-2013 are amended as follows:

EXPENDITURES:		**Recommended**
Expenditure Number	*Description*	**Amendments**
030-31-580-3-3101	UNIVERSITY OF FLORIDA MASTER PLANNING	$ 2,000
030-31-580-3-3102	HOMES & GARDENS TOUR PROMOTIONS	$ 500
030-30-580-9-9902	CONTINGENCY/RESERVE-SOUTH HISTORIC	$ (2,500)
	TOTAL EXPENDITURES AMENDED:	**$ -**

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 14th day of February, 2013.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

_____

CITY ATTORNEY

Agenda Item 7

CITY COMMISSION AGENDA ITEM

SUBJECT: RESOLUTION OF CITY OF PALATKA, FLORIDA AUTHORIZING THE EXECUTION OF A CERTIFIED LOCAL GOVERNMENT AGREEMENT WITH THE STATE DIVISION OF HISTORICAL RESOURCES AND THE NATIONAL PARK SERVICE, RECOGNIZING THE CITY'S COMMITMENT TO HISTORIC PRESERVATION

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: _____Ordinance _____Resolution X____Motion
X____Support Documents X____Other

SUMMARY:
This is an agreement (attached) between the City, the State Historic Preservation Office, and the National Park Service that recognizes the City's commitment to historic preservation. Certified Local Government (CLG) status provides the City with opportunities for preservation-related survey, education, and planning grant funding as well as a strong technical assistance component in return for the City having an active preservation program. This program includes local historic districts and a defined level of recognition and protection for properties within such districts, as well as an active historic preservation board and design review by such a board for new development and exterior renovations in historic districts. The City already has such a program, and has also revised its preservation ordinance to meet CLG requirements. The Commission adopted a resolution last August to support Palatka's CLG application. The Agreement must be signed by the Mayor.

RECOMMENDED ACTION: Resolution No. 2013-9-80 - Adopt
Authorize the Mayor and City Clerk to execute and attest a Certified Local Government agreement between the City, Florida Division of Historical Resources, and the National Park Service

DEPARTMENT HEAD	Submitted: Thad Crowe TC	Date: 2/1/2013
	Requested Agenda Regular	Date: 2/14/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No X N/A AHL	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For: (MW)	Date: 2/4/13

COMMISSION ACTION:
___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

RESOLUTION NO. 2013 – 9 - ____

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THE NECESSARY DOCUMENTS FOR CERTIFIED LOCAL GOVERNMENT PROGRAM APPLICATION AND ENTERING INTO AN AGREEMENT WITH THE STATE OF FLORIDA DIVISION OF HISTORIC RESOURCES AND THE NATIONAL PARK SERVICE THROUGH THE CERTIFIED LOCAL GOVERNMENT PROCESS, WHICH RECOGNIZES AND COMMITS THE CITY TO AN ACTIVE HISTORIC PRESERVATION PROGRAM

WHEREAS, the City of Palatka, Florida finds that the preservation and regulation of historic and archaeological resources within the City will preserve the character and history of the City, for the benefit of current and future generations; and

WHEREAS, the City has determined that the protection and preservation of resources of historical, architectural, and archaeological value are public purposes and are essential to the health, safety and economic, educational, cultural and general welfare of the public; and

WHEREAS, the City Commission desires to enter into a Certified Local Government Agreement (the "Agreement") with the State of Florida, Department of State, Division of Historical Resources (the "Department"), attached as Exhibit "A," in order to participate more fully in various federal historic preservation programs; and

WHEREAS, the City Commission finds that the approval of the Agreement and any related necessary documents pertaining to the Certified Local Government Program (the "Program") is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF PALATKA, FLORIDA That the Mayor and the City Clerk are hereby authorized and directed to execute that certain application to the Florida Department of State, Division of Historical Resources for Certified Local Government status to assist the City of Palatka in meeting the historic preservation goals of its comprehensive plan as required by State law.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, this 14th day of February, 2013.

CITY OF PALATKA, FLORIDA

By: _____
Its Mayor

ATTEST:

_____
CITY CLERK

EXHIBIT "A"

CERTIFIED LOCAL GOVERNMENT AGREEMENT

This Agreement by and between the State of Florida, Department of State, Division of Historical Resources (Department), and the City of Palatka (City), relative to the Certified Local Government Program (Program) is entered into this _____ day of _____, 2013.

The protection and preservation of resources of historical, architectural, and archaeological value are public purposes and are essential to the health, safety and economic, educational, cultural and general welfare of the public.

This Agreement is for the purpose of implementing the Program in the City so the local government can participate more fully in the federal historic preservation program.

Under the Code of Federal Regulations, Title 36, Part 61, "Procedures for Approved State and Local Government Historic Preservation Programs," it is the responsibility of the Department, serving as the State Historic Preservation Office, to administer the Program in Florida and to enter into this Agreement.

The Florida Certified Local Government Guidelines (Guidelines), which are attached and are made a part of this Agreement, prescribe the minimum requirements established for the Program.

The City has made application to the Department for participation in the Program. The application has been evaluated by the Department and, on the basis of that evaluation, has verified that the City meets all federal requirements for certification as a Certified Local Government.

Therefore, the City is hereby certified for participation in the Program.

The Department and the City hereby agree as follows:

1. The Department shall provide the following general services:

    a. Provide access to the Florida Master Site File to assist the City in maintaining a local inventory of historic resources.

    b. Designate a staff member to handle communication between the City, the Department and the National Park Service.

    c. Offer training at the initiation of the Program for the City Historic Preservation Board and staff supporting the local Program.

2. The Department shall perform the following services as specified in the Guidelines:

    a. Provide technical assistance regarding changes to or improvement of local landmark legislation.

    b. Provide technical assistance in the development of a system for survey and inventory activity including, but not limited to: site identification, site evaluation, survey method, and record keeping.

    c. As long as federal law requires, reserve at least 10% of the state's annual Federal Historic Preservation Fund Grant for award to Certified Local Governments on a competitive basis and notify Florida Certified Local Governments of the availability of these funds as per Section C.3.a. of the Guidelines.

d. Receive and process applications from Florida Certified Local Governments for matching grants-in-aid from the 10% set aside funds as specified in Section C.3.b.-h of the Guidelines. Solicitation, selection, award and administration of such grants shall be in accordance with Chapter 267, Florida Statutes, Chapter 1A-35, Florida Administrative Code, and all applicable federal laws and regulations.

e. Notify the City of and adhere to specified time frames for all National Register activities affecting properties within its jurisdiction as specified in Section C.4 of the Guidelines.

f. Per Section C.2. of the Guidelines, monitor the City's performance and make every effort to assist the City in complying with the requirements of the Program. Monitoring includes review of grant fund allocations, review of annual reports, and other reviews as necessary and appropriate.

g. Provide an evaluation of the local program upon completion of review of the annual report. Methods to enhance local program effectiveness shall be identified.

h. Initiate and pursue the recertification process when appropriate as per Section C.2.i.-m of the Guidelines.

3. The City shall generally follow a public policy of protecting, preserving, and planning for the protection and preservation of resources of historical, architectural, and archaeological value within its jurisdiction. It shall perform the following duties in accordance with and as specified in the Guidelines:

a. Enforce appropriate state or local legislation for the designation and protection of historic properties as per Section B.1 of the Guidelines.

b. Establish, by local law, a Historic Preservation Review Commission (Commission) composed of professional and lay members, as per Section B.2 of the Guidelines.

c. Develop and maintain a system for the survey and inventory of historic properties as per Section B.3 of the Guidelines.

d. Provide for public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register, per Section B.4. of the Guidelines.

e. Perform other responsibilities delegated to it in Section B.5 of the Guidelines.

f. Establish a formal procedure by ordinance, or by appropriate administrative action, whereby all proposed National Register nominations are reviewed by the Commission in accordance with Section C.4 of the Guidelines.

g. Submit an annual report of Certified Local Government activities and other such information pursuant to Sections C.2.(e) and (f) of the Guidelines.

h. Permit periodic reviews of Certified Local Government activities and documents by the State Historic Preservation Office, with at least 30 days advance notice, per Section C.2.c of the Guidelines.

4. This instrument embodies the whole Agreement of the parties. There are no provisions, terms, conditions, or obligations, other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto. No change or addition to this Agreement shall be effective unless in writing and properly executed by the parties.

5. If the local government named herein is decertified by the Department, this Agreement shall be terminated.

The Department and the City have read this Agreement and have affixed their signatures.

DEPARTMENT OF STATE

_____

Robert F. Bendus
State Historic Preservation Officer

CITY OF PALATKA
201 North 2nd Street
Palatka, Florida 32177

_____

Vernon Myers, Mayor
City of Palatka

FLORIDA CERTIFIED LOCAL GOVERNMENTS
As of October 18, 2012

City of Auburndale
Certification Date: March 7, 1994

City of Bonita Springs
Certification Date: September 30, 2010

City of Boynton Beach
Certification Date: October 9, 2012

Clay County
Certification Date: November 12, 1998

Collier County
Certification Date: September 6, 1994

City of Coral Gables
Certification Date: November 30, 1986

City of Daytona Beach
Certification Date: March 7, 2011

City of DeLand
Certification Date: May 24, 1995

City of Delray Beach
Certification Date: November 22, 1988

Town of Eatonville
Certification Date: October 6, 1997

City of Eustis
Certification Date: June 24, 1997

City of Fernandina Beach
Certification Date: May 28, 2002

City of Fort Myers
Certification Date: March 7, 1995

City of Fort Lauderdale
Certification Date: September 30, 2010

City of Fort Pierce
Certification Date: July 19, 2001

City of Fort Walton Beach
Certification Date: October 23, 2007

City of Gainesville
Certification Date: February 6, 1986

City of Gulfport
Certification Date: September 2, 1997

Highlands County
Certification Date: May 17, 1999

Hillsborough County
Certification Date: April 15, 1994

City of Hollywood
Certification Date: August 28, 1995

City of Homestead
Certification Date: November 10, 1992

Village of Islamorada
Certification Date: February 19, 2008

City of Jacksonville
Certification Date: August 8, 1994

Town of Jupiter
Certification Date: January 9, 2001

City of Key West
Certification Date: June 12, 1991

City of Kissimmee
Certification Date: May 1, 2002

Town of Lake Park
Certification Date: June 8, 1999

City of Lake Worth
Certification Date: November 8, 1997

City of Lakeland
Certification Date: May 24, 1989

Lee County
Certification Date: May 9, 1990

City of Leesburg
Certification Date: May 18, 1998

City of Melbourne
Certification Date: February 19, 2008

City of Miami
Certification Date: January 10, 1986

City of Miami Beach
Certification Date: May 14, 2002

Miami-Dade County
Certification Date: March 12, 1987

Town of Micanopy
Certification Date: June 16, 1997

Monroe County
Certification Date: December 4, 2001

FLORIDA CERTIFIED LOCAL GOVERNMENTS
As of October 18, 2012

City of Mount Dora
Certification Date: April 20, 1998

City of New Smyrna Beach
Certification Date: August 27, 1986

City of Newberry
Certification Date: October 23, 2007

City of Ocala
Certification Date: May 6, 1987

City of Orlando
Certification Date: February 24, 1989

Palm Beach County
Certification Date: November 12, 1993

Town of Palm Beach
Certification Date: September 6, 1989

City of Plant City
Certification Date: August 1, 1995

City of Pompano Beach
Certification Date: March 12, 2002

City of Quincy
Certification Date: December 10, 2001

City of Sanford
Certification Date: July 2, 1997

City of Sarasota
Certification Date: October 19, 1987

Sarasota County
Certification Date: November 2, 1998

City of St. Augustine
Certification Date: January 30, 1986

City of St. Pete Beach
Certification Date: August 23, 2005

City of St. Petersburg
Certification Date: January 28, 1986

City of Tallahassee/Leon County
Certification Date: June 11, 1987

City of Tampa
Certification Date: December 30, 1988

City of Tarpon Springs
Certification Date: May 24, 1999

Volusia County
Certification Date: July 24, 2009

Town of Welaka
Certification Date: April 13, 2000

City of West Palm Beach
Certification Date: August 12, 1992

Town of Windermere
Certification Date: April 12, 1994

Benefits of the CLG Program

Across Florida, communities are taking action to preserve their unique historic character. The Florida Certified Local Government (CLG) Program, a local, state and federal partnership, can be a source of support and guidance in your historic preservation efforts. Since its inception in 1986, Florida's CLG Program has assisted in the survey, designation and preservation of thousands of historic and archaeological resources. Awareness of the importance of historic preservation has also been enhanced statewide through the program.

The Florida CLG Program recognizes the greatest legal power to preserve lies with the local government. An effective local historic preservation program begins with the enactment of an historic preservation ordinance and the creation of a qualified historic preservation board. Here, in Florida the CLG Program can help ensure that your preservation program will be the strongest possible preservation tool for your community.

Designation as a Certified Local Government brings a number of benefits. In addition to affirming your community's commitment to historic preservation, CLGs may:

- Receive technical assistance and training, both on-site and at regional meetings, for staff and the members of their historic preservation boards;
- Have a formal comment role in the National Register nomination process for properties within their jurisdiction;
- Compete for special historic preservation matching grant funds set aside only for Certified Local Governments. Funding is available for projects such as surveys to identify and evaluate significant historic properties, preparation for National Register nominations and development of preservation education materials such as booklets and brochures; and
- Conduct project reviews for Florida's local option property tax exemption program (project reviews in communities that are not CLGs must conducted by the Division of Historical Resources). The exemption is available for qualified improvements to historic properties listed in the National Register and/or designated by a CLG.

CLG Requirements

- Provide the State Historic Preservation Officer with thirty days prior notice of all meetings.
- Submit minutes of each meeting to the State Historic Preservation Officer within thirty days.
- Submit records of attendance of the Review Commission to the State Historic Preservation Officer within thirty days after each meeting.
- Submit public attendance figures for each meeting to the State Historic Preservation Officer within thirty days of action.
- Notify the State Historic Preservation Officer immediately of all new historic designations or alterations to existing designations.
- Notify the State Historic Preservation Officer of changes in Review Commission membership within thirty days.
- Submit amendments to local ordinance to the State Historic Preservation Officer for review and comment at least thirty days prior to adoption.
- Submit an annual report by November 1 covering previous October 1 through September 30.

A Preservation Ordinance:

- Provides a municipal policy for the protection of historic properties.
- Establishes an Objective and *Democratic* process for designating historic properties.
- Protects the integrity of designated Historic Properties with design review requirements.

- Authorizes Design Guidelines for new development within Historic Districts to ensure that it is not destructive to the area's Historic character.
- Stabilizes declining neighborhoods and protects and enhances property values.

A Preservation Ordinance DOES NOT:

- Require permission to paint your house or review color selection.
- Require that Historic Properties be opened for tours.
- Restrict sale of property.
- Require improvements, changes, or restoration of your property.
- Require approval of interior changes or alterations.
- Prevent new construction within Historic areas.
- Require approval for ordinary repair or maintenance.

CLGs and National Register Nominations

As part of the partnership between state and local governments, federal regulations require that nomination proposals be reviewed by Certified Local Government (CLG) historic preservation boards before they can be presented to the Florida National Register Review Board. In order to facilitate the review of nominations for properties that lie within the jurisdiction of a CLG, and to conform with federal regulations concerning the required notifications and review, the following procedures will be followed:

- The Bureau of Historic Preservation will advise the CLG when someone inquires about proposing the nomination of a property which lies within the CLG's jurisdiction:
- When a nomination proposal is not initially submitted by the CLG, the Bureau will send a copy of the proposal to the CLG for its review. The CLG's historic preservation board and the chief local official will have 60 days to comment. If both the CLG board and chief local official do not consider the property to be eligible for listing in the National Register, the proposal will not be submitted to the Florida National Register Review Board. If only one, either the preservation board or the local official, does not consider the property to be eligible, the proposal may be submitted to the Florida National Register Review Board. If comments are not received by the end of the 60 day review period, the Bureau may schedule the proposal for review by the review board.

Working with Local Government

- Meet with your Mayor and Council at least once a year and update them on your activities, concerns and problems.
- Request that a member of the council be appointed to serve as a liaison with the Preservation Commission.
- Get to know the other commissions and boards that serve the community as part of local government, such as the planning commission, zoning appeals, etc.
- Print an annual report of the activities of the commission emphasizing success stories and new programs.
- Learn how the commission can work with the housing administrator or block grant administrator in your community to integrate preservation with projects serving low-income or elderly individuals.
- Meet with your fire inspector to discuss the commission's concerns regarding the protection of historic properties.
- Ensure that zoning ordinances, sign ordinances, etc., do not conflict with the design guidelines for landmarks and historic districts.
- Meet with the Director of Public Works to ensure that all public improvements in historic districts are reviewed by the commission.

- Meet with your city attorney *before* your commission runs into problems. Ask him/her to attend a meeting and critique it for proper procedural methods.

Commission Procedures and Guidelines

- Always have a printed agenda posted in a public place prior to the beginning of the commission meeting.
- Keep accurate minutes and records of all commission activities specifically outlining each case and the reason the application was approved or denied.
- Commission members should never speak on behalf of the commission.. Advise applicants on "the likelihood of approval" of applications outside of the public hearing.
- Require an accurate representation of the applicant's request, sufficient enough to make an informed decision about the case.
- Always keep your elected officials and other boards and commissions informed of the role and responsibilities of the preservation commission.
- The commission chair should maintain order at all meetings and always allow relevant public comment.
- As a commission member, avoid any appearance of a conflict of interest due to personal, social or financial gain in any case.
- All commission decisions for designation or certificates of appropriateness must be based only on the review criteria in the ordinance.
- All commission decisions must be based on a finding of fact that should be stated as part of the motion to approve or deny any application.
- Refer to your preservation ordinance often if you are a commission member; it should be the basis for all actions.

Do's and Don'ts for Commission Members
Do:

- Read your community's historic preservation ordinance and refer to it often. Make special note of the purposes of the ordinance.
- Be friendly with all applicants and leave them with a good impression of the local government process.
- Use the specific criteria outlined in the ordinance for designating districts and/or landmarks when making designations.
- Use the design guidelines in the ordinance when making a decision on the appropriateness of a building alteration.
- review each application as a separate case and apply the ordinance's criteria each time.

Do Not:

- Apply your idea of what is "pretty" or "in good taste" to decide if a proposed alteration is appropriate.
- Require a design of all new buildings, alterations or additions to follow a particular theme or architectural style.
- Embarrass the applicant by criticizing his/her application openly in the meeting or in the media.
- Turn down an application without giving the applicant specific guidance as to how the application could be improved to meet the criteria of the ordinance.
- Be afraid to ask the applicant for more information if the application is incomplete or if there is not enough information to make a decision.

Agenda Item

8a

CITY COMMISSION AGENDA ITEM

SUBJECT: ORDINANCE ANNEXING PROPERTY LOCATED 100 KELLEY SMITH SCHOOL AND 119, 121 ROUND LAKE ROAD (NORTHWEST CORNER OF KELLEY SMITH SCHOOL ROAD AND ROUND LAKE ROAD) – 1ST READING

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: _X_ Ordinance ___ Resolution ___ Motion
_X_ Support Documents ___ Other

SUMMARY:
This is an administrative request on behalf of the property owner with property contiguous to the city limits who has voluntarily requested to annex into the City. There is a companion rezoning action and Future Land Use Map amendment for the property for consideration at this meeting. The 1.22-acre property is located at the northwest corner of Kelley Smith School Road and Round Lake Road and has three duplexes. The owner has requested City water.

The Planning Board recommended approval of this item at their January 8, 2012 meeting.

RECOMMENDED ACTION:
Pass ordinance on first reading

DEPARTMENT HEAD	Submitted: Thad Crowe TC	Date: 1/9/2013
	Requested Agenda Regular	Date: 1/24/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No X N/A MM	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For: N	Date: 2/4/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

This instrument prepared by:
Thad Crowe, AICP
City of Palatka
201 N. 2nd St.
Palatka, FL 32177

ORDINANCE NO. 13 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 100 KELLEY SMITH SCHOOL ROAD AND 119, 121 ROUND LAKE ROAD, LOCATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:

Section 1.

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of Billy S. and Betty J. Russ, and

WHEREAS, Chapter 171.044, Florida Statutes, permits the voluntary annexation of unincorporated areas lying adjacent and contiguous to the boundaries of the City of Palatka, and

WHEREAS, the City Commission of the City of Palatka finds that it is in the best interest of the people of the City of Palatka, Florida, that said lands be annexed and become a part of the City of Palatka;

Section 2. NOW THEREFORE, be it enacted by the people of the City of Palatka, Florida, that the following described unincorporated lands lying adjacent and contiguous to the boundaries of the City of Palatka, Florida shall henceforth be deemed and held to be within the corporate limits of the City of Palatka, Florida said lands being described as follows:

DESCRIPTION OF PROPERTY:
PT OF W1/2 OF E1/2 OF SECOR843 P1713 (EX OR843 PP17171720 1723 1726 1729)(LOT 16) (Being 119, 121 Round Lake Road and 100 Kelley Smith School Road / tax parcel # 16-10-26-0000-0030-0016)

Section 3. The property hereby annexed shall remain subject to the Putnam County Comprehensive Plan and Zoning Laws until changed by the City of Palatka.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 28th day of February, 2013.

CITY OF PALATKA

BY:_____

Its Mayor
ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

_____
City Attorney

CITY OF PALATKA
PLANNING BOARD MINUTES – DRAFT COPY
January 8, 2013

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Joe Pickens, George DeLoach, Judith Gooding, Anthony Harwell and Lavinia Moody. **Members absent:** Earl Wallace and Joe Petrucci. **Also present**: Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Mr. Motion was made by Mr. Sheffield and seconded by Ms. Moody to have the minutes for the December 4, 2012 meeting be brought back to the February, 2013 meeting with additional comments from Mr. Harwell for consideration. All present voted affirmative, motion carried.

Chairman Stewart read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

NEW BUSINESS

Case 12-66: Annex, amend the Future Land Use Map from Putnam County UR to RM and Rezone from Putnam County R-3 to City R-3.

Location: 100 Kelley Smith School Rd. and 119 and 121 Round Lake Rd.
Parcel No.: 09-10-26-0000-0340-0090
Owner(s): Billy S. & Betty J. Russ

Mr. Crowe explained that this parcel is located at the intersection of Kelley Smith School Rd. and Round Lake Rd. and that there are three duplexes on the site. He added that staff is proposing Residential Low Density because this designation allows for two-family uses and that the Residential Medium Density category is too intense. With the current density of this property, R-2 would also be an appropriate zoning designation as well. He stated that this request meets Comprehensive Plan and rezoning criteria and he recommended approval of the request.

Motion made by Mr. Sheffield and seconded by Mr. Pickens to approve the request to annex, amend the Future Land Use and Zoning designations as recommended by staff. All present voted affirmative, motion carried.

Case 12-65 Request to amend the Zoning Code Section 94-149 to allow flea markets in the C-2 zoning district through the conditional use process.

Applicant: The Palatka Market, Chad Dennis

Mr. Crowe explained that there is an existing flea market located on Reid Street that is currently in violation of the Zoning Code. The operator, Mr. Dennis, has requested to amend the zoning code to allow this type of non-temporary outdoor sales. Given the state of the economy and the need to encourage small businesses, Staff's thought was to allow this use in a limited manner through the conditional use process, with development standards to control the appearance and function of such activities. He added that currently the zoning code allows for five types of outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale, 2) seasonal goods sale, limited

Case 12-66: 100 Kelley Smith School Rd. and 119, 121 Round Lake Rd.
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: December 21, 2012

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To annex, amend FLUM, and rezone the following properties as noted below. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). City departments had no objections to the proposed actions.

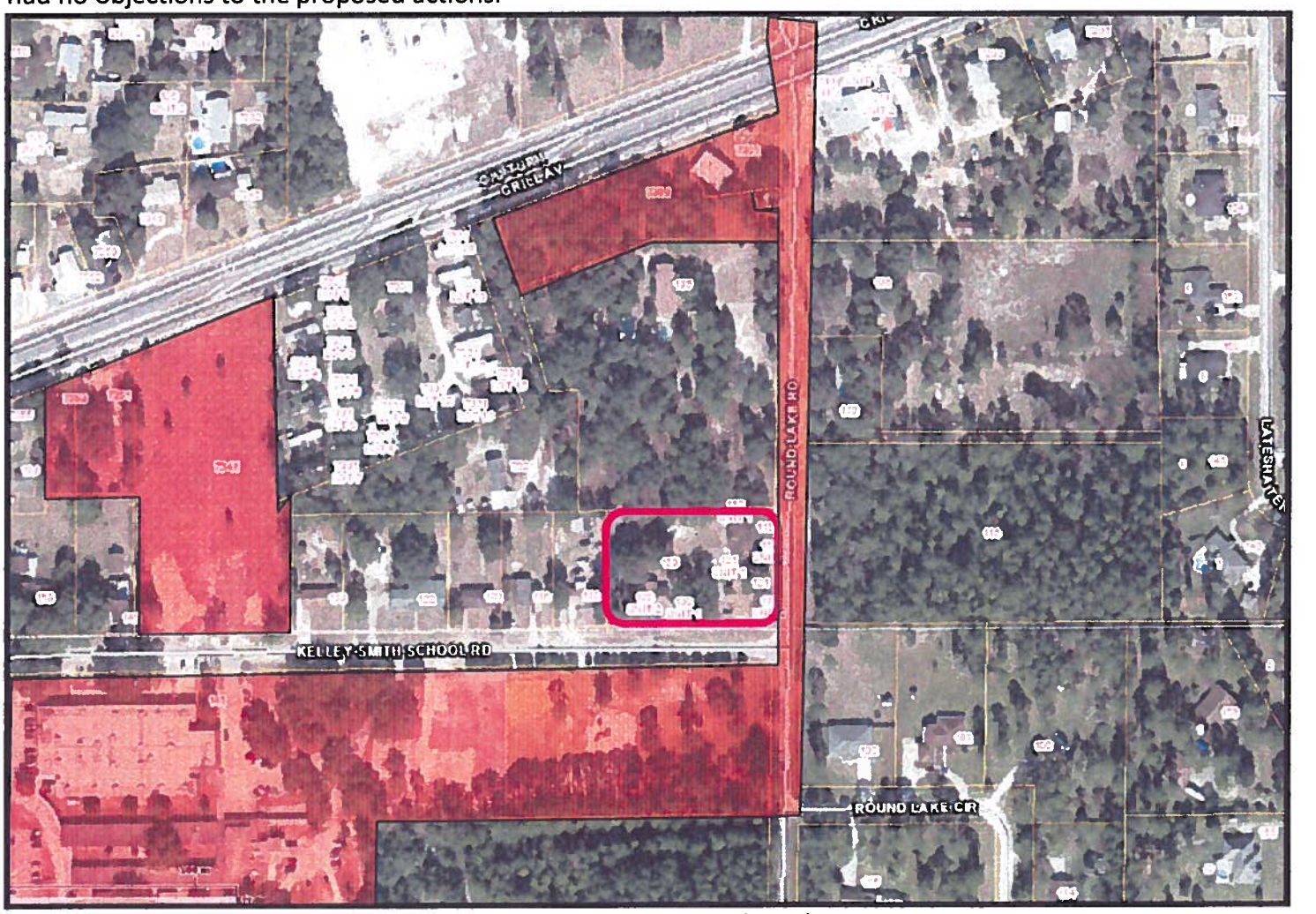


Figure 1: Site and Vicinity Map (red shaded area represents city limits)

Figure 2: 119, 121 Round Lake Road (above)

Figure 3: 100 Kelley Smith School Road (below)

APPLICATION BACKGROUND

The properties under consideration currently have a County mixed-use Future Land Use Map (FLUM) designation and multi-family zoning. There are three duplexes on the property.

The properties and their current and proposed FLUM and zoning classifications are shown below.

Table 1: Current and Proposed Future Land Use Map and Zoning designations

Future Land Use Map Category		Zoning	
Current Putnam Co.	**Proposed City**	**Current Putnam Co.**	**Proposed City**
UR (Urban Reserve)	RL (Residential Low)	R-3 (Residential-6 units per acre)	R-3 (Single-family Residential)

The Putnam County Health Department has required the property owner to hook up to City water due to their rule that properties must hook up to City water instead of replacing or deepening wells when they are within 250 feet of a city water line. The City's Comprehensive Plan requires that when properties receiving city water are contiguous to city limits they must annex into the City. Staff is presenting these applications as

administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Hardship. Most property owners annexing into the City do so because they are compelled to due to the failure of septic tanks or wells and the Health Dept. requirement that they hook up to city utilities when such lines are within 250 feet of the property. The cost of hooking up to City utilities approaches up to $6,000 depending on whether both water and sewer are required. The additional $1,130 for the FLUM amendment and rezoning is an additional burden. Staff has reduced the costs of this legal advertisement by combining these properties into one ad. The taxes collected from such properties will defray the administrative expense fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.
3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

Florida Statute 171.044 references voluntary annexation requirements and requires that property proposed for annexation must meet two tests. First, properties must be contiguous to the annexing municipality and second, properties must also be "reasonably compact."

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality's boundary. As indicated in Figure 1, the property is contiguous to the City limits, which are across Kelley Smith Road (statutes do not consider rights-of-way and interrupting contiguity).

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the properties meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave that is present between Kelley Smith Elementary School on the south and properties within the City north of Crill Avenue.

Future Land Use Map Amendment Analysis

Criteria for consideration of comprehensive plan amendments under F.S. 163-3187 are shown in italics below (staff Comment follows each criterion, and comprehensive plan extracts are underlined).

List Goals, Objectives, and Policies of the Comprehensive Plan that support the proposed amendment.
The proposed amendments are in keeping with the following objective and policies of the Comprehensive Plan, and do not conflict with other plan elements.

Policy A.1.9.3

A. Land Use Districts
1. Residential
Residential land use is intended to be used primarily for housing and shall be protected from intrusion by land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types.
Low Density (1730acres) - provides for a range of densities up to 5 units per acre.
Medium Density (231 acres) - provides for a range of densities up to 10 units per acre.

Staff Comment: the properties are now in the County's Urban Reserve FLUM category (density range of one to four units per acre), which is approximately equivalent to the City's RL (Residential Low Density), which has a density range of one to five units per acre. ***Please note that while the item was advertised for a proposed RM (Residential, Medium Density) FLUM, Staff proposes to revise this downward to the RL (Residential, Low Density) category due to the belief that the 10-units per acre densitiy allowed by the RM FLUM is too intense for this suburban area***. Section 94-111(b) allows the R-2 zoning category within the RL land use category, and the actual density of the three duplexes on the 1.22-acre site comes in just below the top RL density of five units per acre.

Provide analysis of the availability of facilities and services.
Staff Comment: the properties are in close proximity to urban services and infrastructure including city water and sewer lines (both within the Kelley Smith Road right-of-way).

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: The properties are in a residential neighborhood that is suitable for the proposed residential FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, nor of any natural or historic resources on these developed sites.

Provide analysis of the minimum amount of land needed as determined by the local government.
Staff Comment: not applicable, as this is to be determined at the next revision of the overall Comprehensive Plan.

Demonstrate that amendment does not further urban sprawl, as determined through the following tests.

- *Low-intensity, low-density, or single-use development or uses*
- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*
- *Radial, strip, isolated, or ribbon development patterns.*
- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*
- *Development that fails to maximize use of existing and future public facilities and services.*
- *Development patterns or timing that will require disproportional increases in cost of time, money and energy in providing facilities and services.*
- *Development that fails to provide a clear separation between rural and urban uses.*
- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

Staff Comment: the location of these properties within the City's urbanized area ensures that urban services are available. These uses do not represent urban sprawl.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board shall study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff comment follows each criterion).

1) When pertaining to the rezoning of land, the report and recommendations of the planning board to the city commission required by subsection (e) of this section shall show that the planning board has studied and considered the proposed change in relation to the following, where applicable:

a. Whether the proposed change is in conformity with the comprehensive plan.

Staff Comment: as previously noted, the application is supported by the Comprehensive Plan.

b. The existing land use pattern.

Staff Comment: The properties are located in established residential neighborhoods.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

Staff Comment: Rezoning the properties to R-2 provides uniformity to both existing City and County single-family zoning and does not create an isolated zoning district.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Staff Comment: Roadway capacity is available on area roadways and the impacts of these uses on road and utility capacity will be negligible, particularly since the uses are already present.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Staff Comment: See response to c. above.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Staff Comment: One condition that has changed in regard to these properties is the failure or obsolescence of private wells and the ability to tie into a city water line.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

Staff Comment: Rezoning the properties to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Staff Comment: the properties proposed for rezoning are already developed and thus traffic congestion or public safety will not be affected.

i. Whether the proposed change will create a drainage problem.

Staff Comment: No drainage problems are anticipated for these already-existing uses.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.
Staff Comment: The already-developed properties do not have excessive height, density, or intensity to reduce light and air to existing adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent area.
Staff Comment: see response to g. above.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
Staff Comment: based on the previous responses, the changes will not negatively affect the development of adjacent properties.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
Staff Comment: providing a FLUM and zoning designations to properties that are similar to the designation of surrounding properties and are similar to the existing County FLUM and zoning is not a grant of special privilege.

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
Staff Comment: Not applicable as the City residential land use and zoning will be similar as the current County classifications.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
Staff Comment: the properties are not out of scale with the neighborhood and City.

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.
Staff Comment: not applicable.

q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.
Staff Comment: not applicable.

STAFF RECOMMENDATION
As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to RL, and rezoning to R-2 for 100 Kelley Smith School Road and 119 and 121 Round Lake Road.

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA
FLORIDA

MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

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

January 29, 2013

Putnam County Board of County Commissioners
2509 Crill Avenue, Suite 200
Palatka FL 32177

ATTN: The Honorable Nancy Harris, Chairman

To Whom It May Concern:

The City of Palatka hereby provides notice of its intent to hold public hearings on February 14th and 28th, 2013 concerning the adoption of a proposed ordinance annexing the following described properties into its municipal boundaries:

Address	# of Acres	Sec/Township/Range	Ord. #
119 & 121 Round Lake Rd and 100 Kelly Smith Road	1.22	13/10/26	13-12

Attached please find a copy of the public notices, including a map of the properties, which are scheduled to appear in the Palatka Daily News on February 2nd and February 23rd, 2013, as noted. A copy of the Ordinance containing the legal descriptions can be obtained from the Office of the City Clerk at City Hall. This notice is being provided pursuant to FS171.0446.

Please govern yourselves accordingly.

Betsy Jordan Driggers, City Clerk

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Putnam Co Bd of County Commis
ATTN: Nancy Harris, Chm
2509 Crill Avenue, Suite 200
Palatka FL 32177

Annex Round Lk Rd/Kelly Smith Rd

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Yvonne Munn B. Date of Delivery 01/31/13

C. Signature X Yvonne Munn ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7007 0220 0001 1687 1505

PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424

FAX: (386) 329-0106

Agenda Item

8b

CITY COMMISSION AGENDA ITEM

SUBJECT: ORDINANCE REZONING 100 KELLEY SMITH SCHOOL ROAD / 119, 121 ROUND LAKE ROAD (NORTHWEST CORNER OF KELLEY SMITH SCHOOL ROAD AND ROAD LAKE ROAD)– 1ST READING

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: _X_ Ordinance ___ Resolution ___ Motion
_X_ Support Documents ___ Other

SUMMARY:
This is an administrative request on behalf of the property owner with property contiguous to the city limits who has voluntarily requested to annex into the City. There is a companion annexation action and Future Land Use Map amendment for the property for consideration at this meeting. The 1.22-acre property is located at the northwest corner of Kelley Smith School Road and Round Lake Road and has three duplexes. The owner has requested City water.

The Planning Board recommended approval of this item at their January 8, 2012 meeting.

RECOMMENDED ACTION:
Pass ordinance on first reading

DEPARTMENT HEAD	Submitted: Thad Crowe TC	Date: 1/30/2012
	Requested Agenda Regular	Date: 2/14/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No X N/A MM	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For: MW	Date: 2/4/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

This instrument prepared by:
Thad Crowe, AICP
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 13 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY LOCATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST, INCLUDING 119, 121 ROUND LAKE ROAD AND 100 KELLEY SMITH SCHOOL ROAD FROM PUTNAM COUNTY R-3 (RESIDENTIAL-6 UNITS PER ACRE) TO R-2 (TWO FAMILY RESIDENTIAL); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of Billy S. and Betty J. Russ for certain amendment to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including public hearings before the Planning Board of the City of Palatka on January 8, 2013, and two public hearings before the City Commission of the City of Palatka on February 14, 2013 and January 28, 2013, and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:

Section 1. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of R-3 (Residential-6 units per acre) to R-2 (Two Family Residential) for 119, 121 Round Lake Road and 100 Kelley Smith School Road.

DESCRIPTION OF PROPERTY:
PT OF W1/2 OF E1/2 OF SECOR843 P1713 (EX OR843 PP17171720 1723 1726 1729)(LOT 16) (16-10-26-0000-0030-0016/ 119, 121 Round Lake

Road, 100 Kelley Smith School Road)

Section 2. To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

Section 3. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 28th day of February, 2013.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

_____
City Clerk

CITY OF PALATKA
PLANNING BOARD MINUTES – DRAFT COPY
January 8, 2013

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Joe Pickens, George DeLoach, Judith Gooding, Anthony Harwell and Lavinia Moody. **Members absent:** Earl Wallace and Joe Petrucci. **Also present**: Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Mr. Motion was made by Mr. Sheffield and seconded by Ms. Moody to have the minutes for the December 4, 2012 meeting be brought back to the February, 2013 meeting with additional comments from Mr. Harwell for consideration. All present voted affirmative, motion carried.

Chairman Stewart read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

NEW BUSINESS

Case 12-66: Annex, amend the Future Land Use Map from Putnam County UR to RM and Rezone from Putnam County R-3 to City R-3.

Location: 100 Kelley Smith School Rd. and 119 and 121 Round Lake Rd.
Parcel No.: 09-10-26-0000-0340-0090
Owner(s): Billy S. & Betty J. Russ

Mr. Crowe explained that this parcel is located at the intersection of Kelley Smith School Rd. and Round Lake Rd. and that there are three duplexes on the site. He added that staff is proposing Residential Low Density because this designation allows for two-family uses and that the Residential Medium Density category is too intense. With the current density of this property, R-2 would also be an appropriate zoning designation as well. He stated that this request meets Comprehensive Plan and rezoning criteria and he recommended approval of the request.

Motion made by Mr. Sheffield and seconded by Mr. Pickens to approve the request to annex, amend the Future Land Use and Zoning designations as recommended by staff. All present voted affirmative, motion carried.

Case 12-65 Request to amend the Zoning Code Section 94-149 to allow flea markets in the C-2 zoning district through the conditional use process.

Applicant: The Palatka Market, Chad Dennis

Mr. Crowe explained that there is an existing flea market located on Reid Street that is currently in violation of the Zoning Code. The operator, Mr. Dennis, has requested to amend the zoning code to allow this type of non-temporary outdoor sales. Given the state of the economy and the need to encourage small businesses, Staff's thought was to allow this use in a limited manner through the conditional use process, with development standards to control the appearance and function of such activities. He added that currently the zoning code allows for five types of outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale, 2) seasonal goods sale, limited

Case 12-66: 100 Kelley Smith School Rd. and 119, 121 Round Lake Rd.
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: December 21, 2012

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To annex, amend FLUM, and rezone the following properties as noted below. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). City departments had no objections to the proposed actions.

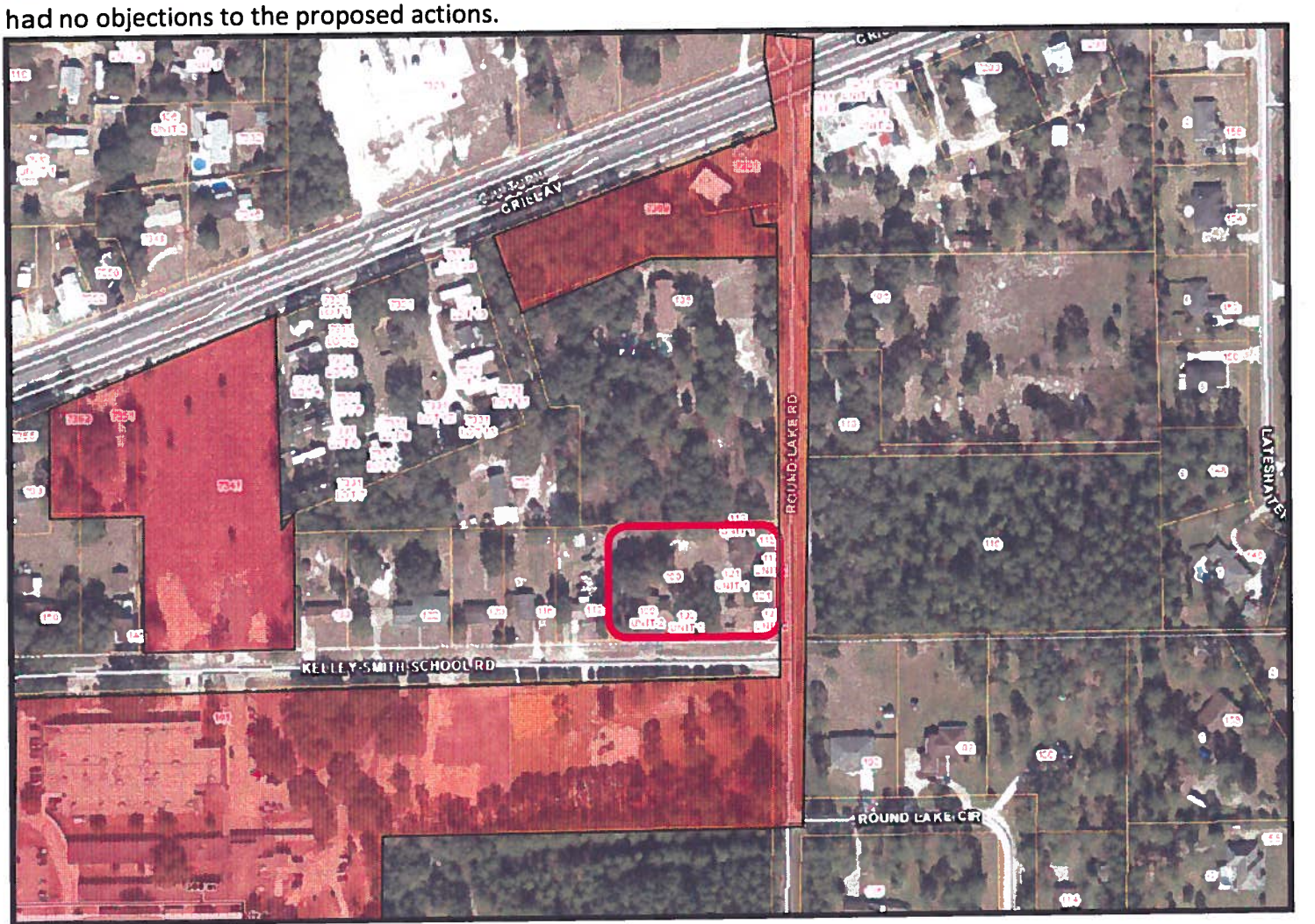
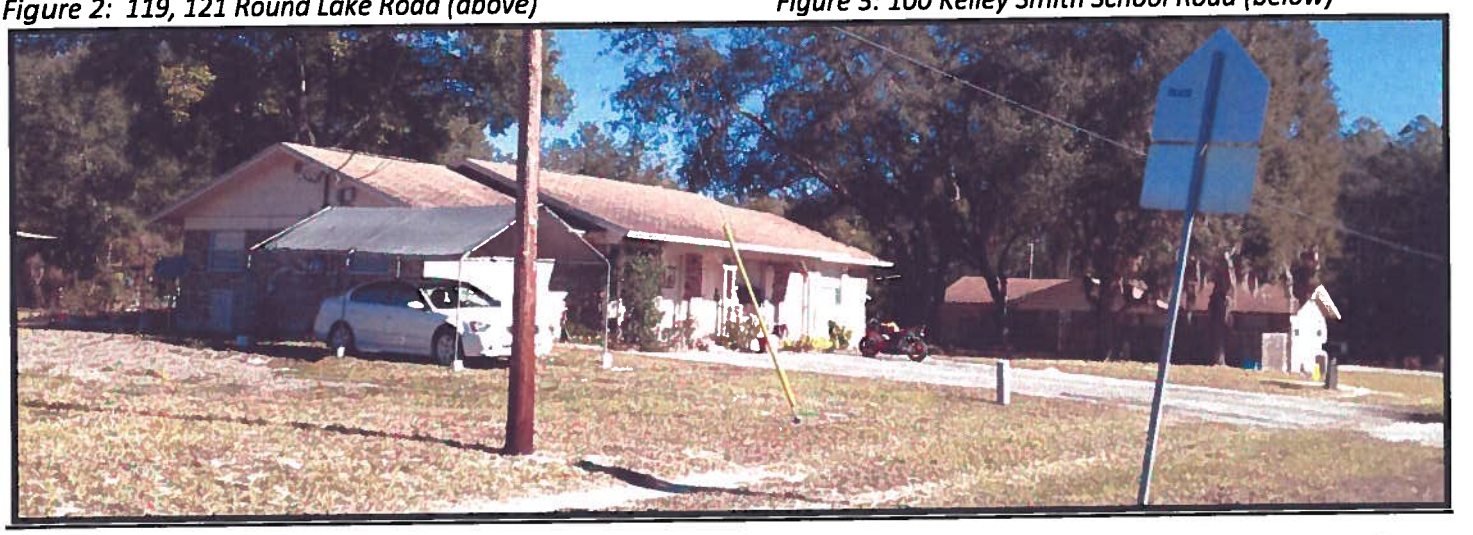


Figure 1: Site and Vicinity Map (red shaded area represents city limits)

Figure 2: 119, 121 Round Lake Road (above)

Figure 3: 100 Kelley Smith School Road (below)



APPLICATION BACKGROUND

The properties under consideration currently have a County mixed-use Future Land Use Map (FLUM) designation and multi-family zoning. There are three duplexes on the property.

The properties and their current and proposed FLUM and zoning classifications are shown below.

Table 1: Current and Proposed Future Land Use Map and Zoning designations

Future Land Use Map Category		Zoning	
Current Putnam Co.	**Proposed City**	**Current Putnam Co.**	**Proposed City**
UR (Urban Reserve)	RL (Residential Low)	R-3 (Residential-6 units per acre)	R-3 (Single-family Residential)

The Putnam County Health Department has required the property owner to hook up to City water due to their rule that properties must hook up to City water instead of replacing or deepening wells when they are within 250 feet of a city water line. The City's Comprehensive Plan requires that when properties receiving city water are contiguous to city limits they must annex into the City. Staff is presenting these applications as

administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Hardship. Most property owners annexing into the City do so because they are compelled to due to the failure of septic tanks or wells and the Health Dept. requirement that they hook up to city utilities when such lines are within 250 feet of the property. The cost of hooking up to City utilities approaches up to $6,000 depending on whether both water and sewer are required. The additional $1,130 for the FLUM amendment and rezoning is an additional burden. Staff has reduced the costs of this legal advertisement by combining these properties into one ad. The taxes collected from such properties will defray the administrative expense fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.
3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

Florida Statute 171.044 references voluntary annexation requirements and requires that property proposed for annexation must meet two tests. First, properties must be contiguous to the annexing municipality and second, properties must also be "reasonably compact."

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality's boundary. As indicated in Figure 1, the property is contiguous to the City limits, which are across Kelley Smith Road (statutes do not consider rights-of-way and interrupting contiguity).

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the properties meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave that is present between Kelley Smith Elementary School on the south and properties within the City north of Crill Avenue.

Future Land Use Map Amendment Analysis

Criteria for consideration of comprehensive plan amendments under F.S. 163-3187 are shown in italics below (staff Comment follows each criterion, and comprehensive plan extracts are underlined).

List Goals, Objectives, and Policies of the Comprehensive Plan that support the proposed amendment.
The proposed amendments are in keeping with the following objective and policies of the Comprehensive Plan, and do not conflict with other plan elements.

Policy A.1.9.3

A. Land Use Districts
1. Residential
Residential land use is intended to be used primarily for housing and shall be protected from intrusion by land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types.
Low Density (1730acres) - provides for a range of densities up to 5 units per acre.
Medium Density (231 acres) - provides for a range of densities up to 10 units per acre.

Staff Comment: the properties are now in the County's Urban Reserve FLUM category (density range of one to four units per acre), which is approximately equivalent to the City's RL (Residential Low Density), which has a density range of one to five units per acre. ***Please note that while the item was advertised for a proposed RM (Residential, Medium Density) FLUM, Staff proposes to revise this downward to the RL (Residential, Low Density) category due to the belief that the 10-units per acre densitiy allowed by the RM FLUM is too intense for this suburban area***. Section 94-111(b) allows the R-2 zoning category within the RL land use category, and the actual density of the three duplexes on the 1.22-acre site comes in just below the top RL density of five units per acre.

Provide analysis of the availability of facilities and services.
Staff Comment: the properties are in close proximity to urban services and infrastructure including city water and sewer lines (both within the Kelley Smith Road right-of-way).

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: The properties are in a residential neighborhood that is suitable for the proposed residential FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, nor of any natural or historic resources on these developed sites.

Provide analysis of the minimum amount of land needed as determined by the local government.
Staff Comment: not applicable, as this is to be determined at the next revision of the overall Comprehensive Plan.

Demonstrate that amendment does not further urban sprawl, as determined through the following tests.

- *Low-intensity, low-density, or single-use development or uses*
- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*
- *Radial, strip, isolated, or ribbon development patterns.*
- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*
- *Development that fails to maximize use of existing and future public facilities and services.*
- *Development patterns or timing that will require disproportional increases in cost of time, money and energy in providing facilities and services.*
- *Development that fails to provide a clear separation between rural and urban uses.*
- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

Staff Comment: the location of these properties within the City's urbanized area ensures that urban services are available. These uses do not represent urban sprawl.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board shall study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff comment follows each criterion).

1) When pertaining to the rezoning of land, the report and recommendations of the planning board to the city commission required by subsection (e) of this section shall show that the planning board has studied and considered the proposed change in relation to the following, where applicable:

a. Whether the proposed change is in conformity with the comprehensive plan.

Staff Comment: as previously noted, the application is supported by the Comprehensive Plan.

b. The existing land use pattern.

Staff Comment: The properties are located in established residential neighborhoods.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

Staff Comment: Rezoning the properties to R-2 provides uniformity to both existing City and County single-family zoning and does not create an isolated zoning district.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Staff Comment: Roadway capacity is available on area roadways and the impacts of these uses on road and utility capacity will be negligible, particularly since the uses are already present.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Staff Comment: See response to c. above.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Staff Comment: One condition that has changed in regard to these properties is the failure or obsolescence of private wells and the ability to tie into a city water line.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

Staff Comment: Rezoning the properties to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Staff Comment: the properties proposed for rezoning are already developed and thus traffic congestion or public safety will not be affected.

i. Whether the proposed change will create a drainage problem.

Staff Comment: No drainage problems are anticipated for these already-existing uses.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.
Staff Comment: The already-developed properties do not have excessive height, density, or intensity to reduce light and air to existing adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent area.
Staff Comment: see response to g. above.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
Staff Comment: based on the previous responses, the changes will not negatively affect the development of adjacent properties.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
Staff Comment: providing a FLUM and zoning designations to properties that are similar to the designation of surrounding properties and are similar to the existing County FLUM and zoning is not a grant of special privilege.

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
Staff Comment: Not applicable as the City residential land use and zoning will be similar as the current County classifications.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
Staff Comment: the properties are not out of scale with the neighborhood and City.

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.
Staff Comment: not applicable.

q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.
Staff Comment: not applicable.

STAFF RECOMMENDATION
As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to RL, and rezoning to R-2 for 100 Kelley Smith School Road and 119 and 121 Round Lake Road.

Agenda Item

9

CITY COMMISSION AGENDA ITEM

SUBJECT: ORDINANCE - ZONING CODE TEXT AMENDMENT (TEMPORARY OUTDOOR SALES IN C-2 ZONING DISTRICTS) - 1st READING

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: _X_ Ordinance ___ Resolution ___ Motion
_X_ Support Documents ___ Other

SUMMARY:
This is a request by the owner of the Palatka Flea Market, located at 3523 Reid Street, to allow for a "flea market" type use through the conditional use process. This activity is in violation of the Zoning Code, which only allows outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale), 2) seasonal goods sale (limited to 30 days, Christmas trees or 4th of July fireworks), 3) special event sale (associated with special event like Blue Crab Festival), 4) temporary goods sale (other outdoor sales, not to exceed 30 days in duration), and 5) farmers market (intended for food and produce goods). The Applicant filed an application to amend the Code to allow for non-temporary outdoor sales, which forestalled code enforcement action on the specific use. Staff has also reviewed codes of other jurisdictions and has found that while numerous jurisdictions prohibit non-temporary outdoor sales, others allow them with design standards related to appearance, function, and public safety. Staff does not object to outdoor sales if the activity is conducted in such a way that limits visual clutter, provides for adequate parking and pedestrian passage, requires landscaping and screening, and discourages the sale of stolen goods. For clarification purposes, Staff also proposes to allow for display of goods on sidewalks outside stores in commercial districts, which already occurs frequently.

The Planning Board recommended approval of allowing sidewalk display of goods and non-temporary outdoor sales, with specific restrictions pertaining to pedestrian and vehicle safety, screening and buffering, limitations on sale items, and other operational and development standards as detailed in the attached ordinance. The Applicant would have to file another application for conditional use approval for the specific use.

RECOMMENDED ACTION:
Pass ordinance on first reading

DEPARTMENT HEAD	Submitted: Thad Crowe TC	Date: 1/31/2013
	Requested Agenda Regular	Date: 2/14/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No X N/A MA	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/4/13

COMMISSION ACTION:
___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

This instrument prepared by:
Thad Crowe, AICP
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 13 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ALLOWING NON-TEMPORARY OUTDOOR DISPLAY OF GOODS IN COMMERCIAL ZONING DISTRICTS AND NON-TEMPORARY OUTDOOR SALES AS A PRINCIPAL USE IN THE C-2 ZONING DISTRICT WITH REQUIRED DEVELOPMENT AND DESIGN STANDARDS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the Building and Zoning Department for certain amendments to the Zoning Code of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on December 4, 2012, and two public hearings before the City Commission of the City of Palatka on December 13, 2012, and February 14, 2013; and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted.

NOW, THEREFORE, BE IT ENACTED BY THE CITIZENS OF THE CITY OF PALATKA, FLORIDA:

Section 1. The following Zoning Code Sections shall be amended as follows.

Section 94-149 - C-2 intensive commercial district
(a) through *(d)*: no change
(e) Conditional uses. (Conditional uses are permissible after public notice and hearing and subject to the provisions of section 94-3.) Conditional uses in the C-2 district are as follows:
(1) Wholesale, warehouse or storage uses, but not bulk storage of flammable liquids.
(2) Building trades contractors with storage yard for materials and equipment on the premises.

(3) Crematories.
(4) Television or radio transmitter towers.
(5) Truckstops.
(6) Carnivals or circuses, archery ranges, miniature golf courses, pony rides and skating rinks, and indoor pistol or rifle ranges.
(7) Machine shops.
(8) Manufacturing or processing which is clearly incidental to retail use, provided such manufacturing or processing is limited to that which employs not more than ten persons in the manufacturing and processing.
(9) Boat yards and ways (see section 94-2, definitions).
(10) Essential services (see section 94-2, definitions).
(11) Multiple-family dwellings.
(12) Child care facilities.
(13) Assembling, packaging or fabricating in completely enclosed buildings.
(14) Indoor commercial recreational facilities, such as motion picture theaters, billiard parlors, swimming pools, bowling alleys and similar uses, provided such uses shall be in soundproof buildings.
(15) Bait and tackle shops with the following limitations:
a. Sale, display, preparation and repair incidental to sales and storage shall be conducted within a completely enclosed building.
b. Products shall be sold only at retail.
c. All other requirements for a conditional use shall be met (see section 94-2, definition of "conditional uses").
(16) Shopping centers.
(17) Cemeteries.
(18) Non-temporary outdoor sales.

Section 94-200
(a) through (d): no change
(e) Non-temporary outdoor display. Display of goods will be allowed in conjunction with a principal commercial use within commercial zoning districts, with the following applicable development standards.
a. a clear pedestrian pathway of at least 48" must be maintained at all times on the sidewalk, along the sidewalk perpendicular

to the business and to the building entrance;

b. building entrances must not be blocked;

c. display items shall be limited to outdoor-oriented merchandise such as plants, lawn equipment, and barbecue grills; clothing on tables or upright racks; vending machines; or other non-perishable items on tables;

d. display items shall be brought inside the store or secured at the end of each business day; and

e. display areas shall present an orderly and organized appearance

(f) Non-temporary outdoor sales. Non-temporary outdoor sales are allowed as a principal use in the C-2 zoning district through the conditional use process in conjunction with a permanent enclosed structure that is minimum 1,500 square feet in size and is used for storage of goods, sales and display area, office, restrooms, etc. The following standards shall be met:

a. Minimum lot size of 1.0 acres, with a minimum frontage of 200 feet and a minimum lot depth of 300 feet.

b. A 30-foot setback is required from any right-of-way for outdoor display areas and parking areas, and shall include a landscaped area with a three to four-foot high visual screen consisting of a hedge, masonry wall, or wood or aluminum fencing, maintained in a neat appearance. One shade tree every fifty feet is required to further screen activities (when power lines or other obstructions are present, understory trees may be utilized, or trees may be planted in the right-of-way with the approval of the controlling jurisdiction).

c. When adjacent to residential uses or zoning, six-foot high masonry wall, privacy fence, or hedge contained within thirty foot landscape buffer, and 100-foot setback from residential property lines.

d. Adequate refuse containers must be provided and must be screened with a six-foot tall privacy fence with a swinging gate.

e. All outdoor areas shall be cleaned of litter and refuse after each day of operation.

f. Adequate restroom facilities must be provided.

g. Sales may be operated by an individual vendor or by multiple vendors under the control of a central sales manager.

h. One parking space for each vendor must be provided, with an additional space for every 300 square feet of outdoor and indoor sales area.

i. Uses are subject to Sign Code. Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size. The following signs are prohibited: "human" signs, inflatable figures or objects, pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code.

j. Display items are to be arranged in an organized and neat manner, on tables or racks, and may not be sold from vehicles.

k. No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; or personal services shall be offered for sale.

l. The sale of perishable goods or produce is allowed with a limitation that sales area not exceed 30% of outdoor display area.

m. All merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance.

n. The conditional use site plan shall require at a minimum the following elements: access roads, entrances and exits, parking, traffic lanes, fire lanes, refuse containers, fences, buildings, restroom facilities, lighting, landscaping and other improvements as required.

o. The conditional use site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which

merchandise is to be displayed; and the specific types of goods requested for sale.

p. *The Planning Board may assign additional restrictions and standards to the use to ensure that the conditional use criteria will be satisfied.*

Section 2. To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

Section 3. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 28th day of February, 2013.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

_____
City Clerk

CITY OF PALATKA
PLANNING BOARD MINUTES – DRAFT COPY
January 8, 2013

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Joe Pickens, George DeLoach, Judith Gooding, Anthony Harwell and Lavinia Moody. **Members absent:** Earl Wallace and Joe Petrucci. **Also present**: Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Mr. Motion was made by Mr. Sheffield and seconded by Ms. Moody to have the minutes for the December 4, 2012 meeting be brought back to the February, 2013 meeting with additional comments from Mr. Harwell for consideration. All present voted affirmative, motion carried.

Chairman Stewart read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

NEW BUSINESS

Case 12-66: Annex, amend the Future Land Use Map from Putnam County UR to RM and Rezone from Putnam County R-3 to City R-3.

Location: 100 Kelley Smith School Rd. and 119 and 121 Round Lake Rd.
Parcel No.: 09-10-26-0000-0340-0090
Owner(s): Billy S. & Betty J. Russ

Mr. Crowe explained that this parcel is located at the intersection of Kelley Smith School Rd. and Round Lake Rd. and that there are three duplexes on the site. He added that staff is proposing Residential Low Density because this designation allows for two-family uses and that the Residential Medium Density category is too intense. With the current density of this property, R-2 would also be an appropriate zoning designation as well. He stated that this request meets Comprehensive Plan and rezoning criteria and he recommended approval of the request.

Motion made by Mr. Sheffield and seconded by Mr. Pickens to approve the request to annex, amend the Future Land Use and Zoning designations as recommended by staff. All present voted affirmative, motion carried.

Case 12-65 Request to amend the Zoning Code Section 94-149 to allow flea markets in the C-2 zoning district through the conditional use process.

Applicant: The Palatka Market, Chad Dennis

Mr. Crowe explained that there is an existing flea market located on Reid Street that is currently in violation of the Zoning Code. The operator, Mr. Dennis, has requested to amend the zoning code to allow this type of non-temporary outdoor sales. Given the state of the economy and the need to encourage small businesses, Staff's thought was to allow this use in a limited manner through the conditional use process, with development standards to control the appearance and function of such activities. He added that currently the zoning code allows for five types of outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale, 2) seasonal goods sale, limited

to 30 days, Christmas trees or 4th of July fireworks, 3) special event sale associated with special event like Blue Crab Festival, 4) temporary goods sale (other outdoor sales, not to exceed 30 days in duration), and 5) farmers market which is intended for food and produce goods. In response to Mr. Dennis's request, Mr. Crowe proposed amending the zoning code Sec. 94-200 to add the following two outdoor sales categories subject to the following design standards and conditions;

1. Non-temporary outdoor display as an accessory use in conjunction with existing principal commercial use, to occur as an allowable activity (conditional use approval not required) only on sidewalks adjoining the building entrance, with the following standards applicable:
   a) a clear pedestrian pathway of at least 48" must be maintained at all times on the sidewalk, along the sidewalk perpendicular to the business and to the building entrance;
   b) building entrances must not be blocked;
   c) display items shall be limited to outdoor-oriented merchandise such as plants, lawn equipment, and barbecue grills; clothing on tables or upright racks; vending machines; or other non-perishable items on tables;
   d) display items shall be brought inside the store or secured at the end of each business day; and
   e) display areas shall present an orderly and organized appearance
2. Non-temporary outdoor sales as a principal use to occur in the C-2 zoning district through conditional use approval in conjunction with a permanent enclosed structure that is minimum 1,500 square feet in size and is used for storage of goods, sales and display area, office, restrooms, etc. The following standards shall be met:
   a) Minimum lot size of 1.5 acres, with a minimum frontage of 200 feet and a minimum lot depth of 300 feet.
   b) A 30-foot setback is required from any right-of-way for outdoor display areas and parking areas, and shall include a landscaped area with a three to four-foot high visual screen consisting of a hedge, masonry wall, or wood or aluminum fencing, maintained in a neat appearance. One shade tree every fifty feet is required to further screen activities (when power lines or other obstructions are present, understory trees may be utilized, or trees may be planted in the right-of-way with the approval of the controlling jurisdiction).
   c) When adjacent to residential uses or zoning, six-foot high masonry wall, privacy fence, or hedge contained within thirty foot landscape buffer, and 100-foot setback from residential property lines.
   d) Adequate refuse containers must be provided and must be screened with a six-foot tall privacy fence with a swinging gate.
   e) All outdoor areas shall be cleaned of litter and refuse after each day of operation.
   f) Adequate restroom facilities must be provided.
   g) Sales may be operated by an individual vendor or by multiple vendors under the control of a central sales manager.
   h) One parking space for each vendor must be provided, with an additional space for every 300 square feet of outdoor and indoor sales area.
   i) Uses are subject to Sign Code. Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size. The following signs are prohibited: "human" signs, inflatable figures or objects, pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code.
   j) Display items are to be arranged in an organized and neat manner, on tables or racks, and may not be sold from vehicles.
   k) No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; perishable goods or produce; or personal services shall be offered for sale.

l) All merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance.
m) The conditional use site plan shall require at a minimum the following elements: access roads, entrances and exits, parking, traffic lanes, fire lanes, refuse containers, fences, buildings, restroom facilities, lighting, landscaping and other improvements as required.
n) The conditional use site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which merchandise is to be displayed; and the specific types of goods requested for sale.
o) The owner or operator must provide and maintain an ongoing record of inventory of articles for sale and provide to City upon request. Such list must include origin of goods, including name and contact information of seller, and transaction details.
p) The Planning Board may assign additional restrictions and standards to the use to ensure that the conditional use criteria will be satisfied.

Mr. Holmes asked for clarification as to how onerous a burden keeping an ongoing record of inventory was expected to be.

Mr. Crowe explained that obviously some records may be easier to obtain than others and this is an attempt to try to forestall any fencing or sales of stolen goods.

Mr. Pickens stated that if the spaces are rented spaces, the owner who is subject to this requirement would have no control over the vendor's information. He stated that the Board is trying to make something fit to accommodate a use that previously did not exist in the City and it is necessary to determine whether this should be done. He asked Mr. Holmes if the use was appropriate.

Mr. Holmes stated that he did not offer an opinion but does not know of any reason the use would not be inappropriate for its zoning district.

Mr. Crowe advised that such a use is appropriate only within an intensive commercial district.

Discussion continued regarding setting specifics of certain conditions for enforcement.

Mr. DeLoach asked if Mr. Dennis had contracts with his vendors, and if so maybe it would be good to include the inventory requirements in their contracts.

Mr. Dennis, 3523 Reid St. replied that he has lease agreements ranging from one day to 30 days. He explained that keeping inventory for every vender would be next to impossible especially for people that sell household dishes and "what-knots." He added that he did not want to be responsible for others' merchandise inventory, it should be the vendor's responsibility and the police could come on to his property at any time and make sure nothing is being fenced. He added that he is not a pawn shop and the majority of his business is produce sales and that of his merchandise inventory, 90% of it is new and 10% is resale. The stuff that is displayed outside is outdoor furniture and yard ornaments and that all the other items he and his vendors would sell outdoors would be displayed neatly on tables.

Mr. Sheffield asked what zoning designation did car lots fall under, as they display their items outside and what is covered under the farmers market at the courthouse.

Mr. Crowe advised that car lots are allowed as a specific principle use, with regulations that allow for display of vehicles. A farmers market is intended more for food, produce and perishables.

Mr. Sheffield asked for clarification that the staff has recommended no perishables, and would that include such items as produce and food sales etc.

Mr. Dennis reiterated that the majority of his business is fruits and vegetables that is why it is called the "Palatka Market" and that what he has is almost identical to what was allowed at the courthouse. The difference is that you could sell any kind of handmade crafts, and produce but you could not sell commercial or used items. He added that he has sold a lot of designer clothing and other items that otherwise some people might not afford new, but were glad to pay a few dollars for something in good shape, gently used.

Mr. Harwell asked Mr. Crowe if there was a requirement that a building be on the property in the list of recommended conditions. Mr. Crowe answered there was a requirement for a minimum size building of 1500 square feet.

Mr. Sheffield asked staff where the 1.5 acre minimum lot size came from.

Mr. Crowe advised that he researched other jurisdiction's requirements and also looked at a number of real life examples to determine the space needed for display areas, parking and traffic flow. He stated that the intent is that these uses have a tendency to grow and be successful. He believes you need a space of at least an acre to make these types of operations work.

Mr. Holmes asked what the harm would be to allow the sale of perishables with the other conditions in place.

Mr. Crowe advised that he was not aware that produce sales took place as during a site visit he only observed outdoor sales activities (produce sales occurred within the existing building). He added that he did not have any issue with allowing produce and food products, but that the original intent was to keep a clear distinction between a "farmer's market and a "flea market."

Mr. Dennis stated that his property is currently zoned appropriately for indoor sales and that is where his produce is kept, but he would like to expand some of that to the outdoor sales area. He added that he was planning on getting an "old time" type wagon to place some fruits & vegetables on for display.

Mr. Pickens asked Mr. Crowe for his thoughts, regarding a compromise on lot size from 1.5 acres to 1 acre, removing the prohibition of perishable items being taken out of the conditions and to remove the requirement of the owner to provide and maintain an ongoing record of inventory of articles for sale. He also asked Mr. Crowe to confirm that if those were only the changes the board made to the conditions, would they need to add language to the affect that the sale of produce and perishables could be allowed. He added that with those considerations, he would move to adopt staff recommendations.

Mr. Crowe stated that he did not have a problem with those changes and suggested that language can be placed in the conditions that the outdoor sales area shall be limited to not more than 40% of perishable food sales. Mr. Crowe advised that 1.5 acres, was his best attempt to be conservative, but that one acre would work as well.

Motion by Mr. Pickens and seconded by Ms. Moody to approve the request as submitted with staff recommendations except that the minimum lot size be one acre, and to allow the sale of perishable foods but not to exceed 30% of the outdoor display area, and to remove the condition to require owner provide list of inventory items. All present voted affirmative, motion carried.

Mr. Crowe asked the Board to consider an item he is contemplating placing on the Agenda; to extending the time limitation of seasonal sales from 30 days to 45 days and relinquishing the review of the existing criteria to Staff. Mr. Holmes stated that if someone disagreed with a Staff decision, an appeal process should be built into the ordinance. Board consensus was for staff to prepare the item for consideration.

With no further business, meeting adjourned.

Case 12-65
Request to Amend Zoning Code
(Allow Non-Temporary Outdoor Sales, with Design Standards, as Conditional Use in C-2 Zoning)
Applicant: Chad Dennis

STAFF REPORT

DATE: December 31, 2012

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

A request to amend the Zoning Code to allow outdoor sales in the C-2 (Intensive Zoning) District, with required design standards. Please note that this agenda item had been identified as a flea market, and staff has determined that a more appropriate description would be non-temporary outdoor sales. Public notice included legal advertisement.

APPLICATION BACKGROUND

The Applicant is currently conducting outdoor sales at 3523 Reid Street (west of North Palm Avenue). This activity is in violation of the Zoning Code, which only allows outdoor sales through the conditional use process and as part of either 1) a outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale), 2) seasonal goods sale (limited to 30 days, Christmas trees or 4th of July fireworks), 3) special event sale (associated with special event like Blue Crab Festival), 4) temporary goods sale (other outdoor sales, not to exceed 30 days in duration), and 5) farmers market (intended for food and produce goods). The Applicant filed an application to amend the Code to allow non-temporary outdoor sales, which forestalled code enforcement action on the specific use.

Upon review of the Code, Staff found that the outdoor sales regulations prohibit customary outdoor sales that exceed the 30-day limit described in several of the sales events described above. Staff is concerned that this 30-day timeframe is not defined, and some might argue that a temporary goods sale could operate for 30 days and then immediately start with another 30-day period, resulting in a rolling temporary sale that continues indefinitely. Staff also recognizes that it is customary for existing businesses to provide for outdoor display of goods for sale, typically on sidewalks outside stores. An example of this would be outdoor lawn equipment displayed on sidewalks outside home improvement stores, or temporary clothing racks on sidewalks outside discount or clothes stores. Sidewalk sales are now only allowed in the downtown zoning districts, with a permit (fee required) and required pedestrian passageways, with sales occurring only in stores. Staff has also reviewed codes of other jurisdictions and has found that while numerous jurisdictions prohibit non-temporary outdoor sales, others allow them with design standards related to appearance, function, and public safety. Staff does not object to outdoor sales if the activity is conducted in such a way that limits visual clutter, provides for adequate parking and pedestrian passage, requires landscaping and screening, and discourages the sale of stolen goods.

Staff proposes to add a new section to Sec. 94-200 that allows for non-temporary outdoor sales only in the C-2 zoning district, subject to the design standards shown below and requiring conditional use approval.

- Non-temporary outdoor sales as accessory uses in conjunction with existing principal commercial uses can occur as an allowable activity (conditional use approval not required) only on sidewalks adjoining the building entrance, with the following standards applicable:
  - a clear pedestrian pathway of at least 48" must be maintained at all times on the sidewalk, along the sidewalk perpendicular to the business and to the building entrance;
  - building entrances must not be blocked;
  - display items shall be limited to outdoor-oriented merchandise such as plants, lawn equipment, and barbecue grills; clothing on tables or upright racks; vending machines; or other non-perishable items on tables;
  - display items shall be brought inside the store or secured at the end of each business day; and
  - display areas shall present an orderly and organized appearance
- Non-temporary outdoor sales as a principal use can occur in the C-2 zoning district through conditional use approval in conjunction with a permanent enclosed structure that is minimum 1,500 square feet in size and is used for storage of goods, sales and display area, office, restrooms, etc. The following standards shall be met:
  - Minimum lot size of 1.5 acres, with a minimum frontage of 200 feet and a minimum lot depth of 300 feet.
  - A 30-foot setback is required from any right-of-way for outdoor display areas and parking areas, and shall include a landscaped area with a three to four-foot high visual screen consisting of a hedge, masonry wall, or wood or aluminum fencing, maintained in a neat appearance. One shade tree every fifty feet is required to further screen activities (when powerlines or other obstructions are present, understory trees may be utilized, or trees may be planted in the right-of-way with the approval of the controlling jurisdiction).
  - When adjacent to residential uses or zoning, six-foot high masonry wall, privacy fence, or hedge contained within thirty foot landscape buffer, and 100-foot setback from residential property lines.
  - Adequate refuse containers must be provided and must be screened with a six-foot tall privacy fence with a swinging gate.
  - All outdoor areas shall be cleaned of litter and refuse after each day of operation.
  - Adequate restroom facilities must be provided.
  - Sales may be operated by an individual vendor or by multiple vendors under the control of a central sales manager.
  - One parking space for each vendor must be provided, with an additional space for every 300 square feet of outdoor and indoor sales area.
  - Uses are subject to Sign Code. Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size. The following signs are prohibited: "human" signs, inflatable figures or objects, pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code.
  - Display items are to be arranged in an organized and neat manner, on tables or racks, and may not be sold from vehicles.

- No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; perishable goods or produce; or personal services shall be offered for sale.
- All merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance.
- The conditional use site plan shall require at a minimum the following elements: access roads, entrances and exits, parking, traffic lanes, fire lanes, refuse containers, fences, buildings, restroom facilities, lighting, landscaping and other improvements as required.
- The conditional use site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which merchandise is to be displayed; and the specific types of goods requested for sale.
- The owner or operator must provide and maintain an ongoing record of inventory of articles for sale and provide to City upon request. Such list must include origin of goods, including name and contact information of seller, and transaction details.
- The Planning Board may assign additional restrictions and standards to the use to ensure that the conditional use criteria will be satisfied.

PROJECT ANALYSIS

Per Section 94-38(f)(2) of the Zoning Code, the Planning Board must study and consider proposed zoning text amendments in relation to the following criteria (if applicable), shown in underlined text (staff response follows each criterion).

The planning board shall consider and study:

a. The need and justification for the change.

Staff comments: the following justifications are applicable.

- The amendment would allow for additional business development and job creation, important in these unfavorable economic circumstances.
- The amendment would provide clear standards that curtail potential visual and other impacts of outdoor sales.
- The amendment would implement Comprehensive Plan policies as noted below.

b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

Staff comments: the following Comprehensive Plan policies (shown in *italics*) are applicable to this amendment. This amendment is in keeping with the goals, objectives, and policies of the Comprehensive Plan. In regard to the policies listed below, the amendment is in line with stated purposes of promoting infill development, renewing blighted properties, encouraging the use of existing commercial areas, and practicing innovative development planning.

FUTURE LAND USE ELEMENT

Objective A.1.2 *9J-5.006(3)(b)2*

Upon Plan Adoption, the City shall implement the following policies in order to provide the means for redevelopment and renewal of blighted properties.

Policy A.1.6.1 *9J-5.006(3)(c)*

Provide incentives which direct development to infill in areas of the City with in-place water/sewer lines and paved road. These incentives may include, but not be limited to providing additional permitted land uses through special use designations under the City Zoning Code such as approved "mother-in-law" units with separate kitchens or home office operations for limited business activities.

Policy A.1.6.2 *9J-5.006(3)(c)3*

Minimize scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.

Objective A.1.8 *9J-5.006(3)(b)9; F.S. 187.201(16)(b)3*

Upon Plan adoption, The City shall establish a program that provides the means for innovative development planning. The end goals of the program are to provide:

- *Flexibility and efficiency in site design to reduce infrastructure costs, improve interior circulation patterns, and promote open space;*
- *Development that is adapted to natural features in the landscape such as wetlands, vegetation and habitat, and which avoids the disruption of natural drainage patterns; and*
- *A mix of land use to promote convenience in the location of related uses and to reduce travel congestion and costs.*

STAFF RECOMMENDATION

Staff recommends revisions to Zoning Code Section 94-200 to allow for non-temporary outdoor sales as an accessory use to existing commercial uses in the C-2 zoning district and with the standards listed on Page 2, and to also allow for non-temporary outdoor sales as a principal use allowed through the conditional use process and subject to the standards listed on Pages 2 and 3.

Agenda Item

10

CITY COMMISSION AGENDA ITEM

SUBJECT: ORDINANCE - ZONING CODE TEXT AMENDMENT (DOWNTOWN ACCESSORY USES) – 1ST READING

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: _X_ Ordinance ___ Resolution ___ Motion
_X_ Support Documents ___ Other

SUMMARY:
This is an administrative request to allow for additional accessory uses in the Downtown zoning districts. The item was considered at first reading by the Commission at their December 13, 2012 meeting, and the Planning Board recommended approval at their December 4, 2012 meeting. Current accessory uses in these zoning districts are limited to residential accessory structures, boat repair and sales associated with marinas, laundry facilities associated with motels or marinas, special event outside sales, and interior storage. Proposed additional accessory uses include meeting space and limited retail sales associated with motels, sidewalk cafes, "clean" manufacturing/assembly associated with retail sales (arts, crafts), and other uses that in the written opinion of the Planner are customarily accessory and clearly incidental/subordinate to the principal use, located on the same premises, and do not involve operations not in keeping with the character of the district.

RECOMMENDED ACTION:
Pass ordinance on first reading

DEPARTMENT HEAD	Submitted: Thad Crowe TC	Date: 1/29/2013
	Requested Agenda Regular	Date: 2/14/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No XN/A MH	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/4/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

This instrument prepared by:
Thad Crowe, AICP
201 North 2rd Street
Palatka, Florida 32177

ORDINANCE NO. 13 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING ADDITIONAL ACCESSORY USES IN DOWNTOWN ZONING DISTRICTS, CONTAINED WITHIN ZONING CODE SECTION 94-161 AND 94-162; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the Building and Zoning Department for certain amendments to the Zoning Code of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the Planning Board of the City of Palatka on December 4, 2012, and two public hearings before the City Commission of the City of Palatka on December 13, 2012, and February 14, 2013; and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted.

NOW, THEREFORE, BE IT ENACTED BY THE CITIZENS OF THE CITY OF PALATKA, FLORIDA:

Section 1. The following Zoning Code Sections shall be amended as follows.

Sec. 94-161. - DR downtown riverfront district.
(a) through (b): no change
(c) Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited.

Permitted accessory uses, activities, and structures are as follows:

(1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.

(2) Boat repair and sales as an integral part of a marina.

(3) Laundry facilities as an integral part of a hotel or marina.

(4) Outside sale and display of goods at city approved functions and events.

(5) Warehousing and/or storage completely enclosed within the principal building.

(6) Meeting space and limited retail sales as an accessory use to hotels.

(7) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.

(8) Making of goods for sale at retail on the premises, with no odor, fumes, or other emissions detectable to normal senses from off the premises.

(9) Manufacturing, fabrication, and assembly activities associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.

(10) Other uses that in the written opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district (if not approved by Staff, such uses may be considered as conditional accessory uses).

(d) Prohibited uses, activities, and structures. In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:

(1) Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).

(2) Communication towers.

(3) Drive-through facilities.

(4) Manufacturing, fabrication, and assembly activities, except as an accessory use or a conditional accessory use.

(5) Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.

(6) Roadside vending.

(7) Rooming and boarding houses.
(8) Warehousing and/or storage, except as an accessory conditional use.

Sec. 94-161. - DB downtown business district.
(a) through (b): no change
(c) Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:
(1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.
(2) Boat repair and sales as an integral part of a marina.
(3) Laundry facilities as an integral part of a hotel or marina.
(4) Outside sale and display of goods at city approved functions and events.
(5) Warehousing and/or storage completely enclosed within the principal building.
(6) Meeting space and limited retail sales as an accessory use to hotels.
(7) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.
(8) Making of goods for sale at retail on the premises, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
(9) Manufacturing, fabrication, and assembly activities associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
(10) Other uses that in the written opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district (if not approved by Staff, such uses may be considered as conditional accessory uses).

(d) Prohibited uses, activities, and structures. In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:

(1) Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).

(2) Communication towers.

(3) Drive-through facilities.

(4) Manufacturing, fabrication, and assembly activities, except as an accessory use or a conditional accessory use.

(5) Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.

(6) Roadside vending.

(7) Rooming and boarding houses.

(8) Warehousing and/or storage, except as an accessory use.

Section 2. To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

Section 3. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 14th day of February, 2013.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

_____
City Clerk

CITY OF PALATKA
PLANNING BOARD MINUTES
December 4, 2012

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Earl Wallace, George DeLoach, Judith Gooding, Anthony Harwell and Joseph Petrucci. **Members absent:** Joe Pickens and Lavinia Moody. **Also present**: Planning Director Thad Crowe and Recording Secretary Pam Sprouse.

Motion was made by Mr. Sheffield and seconded by Mr. DeLoach to approve the minutes for the November 13, 2012 meeting. All present voted affirmative, motion carried.

Chairman Stewart read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

OLD BUSINESS

Case 12-53 Administrative request to amend the City's Comprehensive Plan Capital Improvement Plan for fiscal years 2012-2013 through 2017-2022 (tabled from the November Agenda).

Mr. Crowe advised that this task is becoming more complex and requested more time for research.

Motion made by Mr. DeLoach and seconded by Mr. Petrucci to table until the February meeting. All present voted affirmative, motion carried.

NEW BUSINESS

Case 12-57: Annex, amend the Future Land Use map from Putnam County UR (Urban Reserve) to RL (Residential, Low Density) and Rezone from Putnam County R-1A (Residential Single-Family) to R-1A (Single-Family Residential) for 2406, 2408, 2412 Tommy Avenue and 2419 Leigh Street.

Owner(s): Multiple
Applicant: Administrative

Mr. Crowe advised that these requests are city water-related annexations and are administratively processed. He advised that these properties are contiguous to the City limits and meet the state requirements for annexation. He added that these requests are not in conflict with the Comprehensive Plan and meet the criteria for amending the Plan as well as rezoning the property. He recommended approval of the request.

Motion made by Mr. Sheffield and seconded by Mr. Harwell to approve the requests as submitted. All present voted affirmative, motion carried.

Case 12-59: Request for conditional use to relocate a child care facility in a C-2 zoning district.

Location: 625 S. State Rd. 19
Owner: Terwilleger GH 1983 Trust Et Al
Agent: Cimone Coring

Mr. Crowe gave an overview of the request and displayed site photos, explaining that the building takes up most of the property creating a unique parking situation. He stated that the City does not have parking standards for

child care centers in its zoning code. He recommended a minimum parking standard of two spaces per employee, which would require 14 spaces (this is in the middle range of what other comparable cities require). Mr. Crowe explained that the neighboring property (currently occupied by Lee & Cates Glass) uses very little of their parking spaces and if some overflow parking was to occur there, it would not impact the glass company negatively. He recommended that the child care center parking occur behind the fenced-in area on paved and striped parking surface. He stated that this application meets applicable conditional use criteria if the following conditions of approval were applied.

1. The use of a child care center shall be permitted with a maximum number of 80 students and seven employees.
2. Fourteen parking spaces are required in the rear area that is currently fenced in for the child care use. This area must be improved to meet code requirements pertaining to paving, striping, and landscaping. The applicant shall provide small directional signs directing patrons and employees to this parking area to minimize the use of Lee and Cates parking spaces.
3. The first adjacent three spaces to the building shall be utilized for drop-off and pick-up and shall be designated as such by small directional signs. An additional small directional sign will prohibit the blocking of the driveway.
4. Within six months of issuance of a certificate of occupancy the existing chain link fence shall be removed or replaced with a picket fence, preferably of aluminum material, but with wood as an acceptable material if it is maintained.
5. A roadway buffer is required along SR 19 with two canopy trees and 28 shrubs (planted to form a hedge).
6. The roadway buffer area shall be replanted and maintained in a healthy fashion with grass or groundcover.
7. Two four-inch caliper shade trees are required in order to eventually shade the outdoor play area. As an alternative a shade structure such as an open air canopy may be used to shade this area.
8. Within one year of issuance of certificate of occupancy, terminal landscape islands are required at the end of parking rows with shade trees planted within them.
9. The outdoor play area shall be a grassy area, or an area with mulch or some other forgiving surface for the safety of children.
10. Additional landscaping may be required at the time of landscape code revision.
11. A dumpster or trash cans area shall be screened in accordance with the Zoning Code Sec. 94-311 (screened by plants, opaque fencing, or masonry walls to provide between six and eight feet of screening on three sides).
12. Any exterior lighting must be shielded and downcast so as not to create glare that shines on adjoining properties or roadways.
13. Signs must conform to the sign code, including the requirement that a freestanding pole sign be landscaped at its base.
14. The applicant or owner shall apply for and receive any necessary state approvals for the expansion of the child care use.
15. All other applicable standards of the Municipal Code must be met.

Mr. Holmes pointed out that Lee & Cates and the proposed childcare center properties are owned by the same party.

Cimone Coring, 140 E. Cracker Swamp Rd., advised that she was amenable to the conditions as discussed with Mr. Crowe, that most of what they discussed she had already planned on implementing. She agreed with Mr. Crowe and explained that there would three closest parking spaces would be utilized for deliveries.

Motion made by Mr. DeLoach and seconded by Mr. Sheffield to approve the request with staff recommendations. All present voted affirmative, motion carried.

Case 12-60: Administrative request to amend Zoning Code Section 94-161 and 94-162 (Downtown Business and Downtown Riverfront zoning districts) regarding permitted accessory uses.

Mr. Crowe explained that there has been some confusion attributed to this request. In an effort to clarify he used the Quality Inn Hotel on North 1st Street as an example of a business with accessory, ancillary, and subordinate activates that occur there. He gave common examples of accessory hotel uses such as a restaurant, gift shop or meeting rooms. He explained that in all zoning districts you have allowable principal uses and accessory uses, with accessory uses being subordinate to, but different from the principal or main use. He further explained that the downtown zoning districts replaced the old C-3 zoning designation for the downtown area. The Downtown Business and Downtown Riverfront districts are separate zoning districts that are essentially the same. Unlike other commercial zoning categories that allow a broad array of accessory uses, the Downtown zoning categories do not. The Downtown zoning designations only allow for a few specifically listed accessory uses and conditional accessory uses – disallowing all other accessory uses. He added that you cannot anticipate every type of principal or ancillary use especially with today's ever-evolving technology. The commercial zoning districts accessory use standards were written differently from the Downtown districts, with the intent to allow more varied uses. In these commercial districts accessory uses may be allowed upon the administrative interpretation that such uses:

1. are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures;
2. are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership; and
3. do not involve operations or structures not in keeping with the character of the district.

He added that this application originated when someone requested a zoning verification letter to hold a training seminar at the Quality Inn, and as demonstrated this use is not allowed in the downtown districts per the specificity of the code, but for years and years these activities have occurred. He stated that the intent for this code revision is to allow the following additional accessory uses to the downtown districts:

- **Meeting space and limited retail sales as an accessory use to hotels** (currently prohibited). Mr. Crowe commented that it is a common practice for hotels to use meeting rooms for civic groups, training, professional organization meetings, and similar activities. This would allow for a small internal gift or convenience store intended for hotel guests, but would not include full-fledged retail activities such as gold sales (popular at hotels in other communities) as this would undercut local businesses and is not in keeping with the ordinary hotel activities.
- **Open air dining on public sidewalks** provided a minimum horizontal clearance of four feet is maintained (currently allowed only as a conditional accessory use). Mr. Crowe reiterated that this is another common practice associated with downtown restaurants; there is no point in requiring the burden of public hearings and reviews for such an activity.
- **Making of goods for sale at retail on the premises** (currently allowed as conditional accessory use), with no odor, fumes, or other emissions detectable to normal senses from off the premises.

- **Manufacturing, fabrication, and assembly activities** (currently allowed as conditional accessory use), associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises. Mr. Crowe commented that allowing such activities would encourage art galleries where artists could both craft artwork and sell it on-site, while not allowing industrial side-effects.
- **Other uses** that are customarily accessory and clearly incidental and subordinate to permitted or permissible uses provided they are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district. If accessory uses are not approved by Staff, such uses may be considered by the Planning Board as conditional accessory uses).

Mr. Crowe concluded that staff believes that this amendment would encourage uses and encourage a more lively Downtown. He wants the ability to use the same three criteria used to determine accessory uses in all other commercial districts because the City cannot identify every single accessory use that is going to come along. Staff should be able to make a quick determination using the three criteria that a use is an obvious accessory use, which Staff already has the ability to do in other commercial districts. He clarified that this amendment would only apply to the Downtown zoning districts and not within the recommended recreation zoning for the Riverfront Park.

Mr. Petrucci stated that he believed that this was the right direction to be going in and asked if staff knew why the restrictions for accessory uses within the downtown zoning districts were put in place.

Mr. Crowe replied that he did not, and continued that is the problem with being totally prescriptive and trying to lay everything out so specifically, you can never anticipate every possibility that might come along. He recommended approval of the following revisions to the Zoning Code shown in italics with new language in underlined text:

Section 94-161 & 94-162 – DOWNTOWN BUSINESS & DOWNTOWN RIVERFRONT ZONING DISTRICTS

(a) no change
(b) no change
(c) Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:
(1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.
(2) Boat repair and sales as an integral part of a marina.
(3) Laundry facilities as an integral part of a hotel or marina.
(4) Outside sale and display of goods at city approved functions and events.
(5) Warehousing and/or storage completely enclosed within the principal building.
(6) Meeting space and limited retail sales as an accessory use to hotels.
(7) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.

(8) *Making of goods for sale at retail on the premises, with no odor, fumes, or other emissions detectable to normal senses from off the premises.*
(9) *Manufacturing, fabrication, and assembly activities associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.*
(10) *Other uses that in the written opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district (if not approved by Staff, such uses may be considered as conditional accessory uses).*

(d) Prohibited uses, activities, and structures. In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:
(1) *Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).*
(2) *Communication towers.*
(3) *Drive-through facilities.*
(4) *Manufacturing, fabrication, and assembly activities, except as an accessory use or a conditional accessory use.*
(5) *Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.*
(6) *Residential dwellings on the first floor constructed or converted after May 1, 2003.*
(7) *Roadside vending.*
(8) *Rooming and boarding houses.*
(9) *Warehousing and/or storage, except as an accessory use.*

(e) through (i) no change

Mr. Holmes stated that he had no problem with the concept after speaking with Mr. Crowe, and agreed that it is often impossible to anticipate or articulate every possible use that may be accessory or acceptable in a particular zoning classification. He added that it is pretty common for a Planning Director to have discretion to make interpretations or decisions of a code. He asked Mr. Crowe if there was an appeal process provided for item numbered (10).

Mr. Crowe advised that all appeals of staff decisions currently go to the Zoning Board of Appeals.
Mr. Holmes suggested the Board may want to consider moving the language regarding conditional accessory uses (# 10) to the Conditional Use section, and it might be good for the appeal process to be considered by the Planning Board and covered under the Conditional Use section.

Discussion ensued regarding the zoning and land use designations for the Riverfront Park and its possible relevance to this amendment. Mr. Crowe clarified that the Planning Board had recommended to change the zoning designation for the Riverfront Park to Recreation/Open Space and that the accessory use text amendment would only apply to Downtown zoning districts and not to the Riverfront Park, which is scheduled for consideration for first reading of rezoning by the Commission on December 13, 2012.

Mr. Harwell asked staff for an example of a worst case scenario for an accessory use.

Mr. Crowe explained that there are a lot of things in the code that have to be interpreted, that are not completely black & white or clear. Whenever a proposed accessory use comes along, he as a Certified Planner has to make an interpretation that it is something that is appropriate and customarily incidental and does not harm the

character of the district it is in. If it something that is not associated with the principal use or not in keeping with the district, it would not meet the test and he would not approve it. In that regard there is no worst case scenario since accessory uses would be in keeping with the nature of the use and the district and neighborhood. Mr. Sheffield asked if the sidewalk cafés would require fencing around the seating.

Mr. Crowe advised that our code does not require a fence, but there is a required clearance of free pedestrian passage along the sidewalk.

Sharon Buck, 610 S. 14th St., asked if the existing businesses (such as Honey Baked Ham and the Italian restaurant) downtown are in violation because they are creating good smells downtown or would they be grandfathered in.

Mr. Crower replied that those are principal uses, and we are only discussing accessory uses.

Mr. Holmes added that those criteria do not apply to a principal use, if a restaurant is zoned properly and an allowed use then there wouldn't be an issue as to the smells generated from that use.

Ms. Buck asked in regards to some of the staff decisions regarding accessory uses, would such decisions be made primarily by Mr. Crowe and is there a risk that the decisions would be subjective.

Mr. Crowe replied that he did not agree with that. He has 23 years' experience as a professional planner, is certified through the American Institute of Certified Planners, and has a Master's Degree in Planning and believes that he is qualified to make, to the best of his ability, objective decisions based on sound planning principles and practice.

Ms. Buck stated that while she respected and applauded Mr. Crowe for all of his qualifications, she was concerned that to the layperson, the administrative approval of accessory uses may appear to be subjective. She said that she did appreciate Mr. Holmes bringing up the appeal process.

Mr. Crowe replied that Ms. Buck had a good point. He explained that everything he does is subject to appeal and is not necessarily the final word. There is a balance and that the Planning Board and the City Commission have a responsibility to the citizens. The City must hire professionals, who to the best of their abilities implement and enforce the ordinances that are passed. He said that he tries to the best of his ability to ground his decisions based on criteria and such decisions have to be supported.

Pam Garris, 603 Emmett St. stated that she feels that there should be more public input and comment on what is actually allowed to go into these places, to be really be democratic about this and make sure the public understands what is going to be allowed, and not just rest in the Planning Department.

Gary Patel, owner of Quality Inn Hotel stated that he appreciates what Mr. Crowe is trying to do to correct the code to reflect what has been happening for years. He believes that this is a necessary code change to allow the uses that are customary.

Ms. Garris expressed concerns regarding outdoor activities of existing bars and the possibility of an adult entertainment establishment being able to locate downtown.

Mr. Crowe responded that the current accessory use regulations would not allow outdoor events and entertainment establishment uses, and activities are expressly prohibited in the downtown zoning districts.

Mr. Holmes stated that one must put this into context of the entire zoning code, and remember that the zoning code has already been assigned with given zoning classifications, with permissible uses to a district - which has already been through a public hearing process to decide what uses are allowable in a particular business district. So one must meet the limitation of principal uses first of all, and then you have articulated accessory uses (items 1 through 9) that are self-explanatory. The only latitude that staff has is with item no. 10, which requires that other accessory uses must meet the three point test. He added that there are two sides to every coin, on one hand you allow a code to be broad enough that any use can go anywhere; on the other hand, you require every use be approved through a public hearing that the public needs to comment on it. He believes this amendment lies in the middle of this spectrum and reminded the Board that new businesses trying to come into an area also have a tolerance for bureaucracy and a level beyond which they will not go.

Motion made by Mr. Sheffield and seconded by Mr. Petrucci to approve the request to amend Zoning Code Section 94-161 and 94-162 (Downtown Business and Downtown Riverfront zoning districts) regarding permitted accessory uses as recommended by staff, with the exception to item No. (10); to remove the following proposed language; *if an accessory use is not approved by Staff, such uses may be considered as conditional accessory uses* and place that language under the conditional accessory uses section [Section 94-161(f)(6) & 94-162(f)(6)]. All present voted affirmative, motion carried.

Case 12-62: Administrative request to amend Zoning Code Section 94-156 to allow educational/interpretative signs in historic districts.

Mr. Crowe explained that this request is to extend the allowance of education/interpretive signs in the historic districts which is not currently allowed. The North and South Historic Neighborhood Community Redevelopment Areas are seeking to erect neighborhood gateway kiosks signs. These signs fit into the Educational/Interpretative sign category, and as noted above are currently only allowed in the downtown and Recreation and Open Space zoning districts. The South Historic District kiosk sign has been erected on the northwest corner of River and Laurel Streets, and the North Historic District sign is proposed for the northeast corner of N. 3rd and Main Streets.

Mr. Harwell expressed his concern of such signs popping up all over the place in residential areas.

Mr. Crowe advised that the city would be sensitive to that. The educational type signs would be located within parks or within city right-of-way and are meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka. He added that all signs in historic districts would be required to go before the Historic Preservation Board for a Certificate of Appropriateness as to sign design and location.

Ms. Buck stated that she thought that 20 square feet is quite large.

Ms. Garris protested that she would not want to see a large sign placed in front of her house.

Mr. Crowe stated that he believes that this amendment is supported by the Comprehensive Plan and that the City strongly supports historic preservation of the city. He added that the City would not want to be intrusive to a property owner and that such signs would be strategically placed with that in mind.

Motion made by Mr. DeLoach and seconded by Mr. Sheffield to approve the request with staff recommendations. The motion passed with six yeas and a dissenting vote cast by Mr. Harwell, motion carried.

With no other business, meeting adjourned.

Case 12-60
Request to Amend Zoning Code
(Accessory Uses in Downtown Zoning Districts)
Applicant: Building and Zoning Dept.

STAFF REPORT

DATE: November 26, 2012

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

An administrative request to amend the Zoning Code to provide for additional accessory uses in the DB (Downtown Business) and DR (Downtown Riverfront) zoning districts. Public notice included legal advertisement.

APPLICATION BACKGROUND

Staff is proposing this Zoning Code revision to expand the list of accessory uses in the downtown zoning districts to allow for certain appropriate uses and activities that are currently prohibited. Sections 94-161(c) and 94-161(c) regulate accessory structures in the downtown zoning districts and reads as follows:

> *Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:*
>
> *(1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.*
> *(2) Boat repair and sales as an integral part of a marina.*
> *(3) Laundry facilities as an integral part of a hotel or marina.*
> *(4) Outside sale and display of goods at city approved functions and events.*
> *(5) Warehousing and/or storage completely enclosed within the principal building.*

In addition to these accessory uses and activities, Sections 94-161(e) and 94-161(e) allow only for the following accessory uses.

(1) Child care facilities.
(2) Drive-through facilities.
(3) Making of goods for sale at retail on the premises.
(4) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.

(5) *Owner or employee occupied residence located on the first floor and accessible through a rear entrance or through the main entrance of the permitted principal use as a conditional accessory use only.*
(6) *Wall graphics.*

It should be noted that in other nonresidential zoning districts, accessory uses are allowed upon the administrative interpretation that such uses:

a. *Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.*
b. *Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership.*
c. *Do not involve operations or structures not in keeping with the character of the district.*

This provides Staff with flexibility to allow accessory uses based on accepted planning principles and practice. For example, a retail business is allowed the accessory use of storage to maintain an inventory of goods on the premises, and a church is allowed the accessory uses of classrooms and fellowship halls. The key to ensuring that these activities are accessory in nature is that they are customarily associated with and clearly subordinate to the principal use, as the examples above demonstrate.

Staff believes that these two different methods of determining accessory uses is inequitable and sets a higher standard for downtown businesses. Staff recommends allowing certain additional appropriate accessory conditional uses and adding language that allows Staff the ability to approve other accessory uses and activities that are clearly customary and subordinate.

Staff recommends adding the following accessory uses to both downtown zoning districts.

- *Meeting space and limited retail sales as an accessory use to hotels (currently prohibited).*

Staff comment: it is a common practice for hotels to use meeting rooms for civic groups, training, professional organization meetings, and similar activities. This would allow for a small internal gift or convenience store intended for hotel guests, but would not include retail activities such as gold sales (popular at hotels in other communities) as this would undercut local businesses and is not in keeping with the ordinary hotel activities.

- *Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained (currently allowed only as a conditional accessory use).*

Staff comment: this is another common practice associated with downtown restaurants, and as long as the required sidewalk is maintained there is no point in requiring the burden of public hearing and reviews for such an activity.

- *Making of goods for sale at retail on the premises (currently allowed as conditional accessory use), with no odor, fumes, or other emissions detectable to normal senses from off the premises.*
- *Manufacturing, fabrication, and assembly activities (currently allowed as conditional accessory use), associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.*

Staff comment: allowing such activities would encourage art galleries where artists could both craft artwork and sell it on-site, while not allowing industrial side-effects.

- *Other uses that in the opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district (if not approved by Staff, such uses may be considered as conditional accessory uses).*

Staff comment: as stated previously, this standard would allow staff to administratively approve appropriate accessory uses that were not anticipated in the approved list, and allow the Board to consider such uses through the conditional accessory use process when Staff approval is not provided.

PROJECT ANALYSIS

Per Section 94-38(f)(2) of the Zoning Code, the Planning Board must study and consider proposed zoning text amendments in relation to the following criteria (if applicable), shown in underlined text (staff response follows each criterion).

The planning board shall consider and study:

a. The need and justification for the change.

Staff comments: the following justifications are applicable.

- The amendment would encourage complimentary uses and additional businesses downtown that are currently prohibited.
- The amendment would implement Comprehensive Plan policies as noted below.

b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

Staff comments: the following Comprehensive Plan policies (shown in *italics*) are applicable to this amendment. This amendment is in keeping with the goals, objectives, and policies of the Comprehensive Plan. In regard to the policies listed below, the amendment is in line with stated purposes of promoting infill development, renewing blighted properties, encouraging the use of existing commercial areas, and practicing innovative development planning.

FUTURE LAND USE ELEMENT

Objective A.1.2 *9J-5.006(3)(b)2*

Upon Plan Adoption, the City shall implement the following policies in order to provide the means for redevelopment and renewal of blighted properties.

Policy A.1.6.1 *9J-5.006(3)(c)*

Provide incentives which direct development to infill in areas of the City with in-place water/sewer lines and paved road. These incentives may include, but not be limited to providing additional permitted land uses through special use designations under the City Zoning Code such as approved "mother-in-law" units with separate kitchens or home office operations for limited business activities.

Policy A.1.6.2 *9J-5.006(3)(c)3*

Minimize scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.

Objective A.1.8 *9J-5.006(3)(b)9; F.S. 187.201(16)(b)3*

Upon Plan adoption, The City shall establish a program that provides the means for innovative development planning. The end goals of the program are to provide:

- *Flexibility and efficiency in site design to reduce infrastructure costs, improve interior circulation patterns, and promote open space;*
- *Development that is adapted to natural features in the landscape such as wetlands, vegetation and habitat, and which avoids the disruption of natural drainage patterns; and*
- *A mix of land use to promote convenience in the location of related uses and to reduce travel congestion and costs.*

STAFF RECOMMENDATION

Staff recommends the following revisions to the Zoning Code shown in italics with new language in underlined text.

Section 94-161 & 94-162 – DOWNTOWN BUSINESS & DOWNTOWN RIVERFRONT ZONING DISTRICTS

(a): no change

(b) no change

(c) Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:

(1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.

(2) Boat repair and sales as an integral part of a marina.

(3) Laundry facilities as an integral part of a hotel or marina.

(4) Outside sale and display of goods at city approved functions and events.

(5) Warehousing and/or storage completely enclosed within the principal building.

(6) Meeting space and limited retail sales as an accessory use to hotels.

(7) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.

(8) Making of goods for sale at retail on the premises, with no odor, fumes, or other emissions detectable to normal senses from off the premises.

(9) Manufacturing, fabrication, and assembly activities associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.

(10) Other uses that in the written opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not

in keeping with the character of the district (if not approved by Staff, such uses may be considered as conditional accessory uses).

(d) Prohibited uses, activities, and structures. In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:

(1) Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).
(2) Communication towers.
(3) Drive-through facilities.
(4) Manufacturing, fabrication, and assembly activities, except as an accessory use or a conditional accessory use.
(5) Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.
(6) Residential dwellings on the first floor constructed or converted after May 1, 2003.
(7) Roadside vending.
(8) Rooming and boarding houses.
(9) Warehousing and/or storage, except as an accessory use.

(e) through (i) no change

Agenda Item

11

CITY COMMISSION AGENDA ITEM

SUBJECT: ORDINANCE - COMPREHENSIVE PLAN PUBLIC FACILITIES ELEMENT TEXT AMENDMENT ALLOWING EXCEPTIONS FOR REQUIRED ANNEXATION FOR CONTIGUOUS PROPERTIES UTILIZING CITY WATER AND/OR SEWER - ADOPT

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: _X_ Ordinance ___ Resolution ___ Motion
_X_ Support Documents ___ Other

SUMMARY:
This is an administrative request for a large-scale text amendment of Comprehensive Plan Public Facilities Element Policy D.1.2.1. This Comprehensive Plan policy limits City sewer service to properties within the City limits, while City water service is available for properties outside the City with the requirement that if and when such properties become contiguous to the city limits they must annex into the city. The purpose of this amendment is to provide for an exception that contiguous properties must annex into or be within the City when receiving such utilities service.

Planning Board recommended approval at their October 2, 2012 meeting and the Commission transmitted the request to state agencies at their October 11, 2012 meeting. No objections were received by agencies.

RECOMMENDED ACTION:
Adopt ordinance

DEPARTMENT HEAD	Submitted: Thad Crowe TC	Date: 1/23/2013
	Requested Agenda Thad Crowe	Date: 2/14/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No X N/A	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/4/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

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This instrument prepared by:
Thad Crowe, AICP
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 13 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE PUBLIC FACILITIES ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED TO PROVIDE FOR EXCEPTIONS TO REQUIREMENT THAT PROPERTIES RECEIVING CITY WATER AND SEWER SERVICE BE ANNEXED WHEN CONTIGUOUS TO CITY LIMITS WHEN CERTAIN CRITERIA PERTAINING TO ECONOMIC DEVELOPMENT, SYSTEM REVENUE AND EFFICIENCY, URBAN SPRAWL, AND ENVIRONMENTAL PROTECTION ARE MET; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Subsection 163.3184, Florida Statutes, as amended, provides for the amendment of an adopted comprehensive plan, and

WHEREAS, the Planning Board conducted a public hearing on October 2, 2012, and recommended approval of this amendment to the City Commission, and

WHEREAS, Section 163.3184(3)(b)1., Florida Statutes, as amended, provides that the City Commission may transmit the proposed amendment ordinance and supporting data and analysis to state reviewing agencies and any other local government or governmental agency that has filed a written request with the governing body, and

WHEREAS, Section 163.3184(3)(b)2., Florida Statutes, as amended, provides that state agencies shall transmit to the City of Palatka comments regarding adverse impacts on important state resources and facilities by the amendments, and

WHEREAS, Section 163.3184(3)(c)1., Florida Statutes, as amended, provides that the City Commission shall hold a second public hearing to adopt the amendment within 180 days after receipt of agency comments, and

WHEREAS, the City Commission properly transmitted this

amendment to state agencies and did not receive adverse comments from said agencies,

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:

Section 1. Adopted Large Scale Amendment

That the following policy of the Public Facilities Element of the adopted Comprehensive Plan of the City of Palatka is hereby amended as shown below to provide for exceptions to the requirement that properties receiving City water or sewer must annex into the City when contiguous to the City limits.

Policy D.1.2.1

The City of Palatka shall establish a coordinating relationship with the Putnam County Board of County Commissioners to discuss future development plans adjacent to City borders and to discuss the City supporting development beyond their border with water/sewer service. Areas served by Palatka water and sewer will be annexed into the City; however, the distribution of potable water for areas outside of City limits is conditioned upon annexation only when those properties become contiguous. Annexation of contiguous property receiving water or sewer service shall not be required if provision of service to a property, in substantive terms, improves the efficiency of the collection system, supports the system through additional service and user fees, achieves environmental protection, and promotes economic development; and does not promote urban sprawl.

Section 3. Effect on the Comprehensive Plan

The remaining portions of said adopted comprehensive plan of the City of Palatka, Florida, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4. Severability

Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

Section 5. Effective date

This Ordinance shall become effective thirty-one (31) days after notification by the state land planning agency notifies the City of Palatka that the plan amendment is complete, or if timely challenged when the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 14TH day of February, 2013.

CITY OF PALATKA

By: _____
Its Mayor

ATTEST:

_____
City Clerk

Vice-Chairman Sheffield advised that he could obtain a copy of the meeting record for his use and that he would make his appeal to the City Commission.

Ms. Gooding asked what the purpose of the annexing was, as the women next to her stated she already had water but is in the County.

Mr. Crowe advised that the City is able to give people water if available, when they are not contiguous to the city limits, however once they become contiguous they are obliged to annex.

Mr. Petrucci added that the water and sewer is the way the City entices people to annex.

Motion made by Mr. Petrucci and seconded by Mr. Wallace to approve case 12-50 as submitted. All present voted affirmative, motion carried.

OLD BUSINESS

Case 12-31: Administrative request to amend Comprehensive Plan Public Facilities Element Policy D.1.2.1 to provide for exceptions, based on economic development and system efficiency considerations, to the requirement that properties receiving City water or sewer that are contiguous to the city limits be annexed, and the requirement that properties receiving City sewer service be within the City limits (tabled from September meeting).

Mr. Crowe advised that this text amendment to the Comprehensive Plan would provide for exceptions to the current rule of the Comprehensive Plan, requiring that properties outside the city limits receiving city water be annexed once they become contiguous to the city limits and that city sewer can only be afforded to properties within the city limits. This exception would be based on criteria pertaining to a substantive impact regarding economic development, system efficiency, revenue and environmental improvement. He explained that this amendment would only allow the waiver if ALL of the criteria could be met and it would not foster urban sprawl. The request for exception would be considered by the City Commission on a case by case basis, and they would have to determine that the request met all the criteria. He referred to the "pros" and "cons" listed in his staff report and stated that some examples of the "pros" would be that the City would probably see more business expansion and retention in the urban area. Without city services such economic development is difficult. The City benefits from the additional revenue for the water and sewer system from that expansion in the unincorporated area and a positive side effect is the reduction of septic tanks that are so prevalent in the unincorporated areas. He added that the "con" is that the annexation agreement method is the City's only carrot for getting people into the City and increasing the tax base which helps with maintenance and repairs to the systems. He referenced the old adage "why buy the cow when you can get the milk for free"... however, the milk is not completely free as there is a 25% surcharge on that milk. Allowing exceptions could also potentially require utility system upgrades as the City has one water plant and one sewer plant, and both are a little bit over half capacity. The City is guided by the Comprehensive Plan policy to expand the system in an infill manner, and the City has a lot of infill potential. He recommended approval of the exception process when all of the criteria are met.

Vice-Chairman Sheffield asked Mr. Crowe if the intent of the amendment was also to provide a potential revenue source for the City.

Mr. Crowe replied that this measure was looked at across the board and that it was brought to light by a potential large user (Georgia Pacific) who was interested in receiving city water, but did not want to enter into an annexation agreement. The revenue enhancement argument can be made from the standpoint that if the City can serve the unincorporated area without limitations it can potentially attract more businesses in the urban area as a whole, which would then provide more system revenue and support.

Dana Jones with the Putnam County Chamber of Commerce stated that she is in support of this text amendment. She spoke of how critical infrastructure is to the County's economic development activity and how critical this text amendment is. Prospects today are looking for shovel-ready sites, meaning infrastructure including utilities is in place, and the second best thing to that is to have a plan like this in place. She thinks it will provide a much better shot at getting prospects. Ms. Jones added that several years ago the Chamber did a study on this very matter. She urged the Board to please consider supporting this text amendment, stating that this is a critical first step in addressing one of the things that hinders this county, which is shovel-ready sites.

Dr. John Wolfenden, 131 Old Peniel Rd., stated that he was chair of a committee that studied water and waste water for the Chamber. They produced a 125-page document and forwarded an executive summary of that document to the Board members. He said that he and the Chamber considers this proposed text amendment to be a critical policy of the Comprehensive Plan that will promote economic development and that it does not promote urban sprawl. Promoting and encouraging economic development is what the Chamber of Commerce is trying to do and doing this increases the potential revenue stream with more use of the sewer plant and the increase of water production. He stated that the Chamber would encourage the Planning Board to support this amendment. He ended by referencing an old saying; "there are people who make things happen, there are people who watch things happen, and there are people who say what happened." This Board has the opportunity to make something happen, for the good of Palatka and the good of the County.

Ben Bates, 3400 Crill Ave., explained that he has been involved with the economic development arm of the Chamber since 1985 and stated that in today's environment, on the last survey they did there were 7,200 out-migrations of workers leaving this area to work in other communities with some going as far away as Orlando. He added that economic development is one of the most competitive things for communities. The City and County are competing with every city, every county and every state. When you compare what Florida has to offer versus South Carolina, Georgia and Alabama you must be competitive and being shovel-ready is a tool that is most important. Mr. Bates stated that the Wal-Mart project in south Putnam is still planned, and this project will create anywhere between 400 and 1,000 jobs. The City of Crescent City had to work out an agreement for them to run water and sewer approximately three miles to the new planned distribution plant. Part of that agreement was that Wal-Mart will assist with the upgrade to the City's water and sewer plant, which is a win-win for everyone. Mr. Bates added that there is an active client right now who is looking at Putnam County with a proposed project (similar to the planned distribution center) that this would fall under this type of arrangement. He ended by saying that the Chamber believes this amendment would be of great benefit to the City and the County by providing additional revenue to maintain and expand capacity, and to all residents by creating more jobs so that our children might not have to leave the area to work.

Ms. Gooding questioned the focus on new development when there is so much need for (infill) restoration of existing properties in the City. She noted that Mr. Bates was a major owner of many of these properties.

Mr. Bates explained that those infill efforts are underway also but the economy has hindered such efforts for the past four or five years since it has been hard to get any type of funding for the private sector. He stated that infill will not happen unless an economy will support it. The City and County are either going to be pro-active or re-

active. He stated that he believes the City is being pro-active - just take a look at the downtown and the riverfront park.

Mr. Petrucci stated he would be concerned about giving up the requirement of annexation once a property became contiguous. If the City is going to provide water and sewer, that is the carrot to bringing those properties into the City which would help pay into the maintenance and expansions funds as the systems near capacity. He noted that it seemed to be a double standard to not allow exceptions for individual residents like those who addressed the Board earlier in the meeting while allowing exceptions for larger businesses.

Mr. Bates gave a hypothetical scenario, stating that if a large business like Georgia Pacific needed water & sewer and did not want to annex, if the utilities could not be made available to them they might consider moving away from the area to another area that is shovel-ready. He did not believe that would be in the best interest of the citizens, and that 125 jobs would be important to the whole community. He added that the applicant would have to meet each and every one of the exception criteria. You must look at it as something that the entire community would benefit from on a progressive level. When the Chamber is out there trying to recruit other businesses and industries to come into this community, lack of available utilities is one of the things that takes the City off their list.

Discussion took place regarding the proposed negotiating process, having as many tools as possible to attract new businesses and business expansions, and being competitive with other communities.

Michael Czymbor, Palatka City Manager, stated that upon his initial review of this proposed amendment, he thought absolutely no way, thinking it would not be in the best interests of the City. He explained that there are a number of reasons why you do not usually give away utility services without clear urban service boundaries, continuity of services, and spreading the costs around. But the more he thought about it, and specifically with the Georgia Pacific situation, he understood that they did not want to annex due to economic and financial reasons. He referred back to the previous case (#12-50 administrative annexations), stating that when a single family residence has a problem with their well and there is a nearby water line, many County Health departments will make you connect to the public water system. When you compare the costs of connecting to the public water system versus drilling a new well there is a substantial savings, and you also get comprehensive police and fire services. In the case of the nine annexation agreement applicants outside of the City, they should have been annexed years ago but the City had not exercised these agreements until now. These people had agreed to annexation in exchange for the services by signing a legally binding agreement. With this text amendment, for those cases that do not meet the all specific criteria for exemption, the City will continue to follow the current Comprehensive Plan requirements. Mr. Czymbor added that with this text amendment the more it was considered, with regards to economic development as well as the capacity that is available currently in the system, it really made sense to him. Especially when you consider that there are specific criteria in place to evaluate each applicant individually to make sure that it is a benefit to the City and surrounding community.

Mr. Petrucci stated concerns regarding the exemption resulting in a lack of city taxes from those not required to annex, stating that other than the additional jobs you are not going to get any money in the City.

Mr. Czymbor addressed Mr. Petrucci's concerns, stating that not only will those that meet all the criteria for exemption will be paying a 25% increase on the water consumption (which can potentially go up to 50%) and their employees will be shopping at the stores, eating at the restaurants, and buying fuel from the gas stations. It would grow the overall tax base of the County. He stated that he understood Mr. Petrucci's point, that those that met the exemption criteria may not be specifically paying city property taxes but they would be supporting city businesses and promoting the commerce of the City and County. The City will be weighing the benefits of each

exception application on an individual basis. There is not a large benefit to the overall City for a single residential property annexation, but collectively that does grow the tax base. The benefit to the single residential property owner is that they pay a lot less in their water bill than for those with annexation agreements and they no longer have to pay a surcharge on their water bill. They will also get the other city services including dedicated police and fire protection, which could result in a lower rate on their insurance premium. For the City to provide efficient services, boundaries must be squared up so better services can be provided at a lower cost.

Mr. Wallace asked Mr. Czymbor if the cost of a gallon of water meets or exceeds the cost of producing that gallon of water.

Mr. Czymbor replied that the City is not there yet but is getting closer, which is why the Commission just adopted a rate increase. The treatment plant where the water is made is state-of-the-art, and the City should be set for approximately 25 years other than plant routine maintenance. The City's next priority is to come up with enough revenue to replace the 100-year old water mains.

Mr. Petrucci stated that he understood but still had concerns that the necessary maintenance-related improvements just discussed won't receive the same attention as maybe a big user and their needs.

Mr. Czymbor explained that hypothetically, if the City were to serve a large customer like Georgia Pacific, the amount of revenue that would be taken in would more than pay for the cost of the service. So that would provide the City with additional revenue do more routine maintenance and capital improvements that the City need to do but just don't have the revenue for at this time.

Discussions continued regarding the need for a stimulus for economic development to encourage growth of the City and the unincorporated area as well as the opportunity to offer a better quality of life for the people of the City of Palatka.

Mr. Crowe stated that there is a need to look at this amendment holistically, because if it is a successful strategy then the City and County are not just going to see piecemeal occurrences of new growth and development in the Palatka urban area but a more holistic and comprehensive growth pattern.

Motion made by Mr. Wallace and seconded by Ms. Moody to recommend to the City Commission adoption of the text amendment as submitted with staff recommendations. The motion passed with four yeas and a dissenting vote cast by Mr. Petrucci.

Case 12-38 An administrative request to amend Zoning Code Sec. 94-145, 94-146, 94-148, 94-149, 94-150, 94-152, 94-154, 94-155, to provide for height limits in various zoning districts, and to revise height limit for Planned Industrial Development District Sec. 94-163 (tabled from September meeting).

Mr. Crowe explained that at the June 5, 2012 meeting the Board recommended approval of the proposed text amendment to eliminate height limits in the Future Land Use Map (FLUM) categories. When the amendment was transmitted to state agencies, F.D.O.T objected on the basis that FLUM categories should provide a measurable standard so the agencies can gauge potential development and the resulting potential impacts on their state roadways. Right now, Staff is focusing on zoning code height limits because they are a hodgepodge, with some of the districts having no height limits and limits in other districts not seeming to have a lot of rationality. In looking at comparable jurisdictions, the City's height limits are generally lower. Staff believes that the City's height limits should be in the mean of comparable jurisdictions, to allow the City to better compete for new

Case 12-31
Request to Amend Comprehensive Plan Text
Public Facilities Element
(Exceptions to Required Annexation for Water and Sewer Connection)
Applicant: Building and Zoning Dept.

STAFF REPORT

DATE: September 25, 2012

TO: Planning Board Members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To consider an administrative text amendment to Comprehensive Plan Public Facilities Element Policy D.1.2.1 to provide for exceptions, based on economic development, environmental, system revenue, urban sprawl, and system efficiency considerations, to the requirement that properties receiving City water or sewer that are contiguous to the city limits be annexed, and the requirement that properties receiving City sewer service be within the City limits. Public notice included legal advertisement.

APPLICATION BACKGROUND

This application was tabled twice by the Board during recent months at the request of Staff to allow for Staff to explore the issues surrounding this matter with the new City Manager. The applicant is being put back before the Board with the additional criteria shown above in underlined text.

The City of Palatka is the sole provider of central water and sewer service in the Palatka urban area. As interpreted from the following Comprehensive Plan policy, sewer service is only provided within the City limits, while water service is available for properties outside the City with the requirement that if and when such properties become contiguous to the city limits they must annex into the city.

> ***Public Facilities Element Policy D.1.2.1***
> *The City of Palatka shall establish a coordinating relationship with the Putnam County Board of County Commissioners to discuss future development plans adjacent to City borders and to discuss the City supporting development beyond their border with water/sewer service. Areas served by Palatka water and sewer will be annexed into the City; however, the distribution of potable water for areas outside of City limits is conditioned upon annexation only when those properties become contiguous.*

There has been an ongoing dialogue among elected officials and staff about water and sewer provision and annexation for a number of years. Some see water and sewer service provision as one of the few incentives that the City has to encourage property owners to annex into the City – such incentives are important to overcome the economic fact that annexation results in additional City taxes. Others make the argument that denying urban service provision hampers economic development within the urban area, which may ultimately dampen the City's ability to expand through annexation. Other problems go with both sides of the discussion,

from the need for expensive expansions to the utility system[1] that go with system growth to the problem of the status quo not addressing septic tank proliferation and continuation.

At the request of the former City Manager, staff has developed a middle ground approach for the Board's consideration that would provide the City with the alternative approach of allowing on a case-by-case basis: a) sewer service outside the City; and b) water service outside the City without required annexation when city limit contiguity occurs. Such exceptions would be allowed only when a meaningful and substantive outcome will result in the area of system efficiency, economic development, environmental improvement, or system revenue increase, and such exceptions do not promote urban sprawl. Such exceptions would be needed when a property owner either was not contiguous and thus could not annex and receive sewer service, or when a contiguous property owner did not want to annex into the City, for taxation or other reasons.

PROJECT ANALYSIS

Florida Statutes do not provide specific criteria for the review of text amendments, other than the requirement that amendments to the Future Land Use Element (FLUE) must discourage the proliferation of sprawl, and that any such amendments must be in keeping with other Goals, Objectives, and Policies of the Plan.

The potential of urban sprawl must be examined in the context of this amendment. It is possible that providing water and sewer service in outlying areas could create urban sprawl and work against infill and downtown revitalization, when the following urban sprawl tests are examined.

- *Low-intensity, low-density, or single-use development or uses.*
- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*
- *Radial, strip, isolated, or ribbon development patterns.*
- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*
- *Development that fails to maximize use of existing and future public facilities and services.*
- *Development patterns or timing that will require disproportional increases in cost of time, money and energy in providing facilities and services.*
- *Development that fails to provide a clear separation between rural and urban uses.*
- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

The City is already required to discourage urban sprawl in all of its actions by Future Land Use Element Policy A.1.6. However a decision regarding urban services is not subject to state and agency scrutiny, which in the past has provided a base level of urban sprawl review. It is recommended including language with this policy that reinforces the need with each service provision decision to consider urban sprawl impacts.

[1] While the sewer system is currently just at 50% of capacity, the potential service area covers an area that is almost three times the City's population, and serving this larger area would require a new sewer plant.

On the issue of water and sewer provision in relation to annexation, there are no relevant Comprehensive Plan policies other than the policy proposed for amendment. The policies below guide the City to plan for future system growth and encourage infill and discourage urban sprawl.

Policy D.1.1.2 *9J-5.011 (2)(c)2*
All improvements for replacement, expansion, or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facilities and that distribution of these facilities/services is consistent with the Future Land Use Map.

Policy D.1.2.2
Upon reaching ninety (90) percent of system capacity, the City Commission shall review the City's current debt service (for consideration of issuing bonds), federal/State grant potential and other sources of funding to determine future policies relating to system expansion.

Policy D.1.4.2 *93-5.011 (2)(c)*
Within twelve (12) months, the City shall adopt zoning incentives, including a density bonus, for development in-fill within areas already serviced by City water/sewer systems.

Objective A.1.6 *9J-5.006(3)(b)7*
Upon Plan adoption, the City shall discourage urban sprawl. Land Development Regulations shall be adopted that implement the following policies:

Policy A.1.6.1 *9J-5.006(3)(c)*
Provide incentives which direct development to infill in areas of the City with in-place water/sewer lines and paved road. These incentives may include, but not be limited to providing additional permitted land uses through special use designations under the City Zoning Code such as approved "mother-in-law" units with separate kitchens or home office operations for limited business activities.

STAFF RECOMMENDATION
Staff recommends the following revised policy:

Public Facilities Element Policy D.1.2.1
The City of Palatka shall establish a coordinating relationship with the Putnam County Board of County Commissioners to discuss future development plans adjacent to City borders and to discuss the City supporting development beyond their border with water/sewer service. Areas served by Palatka water and sewer will be annexed into the City; however, the distribution of potable water for areas outside of City limits is conditioned upon annexation only when those properties become contiguous. Annexation of property receiving water or sewer service shall not be required if provision of service to a property, in substantive terms, improves the efficiency of the collection system, supports the system through additional service and user fees, achieves environmental protection, ~~or~~ and promotes economic development; and does not promote urban sprawl.

ATTACHMENT – LETTER OF SUPPORT FROM CHAMBER OF COMMERCE

Agenda Item

12

CITY COMMISSION AGENDA ITEM

SUBJECT: ORDINANCE - SIGN AND ZONING CODE TEXT AMENDMENTS (ALLOW EDUCATIONAL/INTERPRETATIVE SIGNS IN HISTORIC DISTRICTS) - ADOPT

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: X Ordinance _____Resolution ___ Motion
X Support Documents _____Other

SUMMARY:
This is an administrative request to allow these type signs in local historic districts. The Planning Board recommended approval of the request at their November 6, 2012 meeting. Examples of this sign type are the South Historic District sign at Laurel and River Streets and several signs along St. Johns Avenue. This ordinance change would allow for a North Historic District education/interpretative sign at the northeast corner of Main and N. 3rd Streets. The actual signs were approved by the Historic Preservation Board at their November 11, 2012 meeting.

RECOMMENDED ACTION:
Adopt ordinance

DEPARTMENT HEAD	Submitted: Thad Crowe TC	Date: 2/3/2013
	Requested Agenda Regular	Date: 2/14/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No X N/A	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/7/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

This instrument prepared by:
Thad Crowe, AICP
201 North 2nd Street
Palatka, Florida 32177

ORDINANCE NO. 13 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA AMENDING SIGN CODE SECTION 62-1 AND ZONING CODE SECTION 94-156 TO ALLOW EDUCATIONAL/ INTERPRETATIVE SIGNS IN HISTORIC DISTRICTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the Building and Zoning Department, to the City for certain amendments to the Zoning Code of the City of Palatka, Florida; and

WHEREAS, all the necessary procedural steps have been accomplished, including public hearings before the Planning Board of the City of Palatka on November 6, 2012, and two public hearings before the City Commission of the City of Palatka on January 10, 2013, and January 24, 2013; and

WHEREAS, the City Commission of the City of Palatka has determined that said amendment should be adopted.

NOW, THEREFORE, BE IT ENACTED BY THE CITIZENS OF THE CITY OF PALATKA, FLORIDA:

Section 1. Section 62-1 shall be amended as follows with the following revised definition:

Section 62-1 - Definitions:

Educational/Interpretative means a public sign located within parks or within city right-of-way that is meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, Putnam County, and the State of Florida. Educational/interpretative signs are allowed only in downtown zoning districts, historic districts, and in the Recreation and Open Space zoning district. Educational/interpretative signs are designed for pedestrian viewing and shall be

oriented at an angle that is between 45 and 60 degrees, with sign area not to exceed 20 square feet.

Section 94-156 shall be amended as follows with the following revised standard:

Section 94-156 - HD Historic District

(a) Intent. Designated historic districts preserve visual evidence of the city's significant historical role in the development of northeast Florida. The historic districts represent distinctive elements of the city's cultural, social, economic, political and architectural past and foster civic pride in the community. Designation as a historic district provides controls needed to preserve the architectural character of the neighborhood.

(b) Permitted principal uses and structures. Historic districts may contain a variety of land uses consistent with the original composition of the neighborhood. The moving, alteration or remodeling of a historic structure must be permitted through the historic preservation board. (Reference chapter 54, article III.)

(c) Conditional uses. Historical structures may be permitted for a use other than their original design use when maintaining the original design use is no longer economically or socially feasible. In such cases, the new use of the structure will not be considered to be a nonconforming land use. Alternate uses of historic structures must be approved by the city historic preservation board.

(d) Development standards. Development standards for the historic district are as follows:

(1) Moving, altering or remodeling a historic structure must be approved by the city historic preservation board.

(2) Development which intrudes upon a historically significant structure or site must provide buffering (as approved by the historic preservation board) between the new development and the historic structure/site.

(3) All construction shall be on continuous perimeter poured concrete footers measuring a minimum of 24 inches wide by eight inches deep. All construction also shall include a continuous masonry enclosure wall from the ground to the bottom exterior of the floor system.

(e) Permitted signs. Directional signs, ground signs,

educational/interpretative signs, and wall signs.

Section 2. To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

Section 3. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

Section 4. This Ordinance shall become effective immediately upon its final passage by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 14th day of February, 2013.

CITY OF PALATKA

BY:_____
Its MAYOR

ATTEST:

_____
City Clerk

Case 12-62
Request to Amend Zoning Code
(Educational/Interpretative Signs in Historic Districts)
Applicant: Building and Zoning Dept.

STAFF REPORT

DATE: November 26, 2012

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

An administrative request to amend the Zoning Code to allow Educational/Interpretative signs in the HD (historic district) zoning district. Public notice included legal advertisement.

APPLICATION BACKGROUND

Educational/interpretative signs are defined in the Sign Code as follows:

> *Educational/Interpretative means a public sign located within parks or within city right-of-way that is meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, Putnam County, and the State of Florida. Educational/interpretative signs are allowed only in downtown zoning districts and in the Recreation and Open Space zoning district. Educational/interpretative signs are designed for pedestrian viewing and shall be oriented at an angle that is between 45 and 60 degrees, with sign area not to exceed 20 square feet.*

The North and South Historic Neighborhood Community Redevelopment Areas are seeking to erect neighborhood gateway kiosks signs. These signs fit into the Educational/Interpretative sign category, and as noted above are currently only allowed in the downtown and Recreation and Open Space zoning districts. The South Historic District kiosk sign is proposed for the northwest corner of River and Laurel Streets, and the North Historic District sign is proposed for the northeast corner of N. 3rd and Main Streets. The first location is allowable for the kiosk sign, as it is within the Downtown Riverfront zoning district, but the second is not within any of the three allowable zoning districts. Staff supports amending the Sign Code to allow these sign types in the Historic District zoning classification, which is an overlay zoning category. The educational and interpretative function of such signs is in keeping with the heritage preservation and education aspects of the City's historic districts.

PROJECT ANALYSIS

Per Section 94-38(f)(2) of the Zoning Code, the Planning Board must study and consider proposed zoning text amendments in relation to the following criteria (if applicable), shown in <u>underlined text</u> (staff response follows each criterion).

he planning board shall consider and study:

a. The need and justification for the change.

Staff comments: the following justifications are applicable.

- The amendment would allow for attractive and human-scale signage that showcases and celebrates the City's heritage.
- The amendment would implement Comprehensive Plan policies as noted below.

b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

Staff comments: the following Comprehensive Plan policies (shown in *italics*) are applicable to this amendment. This amendment is in keeping with the goals, objectives, and policies of the Comprehensive Plan. In regard to the objective and policy listed below, the amendment is in line with stated purposes of historic preservation awareness and education which can be furthered by the use of these types of signs.

FUTURE LAND USE ELEMENT

Objective A.1.5 *9J-5.006(3)(b)4; F.S. 187.201(16)(a)(b)5*

Upon Plan adoption, The City, through implementing the following policies, shall increase public awareness of the historical significance of the City and provide incentives to maintain and restore historically significant areas and structures within the City limits.

Policy A.1.5.5

The City shall support public activities which disseminate information regarding the historic significance of the City of Palatka and its historic sites.

STAFF RECOMMENDATION

Staff recommends the following revisions to the off-street parking and loading standards pertaining to required paving, with excerpts from the Zoning Code shown in italics with new language in underlined text.

Sign Code Section 62-1– DEFINITIONS

Educational/Interpretative means a public sign located within parks or within city right-of-way that is meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka, St. Johns River, Putnam County, and the State of Florida. Educational/interpretative signs are allowed only in downtown zoning districts, historic districts, and in the Recreation and Open Space zoning district. Educational/interpretative signs are designed for pedestrian viewing and shall be oriented at an angle that is between 45 and 60 degrees, with sign area not to exceed 20 square feet.

Zoning Code Section 94-156– PERMITTED SIGNS

(e) Permitted signs. Directional signs, ground signs, educational/interpretative signs, and wall signs.

Case 12-62: Administrative request to amend Zoning Code Section 94-156 to allow educational/interpretative signs in historic districts.

Mr. Crowe explained that this request is to extend the allowance of education/interpretive signs in the historic districts which is not currently allowed. The North and South Historic Neighborhood Community Redevelopment Areas are seeking to erect neighborhood gateway kiosks signs. These signs fit into the Educational/Interpretative sign category, and as noted above are currently only allowed in the downtown and Recreation and Open Space zoning districts. The South Historic District kiosk sign has been erected on the northwest corner of River and Laurel Streets, and the North Historic District sign is proposed for the northeast corner of N. 3rd and Main Streets.

Mr. Harwell expressed his concern of such signs popping up all over the place in residential areas.

Mr. Crowe advised that the city would be sensitive to that. The educational type signs would be located within parks or within city right-of-way and are meant to educate and draw attention to the significant historical, cultural, and environmental aspects of the City of Palatka. He added that all signs in historic districts would be required to go before the Historic Preservation Board for a Certificate of Appropriateness as to sign design and location.

Ms. Buck stated that she thought that 20 square feet is quite large.

Ms. Garris protested that she would not want to see a large sign placed in front of her house.

Mr. Crowe stated that he believes that this amendment is supported by the Comprehensive Plan and that the City strongly supports historic preservation of the city. He added that the City would not want to be intrusive to a property owner and that such signs would be strategically placed with that in mind.

Motion made by Mr. DeLoach and seconded by Mr. Sheffield to approve the request with staff recommendations. The motion passed with six yeas and a dissenting vote cast by Mr. Harwell, motion carried.

With no other business, meeting adjourned.

Certificate of Appropriateness
HB 12-49
Hist. Dist. Kiosk Signs @ SE Corner Laurel & River Streets and NE Corner Main & N. 3rd Streets

STAFF REPORT

DATE: October 29, 2012

TO: Historic Preservation Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

This application is to install two kiosk signs at the locations indicated above. Public notice included property posting and letters to nearby property owners (within 150 feet).

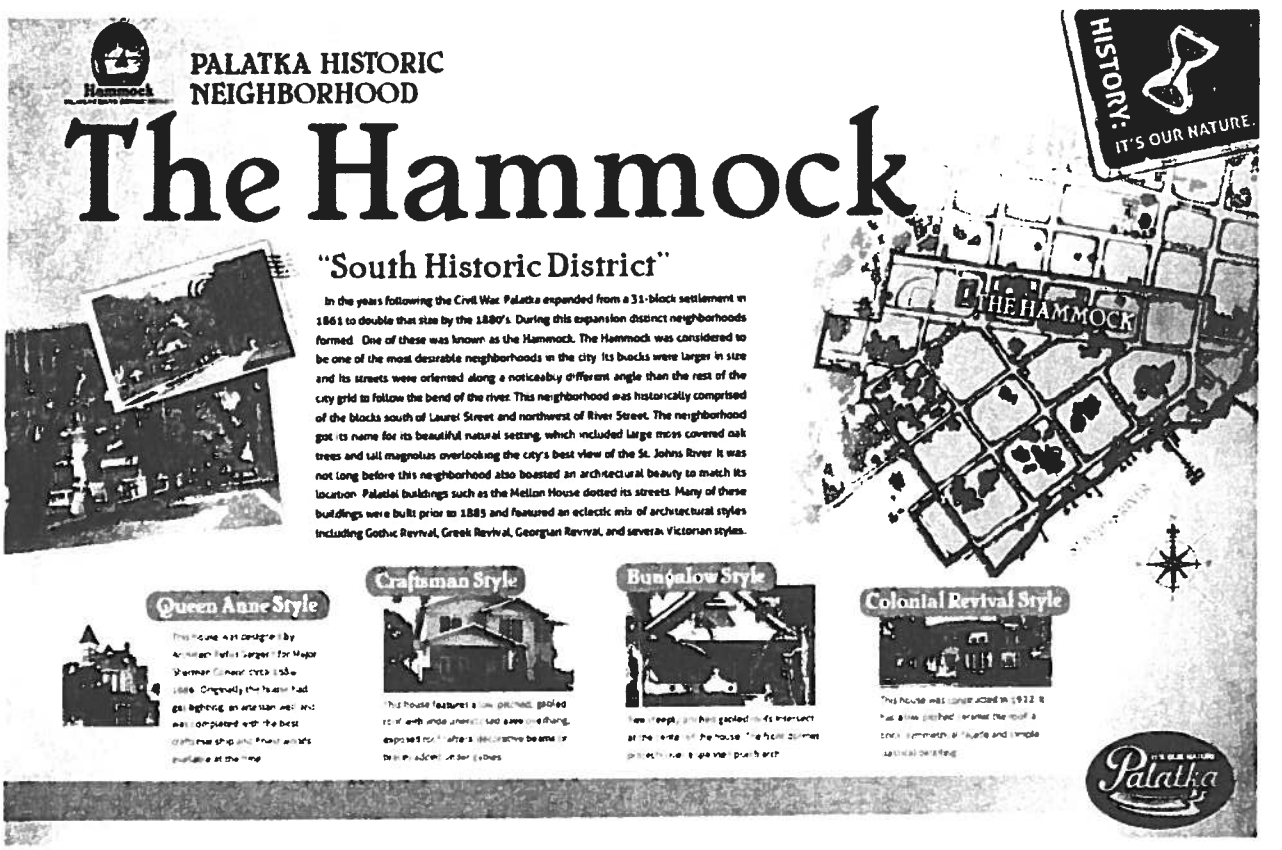


Figure 1: Example of Signs

APPLICATION BACKGROUND

Per Sec. 54-78(a) of the Palatka Code, under Article III Historic Districts, a Certificate of Appropriateness (COA) is required to erect, construct or alter a structure or sign located in a historic district. The Applicant has provided exhibits attached to this report that show sign location, design, and specifications.

Please note that in this case the Board is to review sign appearance and not sign content. Also as a point of information, the signs will require an amendment to the Zoning Code to allow educational/interpretative signs in historic districts and an amendment to the Sign Code to increase the allowable sign size from 20 square feet to 70 square feet.

PROJECT ANALYSIS

The following section of the report evaluates the application in light of applicable COA review criteria.

1. **Section 54-79(a), General considerations, requires the board to consider the design and appearance of the structure, including materials, textures and colors.**

Staff comment: The use of earth tones and the antique white background of the sign allows it to better blend in with the neighborhood. While the sign size will require a code change, Staff does not believe that the size will stand out and recognizes that the level of information presented requires a sign size larger than the current 20 square feet limit.

2. **Section 54-79(a), General considerations, also bases issuance of COAs on conformance of** the proposed work to the Secretary of the Interior's Standards for Rehabilitation.

Staff comment: The Secretary of the Interior's Standards do not address new signage.

3. **Section 54-79(a) also requires that the decision include consideration to the immediate surroundings and to the district in which it is located or to be located.**

Staff comment: Staff believes that this signs will present an attractive appearance at the historic district "gateway" locations. The signs will provide interesting information on neighborhood history and increase appreciation for historic preservation, the neighborhood, and the City.

4. **Section 54-79(b) requires that the board shall make each of the following findings to approve a COA:**
   (1) In the case of a proposed alteration or addition to an existing structure, that such alteration or addition will not materially impair the architectural or historic value of the structure.

Staff comment: not applicable.

5. **(2) In the case of a proposed new structure, that such structure will not, in itself or by reason of its location on the site, materially impair the architectural or historic value of a structure on adjacent sites or in the immediate vicinity.**

6. **(3) In the case of a proposed new structure, that such structure will not be injurious to the general visual character of the district in which it is to be located.**

Staff comment: as stated, the signs will fit into their surroundings and complement the historic districts.

7. **(4) In the case of the proposed demolition of an existing structure, that the removal of such structure will not be detrimental to the historic and architectural character of the district, or that, balancing the interest of the city in preserving the integrity of the district and the interest of the owner of the property, approval of the plans for demolition is required by considerations of reasonable justice and equity; in the latter event the board shall issue an order postponing demolition for a period of not to exceed three months.**

Staff comment: not applicable.

STAFF RECOMMENDATION

Staff recommends approval of COA HB 12-49, contingent on required Sign and Zoning Code changes.

ATTACHMENTS: APPLICANT EXHIBITS

Case: HB 12-49

Address: **1) Southwest corner of Laurel St. & River St. (within the right of way)**
2) Northeast corner of N 3rd St. & Main St. (within the right of way)

Parcel number: **1) 42-10-27-6850-0460-0080**
2) 42-10-27-6850-0090-0020

Applicant: **City of Palatka**

Item: **Request for a Certificate of Appropriateness to erect signs as follows**
1) Hammock Kiosk (South Historic District)
2) Reid's Garden Kiosk (North Historic District)

Chairperson Correa disclosed she had a part in the design discussion of the South Historic District kiosk.

Ms. Van Rensburg also disclosed by saying she also had a part in the North Historic District kiosk and does not benefit financially.

Chairperson Correa asked Staff if the Kiosk with the misspelling will be replaced.

Mr. Crowe stated yes the spelling will be corrected. He said the total square feet referenced in the staff report for the kiosks was incorrect; they are actually 6 total sq. ft. in size and meet the current sign code in terms of maximum sign size. He said the code change would allow these types of signs in historic districts, along with the currently allowable recreation and downtown zoning districts. The South Historic District kiosk can be erected without the code change because that type of sign is allowed in the downtown riverfront district but the north historic district kiosk would need to wait until the code is changed to allow educational interpretive types of signs in the district, he said these types of signs will attract visitors interested in the architecture and ambiance of the surrounding neighborhood and structures. Staff recommended approval.

Motion made by Mr. Graffweg to approve the request and seconded by Mr. Beaton. All those present voted affirmative, motion passed.

Case: HB 12-52

Address: **504 N 2nd St.**
Parcel Number: **42-10-27-6850-0060-0011**
Applicant: **Latitudes NE Florida, LTD Co., Coenraad Van Rensburg**
Request: **Request for Certificate of Appropriateness for the following exterior alterations:**
1) restore original open rear porches
2) install porch hand railings
3) and repair stairs to porch (North Historic District)

Ms. Van Rensburg recused herself from the vote but not for the discussion. She stated that she was the co-owner of the business that would be doing this work.

Mr. Graffweg disclosed that he had worked for Mr. van Rensburg in the past, but not at this time, which would not require a recusal.

Agenda Item

13

CITY COMMISSION AGENDA ITEM

SUBJECT: DISPOSITION OF CITY-OWNED PROPERTY

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: _____Ordinance _____Resolution _____Motion
_____Support Documents X____Other

SUMMARY:
At the Commission's October 25, 2012 meeting Staff presented a preliminary list of city-owned properties with potential for disposition. Since that time Staff has further researched the status of the properties and solicited public input through the City's website, the results of which are shown on an attached document. The list has been narrowed down to 21 properties that are appropriate for sale. The sale of vacant, underperforming, and "surplus" property was one of the revenue enhancement alternative measures identified by the City Manager to pursue to help resolve City budget challenges. The potential sale will produce immediate revenue and will put the sold properties back on the tax roll.

RECOMMENDED ACTION:
Authorize staff to market the properties for sale in a manner to produce the highest sales possible.

DEPARTMENT HEAD	Submitted: Thad Crowe TC	Date: 2/1/2013
	Requested Agenda Regular	Date: 2/14/2013
FINANCE DEPARTMENT	Budgeted ___Yes ~~X~~No __N/A	Date: 2/7/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 2/7/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

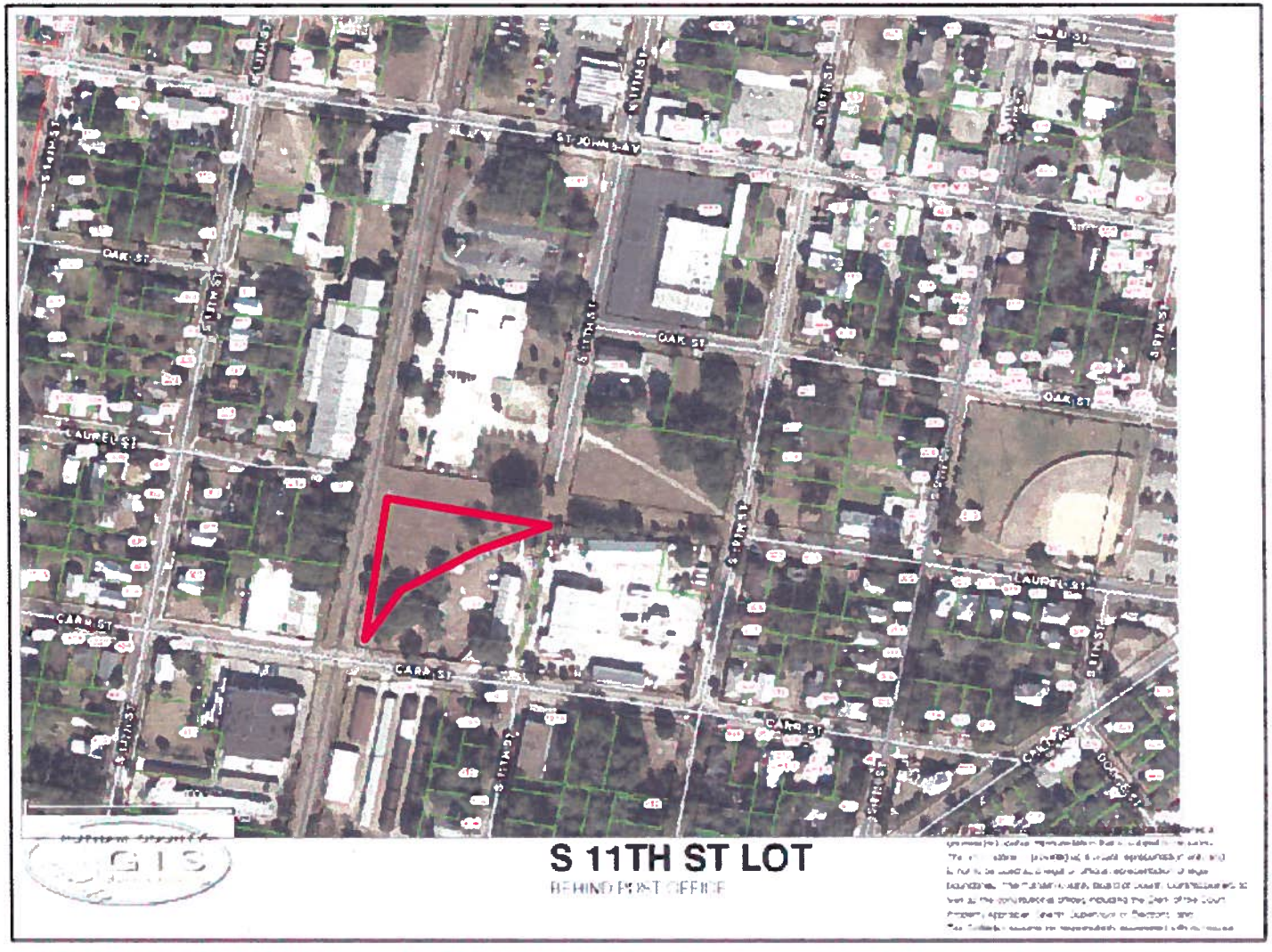
DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

CITY-OWNED PROPERTIES: STAFF RECOMMENDATIONS INTERNET PUBLIC INPUT

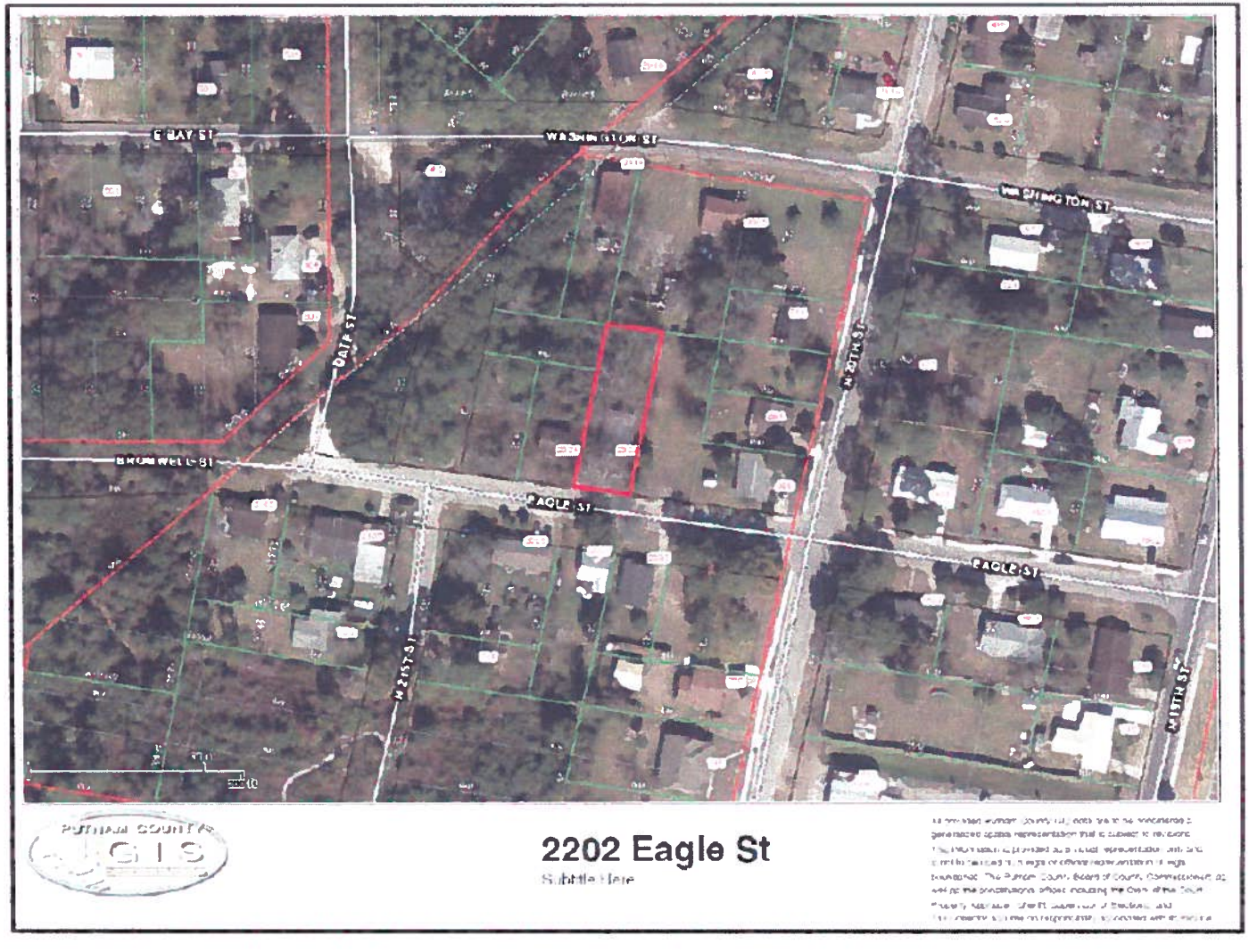
Property	Recommendation	Notes	Christy Sanford	Shann Purinton	Evelyn Snyder	David Peck	Denise Aiken	Susan Pope	Mike Purinton	Ramicah Watkins	James McDonald	Sandra Kokernoot
100 Block	Sell (1) or lease	Available renovation grant funds				Give to GA Pacific						
S. 11th St. Lot behind P.O.	Sell (1)	Approach adj. owners?	Sell									
721 N. 21st St.	Sell	City is mortgagor for homeowner										
2022 Eagle St.	Sell	Recently acquired by City at tax deed sale										
1003 Ocean St. Lot	Sell (1)	Vacant lot across from city lot				Sell						
N. 11th St. & Olive St	Sell (1)	Multiple Multi-family & Commercial parcels				Sell						
RR/S 12th St. Lots	Sell	4 lots, landlocked, behind 1217 & 1219 S. 12th St., sell to adj. owners?										
Airport Lot (PRC Way)	Sell (1)	Excellent potential for aviation-related business				Sell						
Azalea S/D "Park"	Sell	Existing park in S/D, no need for this one										
College Gardens Property	Sell	Not viable for park due to crime incidence										
Olive St. Ditch	Sell	Consider donating narrow strip to adj. prop. owners										
Ridgedale/W. Madison St Lot	Sell (1)	Small, but buildable lot				Sell						
Frank George Lot	Sell	Riverfront Master Plan says sell for new development				Keep for Riverfront Park						
Kirby & Morris	Keep (1/1)	high ground & ravine	Keep for pocket park			Sell						
Kirby St./400 Block	Keep (4/1)	Used for parking for Hammock Hall	Keep for parking			Sell	Keep for parking			Keep park	Keep for parking	
Laurel/River St. Lot	Keep (4)	Parking for Tilghman House	Keep for park/parking				Keep for park/parking	Keep for park/parking		Keep for park/parking		
Lot North of Train Depot	Keep (2)	Grant-funded purchase, adjacent to rail trail	Keep for green space			Keep for time being						
N. Moody St (N. of water plant)	Keep (-1)	too close to main runway for sale				Sell						
Revels Park	Keep (3)	Passive green space	Keep park		Keep park						Keep park	
Northside Property	Keep	contamination/Brownfield issues, wetland with potential for park, hiking trails										
St. Johns & S. 11th St.	Keep (3/1)	Downtown lot, CRA bought for parking	Keep for pocket park			Sell	Keep for pocket park			Keep for pocket park		
S. 12th & River St Park	Keep (1)	Existing park	Keep park									
Waterworks Area	Keep (7)	Planned Preserve	Keep for park	Keep for park	Keep for park				Keep for park	Keep for park	Keep for park	Keep for park
Martine Williams: sell all properties for tax base & jobs												

Name	100 Block & Frank George Lot
Address	Multiple
Tax ID Number(s)	42-10-27-6850-0010-0000, 42-10-27-6850-0020-0041, 42-10-27-6850-0020-0050, 42-10-27-6850-0020-0100, 42-10-27-6850-0020-0101, 42-10-27-6850-0020-0030, 42-10-27-6850-0020-0020, 42-10-27-6850-0020-0010, 42-10-27-6850-0020-0080
Land Use/Zoning & Use	Commercial / Downtown Riverfront
Actual Use	Vacant Buildings, Undeveloped Land, Parking Lot
Acreage	3.28
Prop. Appraiser Actual Value	$789,284
Comments	Prime Downtown & Riverview Properties, Historic Renovation Potential. Parking lot in NE corner of 100 Block stays public due to grant limitations.

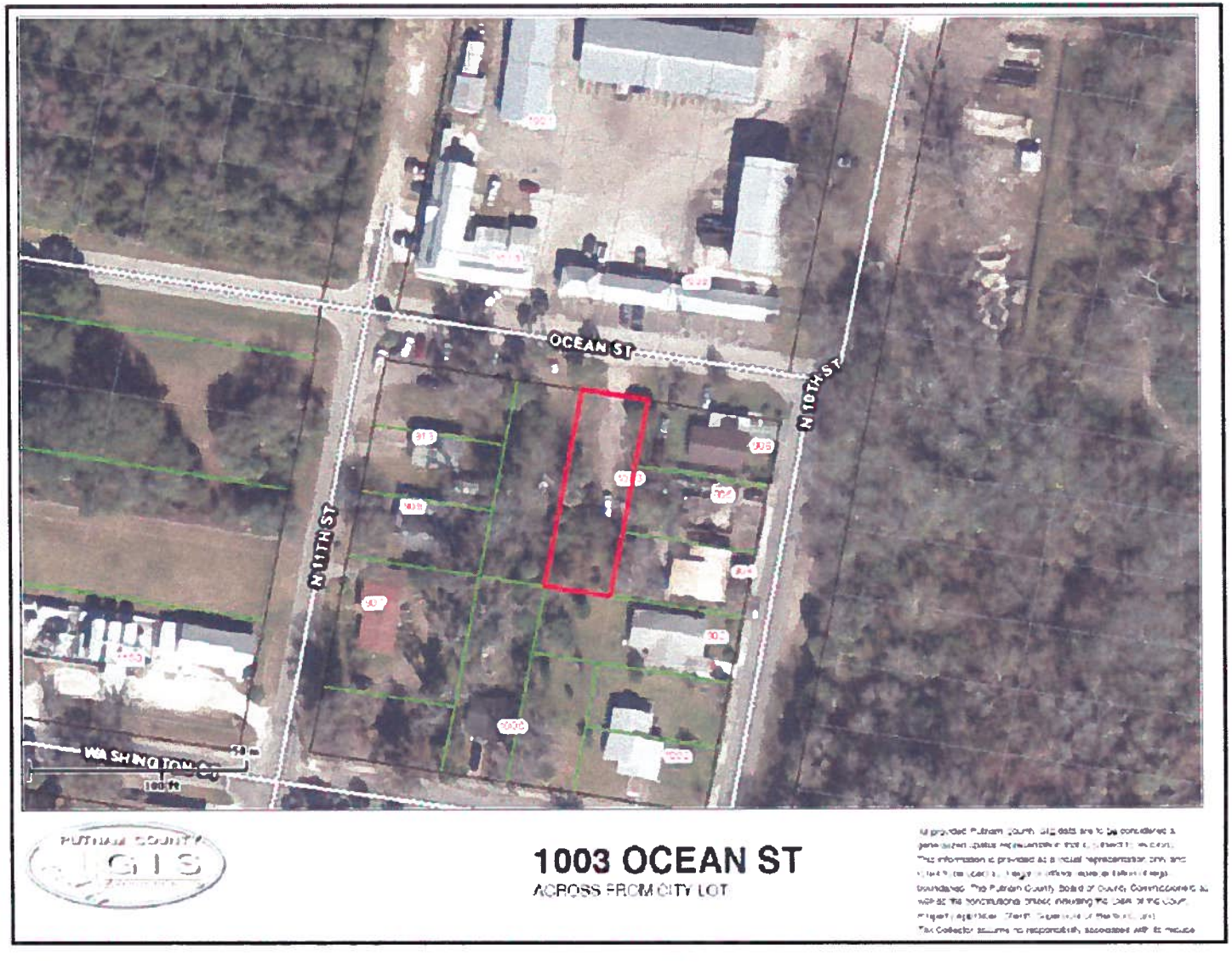
Name	S. 11TH St Lot
Address	N/A (Behind Post Office at dead end of S. 11th St, fronting railroad)
Tax ID Number(s)	42-10-27-6850-2050-0020
Land Use/Zoning	Commercial intensive
Actual Use	Undeveloped Land
Acreage	0.93
Prop. Appraiser Actual Value	$48,613
Comments	Heavy commercial site (or industrial with rezoning and land use change). Fronts railroad, adjacent to Post Office and Synergy Construction contractor yard.



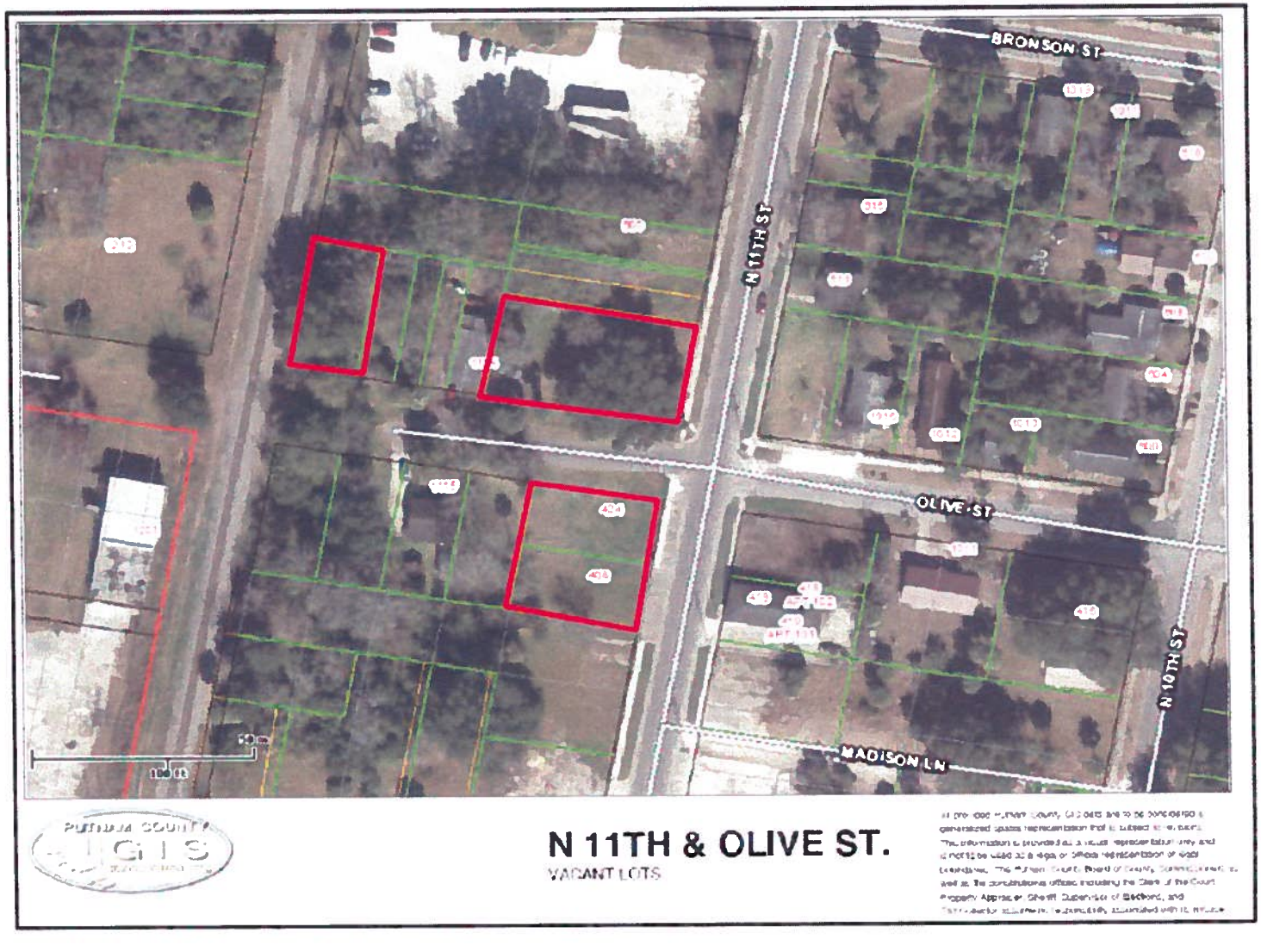
Name	Eagle St. Lot
Address	2022 Eagle St
Tax ID Number(s)	37-10-26-6850-3650-0100
Land Use/Zoning	Single-family residential
Actual Use	Single-family home
Acreage	0.17
Prop. Appraiser Actual Value	$9,452
Comments	Substandard home, property recently acquired by City for $100 at tax deed sale.



Name	1003 Ocean St.
Address	Lot Across from City Lot
Tax ID Number(s)	42-10-27-6850-1710-0090
Land Use/Zoning	Multi-family zoning & land use, single-family actual use
Actual Use	Undeveloped Land
Acreage	0.17
Prop. Appraiser Actual Value	$8,000 (staff estimate)
Comments	Neighbor using for parking of vehicles. Potential for single-family infill, or sale to neighbor.

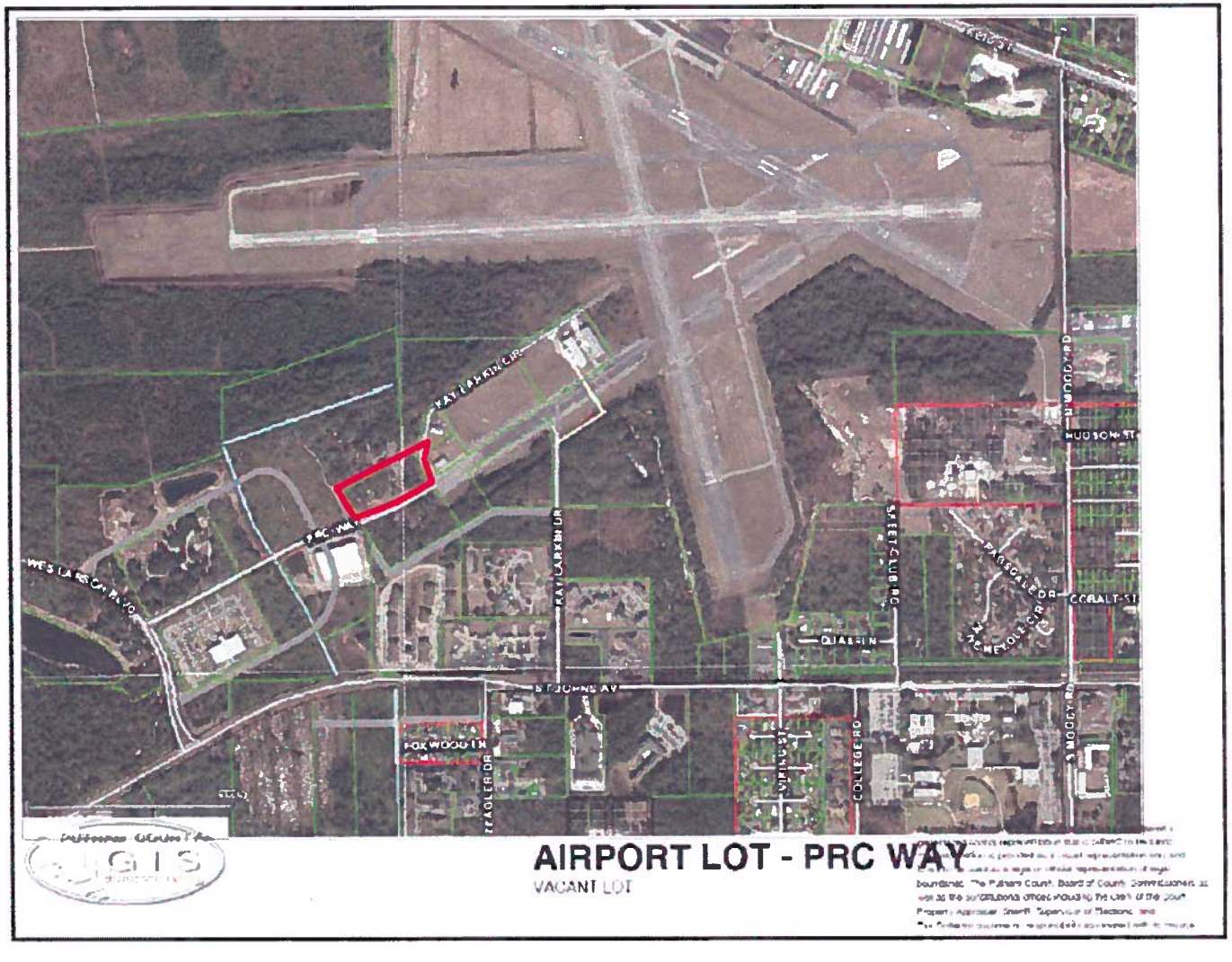


Name	Olive/N. 11th St Lots
Address	Lots fronting Olive St. west of N. 11th St.
Tax ID Number(s)	42-10-27-6850-1980-0300, 42-10-27-6850-1980-0602, 42-10-27-6850-1990-1500, 42-10-27-6850-1990-1600,
Land Use/Zoning	Commercial intensive (below Olive) and multi-family (above Olive)
Actual Use	Undeveloped Land
Acreage	0.54
Prop. Appraiser Actual Value	$60,000 (staff estimate)
Comments	Commercial and multi-family (duplex and quadraplex) potential

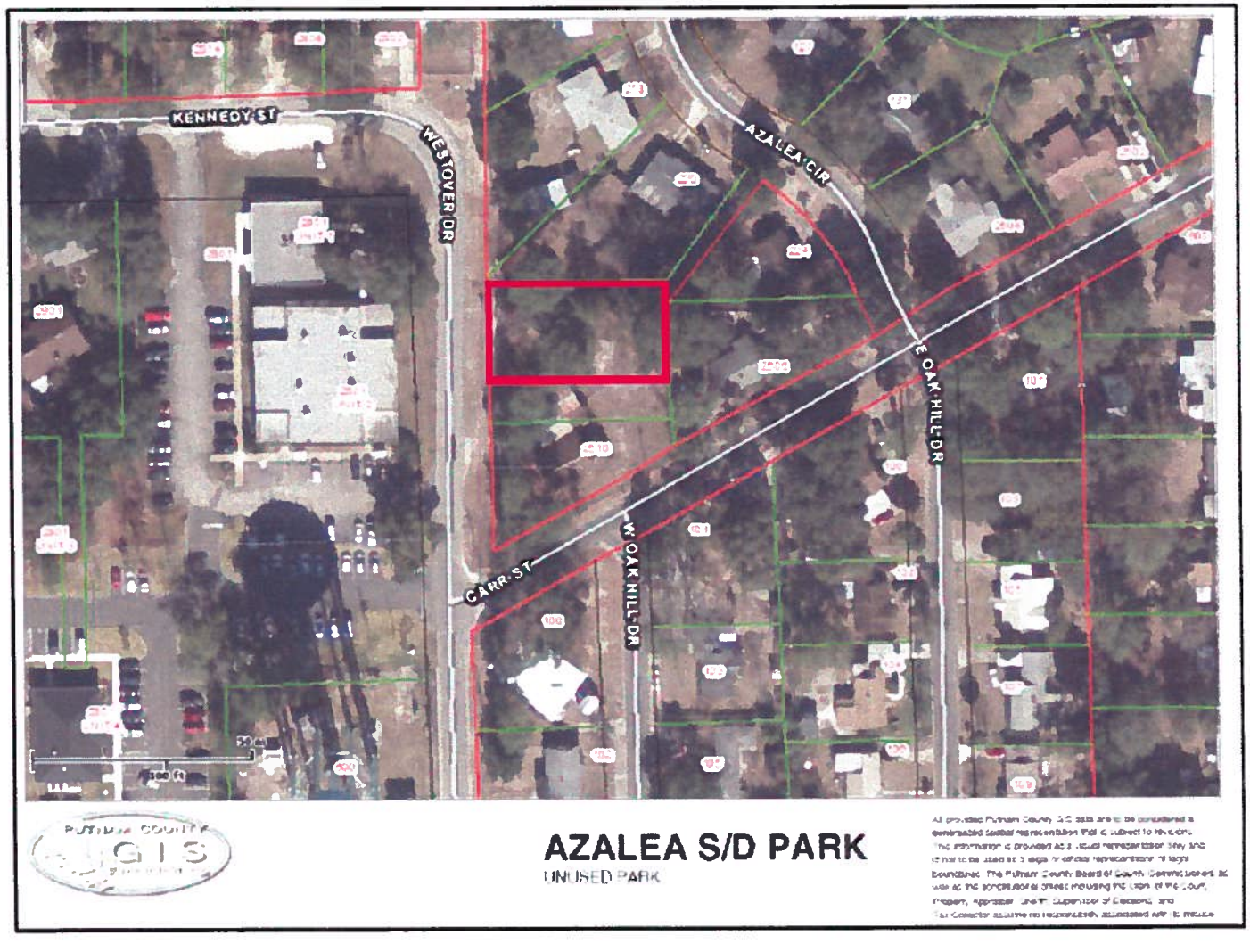


Name	S. 12th St. Lots
Address	S. 12th Street & Railroad
Tax ID Number(s)	07-10-27-3550-0130-0059
Land Use/Zoning	Single-Family Residential
Actual Use	Undeveloped Land
Acreage	0.83
Prop. Appraiser Actual Value	$10,000 (staff estimate)
Comments	These are three lots adjacent to the railroad track which can only be accessed from city-owned property to the south. The property can be sold to the adjoining 12th Street property owners or to other owners with an access easement from the City-owned land to the south.

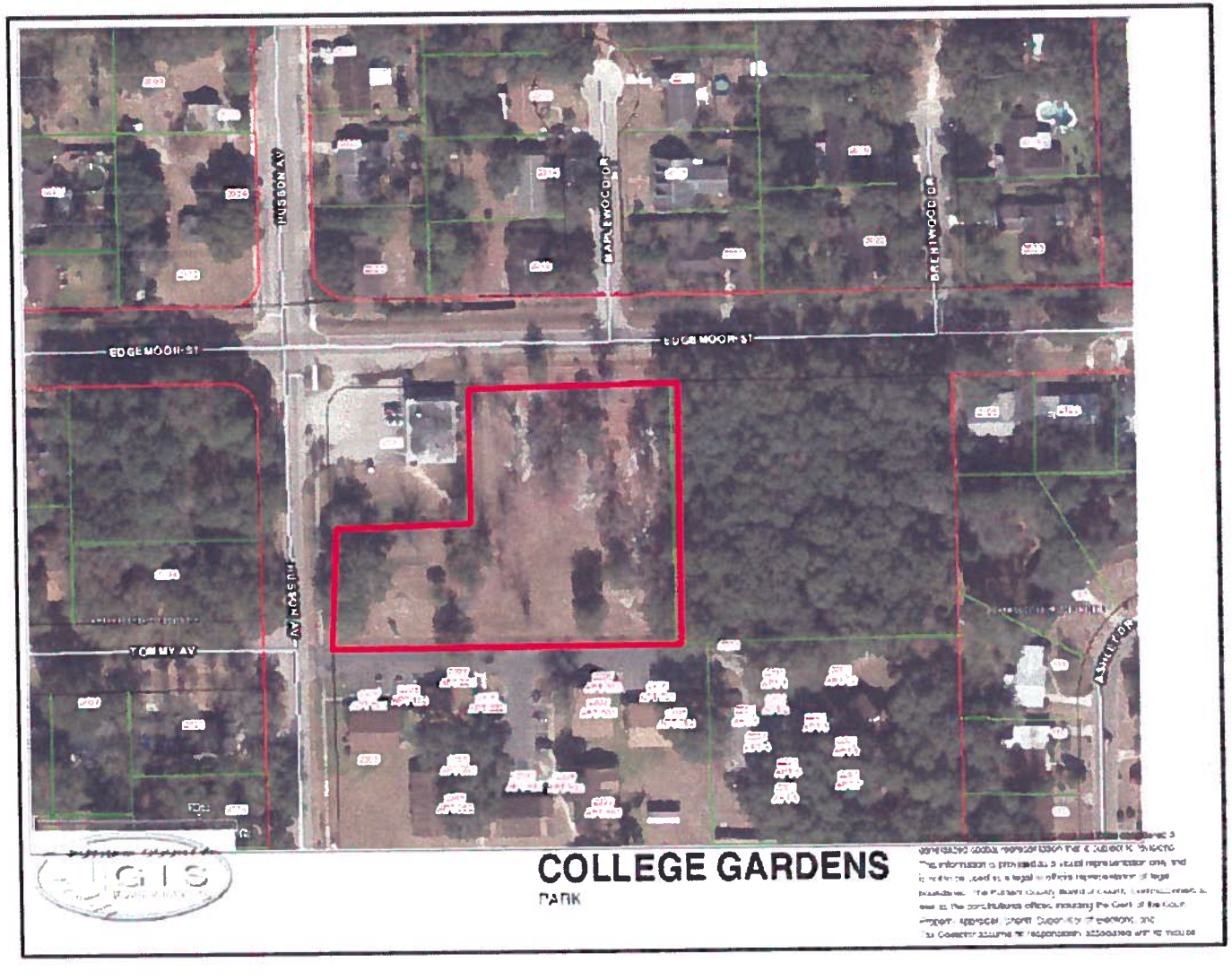
Name	Airport (PRC Way) Lot
Address	PRC Way at Kay Larkin Cir.
Tax ID Number(s)	003-10-26-0000-0010-0000
Land Use/Zoning	Airport-Related/Industrial
Actual Use	Undeveloped
Acreage	4.0 (part of larger airport property)
Prop. Appraiser Actual Value	$22,000 (staff estimate)
Comments	Three other lots to east recently sold to aviation-related businesses



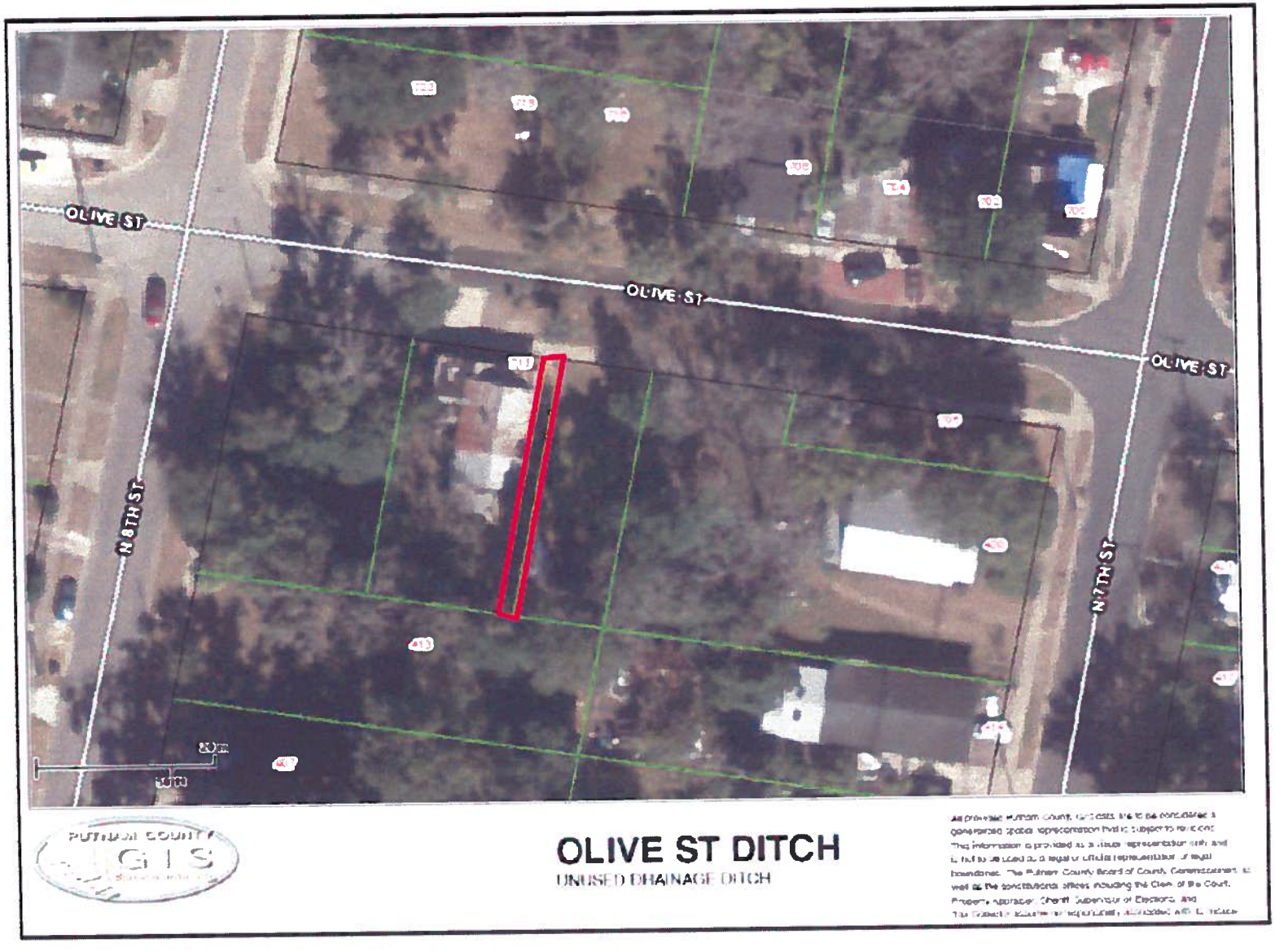
Name	Azalea Subdivision Park
Address	Westover Dr., north of Carr St.
Tax ID Number(s)	12-10-26-8450-0000-0000
Land Use/Zoning	Single-Family Residential
Actual Use	Unutilized Park
Acreage	0.27
Prop. Appraiser Actual Value	$15,000 (staff estimate)
Comments	Not utilized as park, neighbors appear to be utilizing. Recommend selling as developable single-family lot or selling to neighbor(s).



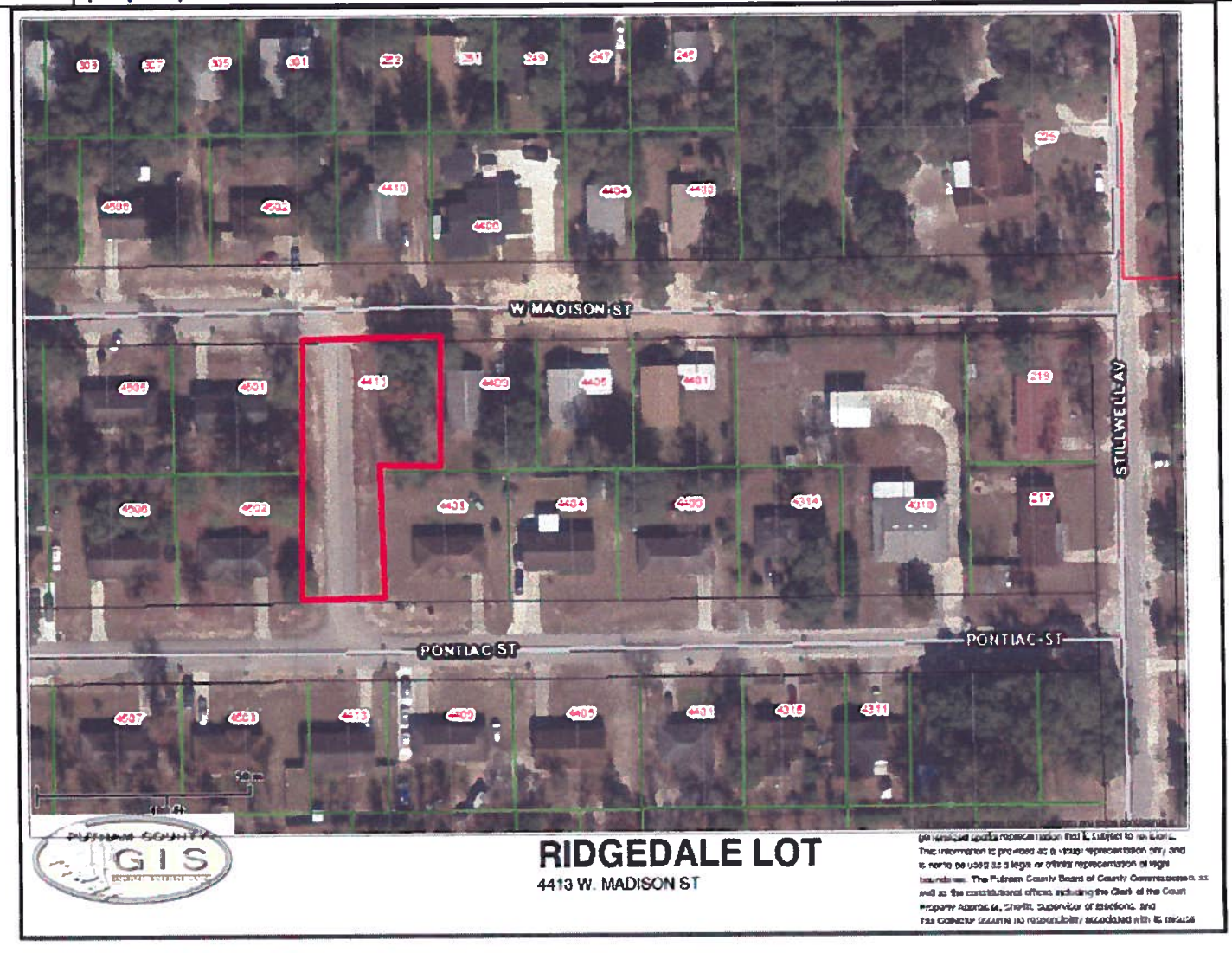
Name	College Gardens Park
Address	Edgemoor St. & Husson Ave.
Tax ID Number(s)	13-10-26-0000-0720-0030
Land Use/Zoning	Single-Family Residential
Actual Use	Unutilized Park
Acreage	1.68
Prop. Appraiser Actual Value	$60,000 (staff estimate)
Comments	Not feasible as park according to Parks Director, crime problem due to adjacent convenience store. Appropriate for five to six single-family lots. Excellent tree canopy, established neighborhood.



Name	Olive St Unused Ditch Lot
Address	700 Block Olive St., south side mid-block
Tax ID Number(s)	42-10-27-6850-0580-0001
Land Use/Zoning	Single-family
Actual Use	Unused drainage ditch
Acreage	0.01
Prop. Appraiser Actual Value	$500 (staff estimate)
Comments	Four-foot by 100-foot unused drainage ditch. Recommend selling for nominal cost to neighbor(s).



Name	Ridgedale – W. Madison St. Lot
Address	4413 W. Madison St.
Tax ID Number(s)	02-10-26-7720-0130-0050
Land Use/Zoning	Single-Family Residential
Actual Use	Street and Undeveloped
Acreage	0.38
Prop. Appraiser Actual Value	$5,000 (staff estimate)
Comments	Property Appraiser records show that this existing street is closed, but it is still utilized. The northeast portion of the property is a 50-foot wide by 100-foot lot that could be developed with a small house or sold to neighboring property owners.



Agenda Item

14a

CITY COMMISSION AGENDA ITEM

SUBJECT: **Novus Agenda Management System Pilot/Trial Program**

DEPARTMENT: **Admin/Clerk/IT Department**

ATTACHMENTS: ___ Ordinance _X_ Resolution ___ Motion
_x_ Support Documents ___ Other

SUMMARY: Staff has been researching Agenda Management Systems since the City began purchasing computer tablets for members of the City Commission. Because some commissioners are using tablets to receive and utilize agendas during meetings, it has become necessary to purchase Agenda Management Software. This will enable the Clerk's Office to efficiently receive, route & process items, and then build and deliver the Agenda in the required media format. The process is presently cumbersome and time-consuming in part due to the new requirements made necessary by the upgrade of the Commissioners' technology. This will bring the City's technology up to the level of the technology now in the hands of its legislators. In addition, it will streamline the Agenda-building process and will allow us to simultaneously tie the minutes into the agenda package post-meeting.

In addition to agenda management, we need a system that will not only record audio of meetings, but will also allow us to stream video of the meetings on our website. Eventually we would like to go to live-streaming of meetings in real time, but for now, we need the capability to embed the video of the meeting into the agenda/minutes package and stream it on our website.

Chris Cheatham and I have looked at three systems provided by three providers: BIS, Inc., which currently provides our audio recording system/software and maintenance; IQM2, and Novusolutions. After previewing the software and researching features, opportunities to upgrade, and cost, we have ranked them in the following order: 1) NovusAgenda by Novusolutions; 2) BIS, Inc., and 3) IQM2.

Novusolutions' NovusAgenda program offers a free pilot/test program. As part of the Pilot program, Novus will provide training and will integrate the City's Agenda formatting into the software program at no cost to the City. The City will use the agenda management program for two meetings at no charge. After the Pilot program has ended, the City can opt to discontinue use of the Program at no cost, or continue the program on a month-to-month contract. The cost is $4,200/year, billed on a monthly basis, and this includes embedded audio/video streaming for two meetings per month, or 24 meetings per year. Should we wish to add more components in the future, we can do so.

Attached is Novusolutions' proposal. Staff has requested Novus take the necessary steps to begin the Pilot Program as soon as possible. We look forward to positive results.

RECOMMENDED ACTION: None. This is information only.

DEPARTMENT HEAD	Submitted: B. Driggers/C. Cheatham Requested Agenda Reguar/Reports	Date: 2/4/13 Date: 2/14/13
FINANCE DEPARTMENT	Budgeted ___Yes ___No_X_ N/A	Date: 2/7/13
CITY MANAGER	Approved Agenda Item For:	Date: 2/7/13

COMMISSION ACTION: ___ Approved as Recommended ___ Disapproved
___ Approved With Modification ___ Tabled To Time Certain
___ Other

DISTRIBUTION: ___APT___CA ___CC ___CM ___FIN ___FD ___P&C ___PD ___PLN ___S&S___W&S ___WTP ___WWTP

Meeting Management Solution

Presented to: Palatka City

DATE: 12-27-12

Manufactured By:

10012 N. Dale Mabry Hwy

Suite 115

Tampa, FL 33618

Presented By:

Byron Gillin

bgillin@novusolutions.com

800-274-5624 x703

NovusAGENDA

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NovusAGENDA

EXECUTIVE SUMMARY

Government organizations today are being forced to do more with less in regard to their public meeting documents. States are enforcing Open Meeting Laws to accommodate the changing technical environment of your area. Your public demands information and transparency relevant to their family and business. Your board demands meeting materials be up to date and easy to research previously discussed issues in order to be better prepared for your upcoming public meetings. How can government organizations meet all of these demands with the limited funding you have available?

We recommend that integrated meeting and agenda management software be implemented across your organization! NovusAGENDA is an electronic solution designed to create, approve and track items for upcoming and past board meetings. Whether your organization is adding an agenda item, like the approval for a new employee benefit offering or the construction of a baseball field, NovusAGENDA will provide the controlled, well-organized systematic solution to truly make your organization paperless. With the NovusAGENDA foundation in place internally, your board members and public can now access the information they need on demand at any time from any device!

NovusAGENDA will reduce your internal staff labor of processing individual items and back up material by over 50% while eliminating all paper and copy costs your organization currently has budgeted for this part of your business. The savings does not stop there! If board members wish to go electronic, distribution and printing costs will also be eliminated as well as a reduction in research time bringing the full power of electronic data access to the fingertips of each board member. Tools for the board member include:

- Logging in through a secure username and password on any device (i.e., iPads, etc)!
- Viewing agendas and all materials well before the meeting
- Viewing specific items along with support material including Closed Session items
- Making secure personal private comments on any item for their own purposes
- Researching past Agenda, Minutes and Personal Private Comments.
- Real time analytics on spending patterns and goal tracking

The savings continue during your meeting as NovusAGENDA has all the tools to automate the creation of your minutes, track and record voting, motions, and much more, such as video streaming indexed for you and your public. NovusAGENDA's unique reporting module empowers your administrators with the data from your meetings to make data-driven decisions for the organization and track your progress along the way.

Novusolutions award winning staff brings over 12 years of experience working with hundreds of government NovusAGENDA clients across the country. Our support team will be an extension to your organization to offload all software management, training, and support, so you can focus on providing the public and board the transparency they demand. ***NovusAGENDA is the one comprehensive solution to make paperless meetings easy!***

NovusAGENDA

INSTALLATION OPTIONS

Novusolutions knows each public organization is unique and requires various installment options. Whether you want to install NovusAGENDA on your own servers or in the Novusolutions cloud, the choice is yours. Both pricing and NovusAGENDA functionality are the same either way, so contact your sales representative to strategize on the best fit for your organization.

INSTALLATION OPTION 1- NOVUSAGENDA SOFTWARE AS A SERVICE OPTION-

This is the first of two options offered here. This is by far the most popular choice with clients today.

Our Software as a Service option is SAS 70 Type II compliant

This option allows you to outsource the hosting of the software to Novusolutions. This is by far the most popular option in today's environment.

INSTALLATION OPTION 2- NOVUSAGENDA SELF-HOSTED –

This the second of two options offered here. For those clients that are looking to install NovusAGENDA on their own servers, there will be a one-time set up fee to install, QA, and test NovusAGENDA on the client's environment. The client will need to provide remote access to the necessary servers for our team to accomplish this set up. The cost of this service is a one-time fee of $3,450. This is ***not included*** in the Pricing Summary outlined in this proposal.

This option allows you to host the software on your servers.

NovusAGENDA

DEPLOYMENT SERVICES

Standard services are required for deployment and included in the pricing and support.

Included Standard Deployment Services	
Configured Item Details	This screen is configured to add fields to our standard from required by your organization.
Configured Public Agendas	The public agenda is configured to mimic your current layouts.
Configured Minutes Page Set	The page set includes draft and final minutes layout.
Custom Workflows	Workflows can be pre-configured allowing users to simply submit items to named workflows which are then built for them automatically.
Solution Overview	This session is with key staff including Board Clerk, IT staff assigned to support the software and key Board Clerk staff. The session involves a complete system overview and workflow building session. This session is delivered prior to any other training so key staff are very familiar with the solution and the workflows are correct prior to staff training.
PDF converter	Attachments and agenda packets are converted to one single PDF file.
Video Services	Do you already video record your meetings? If so, NovusAGENDA will offer you two meetings per month to be uploaded and streamed to the public off our servers at no cost. You take your existing video and simply upload it to our servers. Once it is converted, you can link clients to that video stream off your meeting. If you are looking for indexing or are starting from scratch and would like to record your meetings, please see our Video Service Considerations Section.

NovusAGENDA

PILOT PROGRAM

Novusolutions has agreed to offer you a pilot program of NovusAGENDA to confirm the cost and efficiency savings. Novusolutions is confident that NovusAGENDA will exceed expectations, eliminate paper, and improve the business process of agenda creation and meeting management. There will be no cost for the 2 meeting cycle duration of this pilot.

Upon successful implementation of the pilot, you will then agree to continue using NovusAGENDA for the Pricing outlined below. However unlikely, if NovusAGENDA does not satisfy your needs, then no commitment is required and the service will be turned off.

The Approval Page of this document will need to be signed prior to beginning this agreement. This will allow Novusolutions to dedicate the resources to begin the project.

PRICING

All pricing includes an unlimited use license enabling support for as many meeting types as you need at no added license costs. There are no user licenses either. "Unlimited use" means unlimited use with NovusAGENDA no matter which installation option you choose.

NOVUSAGENDA SOFTWARE PRICING

Item	Pricing (Annually)
NovusAGENDA	$4,200
NovusMEETING	Included
NovusBOARDVIEW	Included
NovusREPORTING	Included
Board and Committee management	Included
Video Integration	Included

Video Services	See Video Services Considerations
Total Annual Cost	$4,200
Option in Meeting Tools (Voting, etc.)	Additional $600 annually

NOVUSAGENDA TRAINING PRICING

Standard training services are required for deployment and are a one-time fee.

Standard Remote Training Services	**Description**
Administrator Training	This is remote training to train one or two system administrators on managing user rights in NovusAGENDA. The cost is for the class not per student. This class is delivered remotely using web meeting technology managed by Novusolutions.
Board Clerk Training	Training including meeting management, agenda preparation, minutes and system oversight. Delivered remotely using web meeting.
User Training	Training includes creating items, copying old items to new meeting and item submission and approval process. Delivered remotely using web meeting.
Board Training	Training includes viewing agendas, minutes, and all documentation for upcoming meetings, making private notes, researching past meeting

	information and notes, and analyzing reports and meeting data.
Web Based Training	Web-based training videos for all staff to view on demand via Internet. Videos include: • User training • Board Clerk Training • Board Training
Total One Time Cost	$750

OPTIONAL TRAINING SERVICES

Additional remote training – Included for new releases and refresher training. If retraining is needed due to turnover or other issues and the client does not want to use the included Web-Based Training Portal, nor sign up for the regularly scheduled Client Webinars, private remote classes can be scheduled for $125 an hour.

Onsite training - $2,450 per day includes travel, 2-day minimum.

ADDITIONAL SET UP FEE FOR NOVUSAGENDA CLIENTS THAT WISH TO HOST THEMSELVES (OPTION 2)

For all clients that elect Option 1 to purchase NovusAGENDA in the cloud, you can skip this section. For those clients that are looking to install NovusAGENDA on their own servers, there will be a one-time set up fee to install, QA, and test NovusAGENDA on the client's environment. The client will need to provide remote access to the necessary servers for our team to accomplish this set up. The cost of this service is a one-time fee of $3,450.

PRICING SUMMARY FOR NOVUSAGENDA

Year 1 $4,950 (Includes one-time Standard Remote Training Services. Please add $3,450 for one-time set up fee if you decide to host on your own servers)

- Please add $600 for In Meeting Tools such as Board Member Voting, Request to Speak, etc.

Year 2 $4,200 (Annual Maintenance and Support, Please add $600 for In Meeting Tools such as Board Member Voting, Request to Speak, etc.)

Year 3 $4,200 (Annual Maintenance and Support, Please add $600 for In Meeting Tools such as Board Member Voting, Request to Speak, etc.)

Three-year average cost $4,450. This is for comparative purposes only as there are NO contracts to sign with NovusAGENDA.

Payment Terms – Novusolutions sets up complete software to you within 30 days of receiving your order. You can begin initial testing upon receipt of your "Test Script" from NovusAGENDA. At this point, full payment for the annual fee is due. Your software has been configured to your standards and is ready for final testing. Any modifications to configurations will be done at no charge under our annual support program.

VIDEO STREAMING SERVICES CONSIDERATIONS

The pricing above includes the option for clients to upload their existing video of their meetings to our servers and create a link to those videos on their agendas and minutes in NovusAGENDA (limit of 2 meetings a month). However, many clients require additional video services. NovusAGENDA provides state of the art video streaming technology and services completely hands-free! Contact us for pricing on hardware and the video streaming services that best fit your needs. These video services can be added at any time!

VIDEO STREAMING HARDWARE AND SET UP COSTS

Many clients have already invested in various cameras and technology solutions for their video streaming needs. In most cases, NovusAGENDA's video solutions can integrate with these systems. If you need a camera quote, please contact your sales representative. The next questions that need to be answered however are:

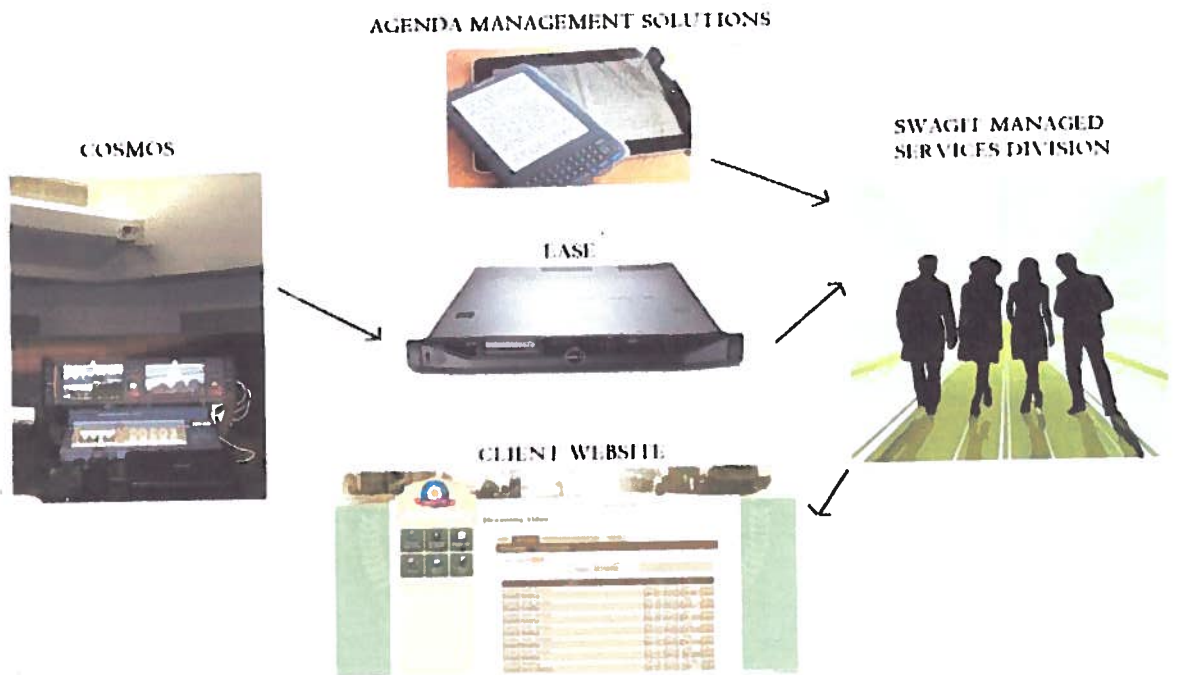
- Do I need to have a live stream of our meetings on our website?
    - If so, do they need to be in HD and do we need to support multiple outputs such as cable?
- Do you want to offload all video editing and indexing services so I can focus on creating my minutes if it makes financial sense to do so?

If you answered No to both of these sections, you do not need encoder hardware below! Move on to the Video Services Section of this proposal. If you answered yes to either of the questions above, you need an encoder. If you already own one, let's talk as we may be able to use your existing hardware. If not, here is the NovusAGENDA hardware option to consider. Contact your sales representative to find

out about other hardware options such as Portable encoder solutions and other HD and multiple outlet options.

Item Description	Type	Costs (Up-Front)
Hardware/Software/Provisioning (AT&T U-verse Compatible)	**Tower**	**$ 3,945.00**
• T110 Dell Server, Encoder Software Installation, System Burn-In, Rackmount Kit (4 posts-universal), Includes up to 25 internal users		
• Branded Video Library Design, Branded Player Design		
• Remote Install (Typically 3 hours)		
• Licenses for Software/Tools (Flash Media, EASE, HTML5, Microsoft OS)		
Viewcast Osprey Video Capture Card with Simulstream Software	**260-e**	**$ 980.00**
		Total Costs (Up-Front)
Hardware/Software/Provisioning (AT&T U-verse Compatible) +Viewcast Osprey		**$ 4,925.00**

*** Price and hardware model are subject to change after 60 days without prior notice.**



NovusAGENDA

VIDEO STREAMING INDEXING SERVICE OPTIONS

The Open Meeting Law requirements in your state require accessible minutes. Nothing in the Open Meeting Laws however require you also to be a video editor! NovusAGENDA offers two options for video streaming services above and beyond the two non-indexed meetings a month included with the NovusAGENDA software costs. **NovusAGENDA's Extensible Automated Streaming Engine** (EASE) solution meets all current and future needs for government ***without*** creating any additional work for staff. EASE is a hands-free tool that eliminates the need for client staff members to spend time on indexing, editing or time-stamping video content. Each EASE package includes *On-demand* archiving, a 24/7 LIVE Stream via Internet and PEG, streaming to Apple devices (ex: iPad & iPhone) and up to 120 hours of additional specialty content each year. Client also has the ability to upload media via FTP as an option if live streaming is not applicable.

Service Description		Costs (Monthly)
Package 1	(BREASE) - Up To 25 Non-Indexed meetings per year (does not include LIVE)	**FREE**
	-or-	
Package 2	(LIVE ONLY) – 24/7 SD video stream of meetings/events	**$ 250.00**
	-or-	
Package 3	(BREASE/LIVE) - Up To 50 Non-Indexed meetings per year (includes LIVE feed)	**$ 350.00**
	-or-	
Package 4	(EASE) Up to **50** indexed meetings a year (includes LIVE feed)	**$ 750.00**
	-or-	
Package 5	(EASE) Up to **100** indexed meetings a year (includes LIVE feed)	**$ 1,250.00**
	-or-	
Package 6	(EASE) Up to **100** indexed meetings a year (includes LIVE feed and Camera switching)	**$ 1,750.00**

Pricing will be added to your annual maintenance and support fee of NovusAGENDA

(OPTIONAL) Services/Upgrades – Individual Pricing	Costs
• 24/7 Live Stream – Around the clock SD stream of PEG Channel	$ 250.00/month

NovusAGENDA

• Additional Indexed On-demand Meeting (no limit on non-indexed)	$ 150.00/meeting
• Remote Switching (Approved Broadcast Systems Only if not bundled with other offers) *	$ 130.00/event
• AT&T U-Verse Service (If not bundled with other offers)	*Call for Quote*
• Storage per additional year (If beyond 36 month window)	$ 180.00/year
• Programming, Development or Design Implementation	$ 120.00/hour
• Closed Captioning Services (If not bundled) **	*Call for Quote*
• Novus Agenda Management System	*Call for Quote*

WE OFFER A PRICE MATCH GUARANTEE FOR ALL "APPLES-TO-APPLES" SERVICES.

*** Must have *approved broadcast system(s)* and *reliable Internet Connection.***

**** Service is priced on per event hour, including any breaks/executive session time, and requires proper closed captioning hardware. Event hour is rounded up to the nearest half hour.**

PRICING SUMMARY FOR NOVUSAGENDA WITH VIDEO HARDWARE AND SERVICES

Year 1 $18,875 (Includes the following):

- NovusAGENDA and all set up fees ($4,200)
  - (Please add $3,450 for one time set up fee if you decide to host NovusAGENDA on your own servers)
  - Please add $600 for In Meeting Tools such as Board Member Voting, Request to Speak, etc.
- Onetime Standard Remote Training Services ($750)
- Video Streaming Hardware Set Up Costs and Encoder ($4,925)
- Package 4 - (EASE) Up to 50 hands free indexed meetings a year (includes LIVE feed) Video Streaming Service ($9,000)

THERE ARE NO CONTRACTS TO SIGN WITH NOVUSAGENDA! HOWEVER, IF YOU ARE LOOKING TO SAVE MONEY ON YOUR UPFRONT COSTS IN YEAR ONE, ASK YOUR SALES REPRESENTATIVE ON HOW THESE COSTS CAN BE WAIVED IF YOU ARE INTERESTED IN SIGNING A LONG TERM COMMITMENT WITH NOVUSAGENDA.

Year 2 $13,200 (NovusAGENDA Annual Maintenance and Support with Video Streaming Hands-Free Indexing Service)

Year 3 $13,200 (NovusAGENDA Annual Maintenance and Support with Video Streaming Hands-Free Indexing Service)

OPTIONAL CAMERA CONFIGURATION SOLUTIONS – COSMOS BROADCAST STATION (REMOTE CAPABLE)

If you do not currently own cameras, then our recommendation is the Cosmos Broadcast Station. Built upon years of industry experience, Cosmos is a complete package of cameras and pro video-switching equipment that enables any client to fully outsource the production and operation of a multiple camera broadcast system to NovusAGENDA.

During the meetings or events, NovusAGENDA personnel will operate the Cosmos system remotely from their facility in Plano, Texas. The Cosmos system enables NovusAGENDA to control and switch from camera to camera depending on events taking place. When bundled with NovusAGENDA EASE, Cosmos can offer a full end-to-end "hands-free" solution that requires no client staff involvement for the operation, broadcast and streaming of an event or meeting content.

Cosmos enables detailed direct camera positioning (pan, tilt, zoom, focus, and more), preset-positions, and video settings (white balance, backlight, brightness) for the robotic cameras. Additionally, Cosmos communicates with the switcher to allow direct operation of the 'wipe' function from the camera control GUI. With this powerful package you or NovusAGENDA staff can control all your cameras individually and switch video sources on a video switcher locally or remotely. Cosmos is an invaluable integration of camera-control with switcher operations for use with live production setups like city chambers, churches, meeting rooms, and more.

Cosmos includes 2-4+ robotic (computer-controllable pan/tilt/zoom) cameras and you can choose from two main types: either single-chip (Sony EVI-D70) or 3-chip (Sony BRC-300) depending on your needs and budget. These popular Sony robotic cameras have excellent video quality and performance. The EVI-D70 and BRC-300 has the ability for panning through wide angles of motion, tilting through large ranges with superb optical zoom, and dual video output of Y/C and composite. They also support both RS232 and RS422 (long distance over 1000 meters) control signals. In addition the EVI-D70 cameras can be mounted either 'up' or 'hanging upside down' for your convenience (they have built-in reversal of the picture and left/right/up/down motion controls).

COSMOS CASE STUDIES

COSMOS CASE STUDY#1: ADDISON, TEXAS

Addison's unique solution for a challenging problem was Cosmos. Addison faced three key problems; 1) the town did not have the staff resources to operate broadcasting and streaming equipment, 2) the

town doesn't have a PEG or any other broadcasting station, and 3) the town wanted a complete hands-free end-to-end solution for displaying town meetings online.

NovusAGENDA's solution for the town provides complete hands-free remote operation of a multiple camera broadcast system, including a video switcher and audio mixer. In addition to the remote broadcast system (Cosmos) and with the inclusion of NovusAGENDA's Extensible Automated Streaming Engine (EASE), NovusAGENDA is able to control, broadcast and stream town meetings without the need for any Addison staff. It is all done from NovusAGENDA's video headquarters in Plano, Texas.

Addison citizens expect the best and latest technology on their town's website. Adding the on-demand feature will improve citizens' accessibility to videos of town council and planning commission meetings and improve access to agenda information for these public meetings.

COSMOS CASE STUDY#2: RICHARDSON, TEXAS

The City of Richardson began live broadcasting of City Council meetings and work sessions as part of a wide-ranging transparency in government initiative that is included in the City Council's 2009-2011 Statement of Goals. The live broadcast is available to Time Warner Cable subscribers on channel 16 and streamed on the City's Web site, www.cor.net.

The City contracted with NovusAGENDA Productions, LLC as the video streaming service provider according to Richardson's Chief Information Officer Steve Graves. "We have installed two wall-mounted cameras in the City Council Chamber and the work session room," Graves said. "During the meetings, NovusAGENDA personnel will operate them remotely from their facility and can zoom in and switch from camera to camera depending on who is speaking. The broadcast signal goes through a switch that sends it to NovusAGENDA and also to our cable television channel."

Graves explained that the live Web cast is routed through a City computer server and is recorded as it is being sent to NovusAGENDA. "If for some reason the live Internet connection is lost, we have a saved copy that can be posted on our site," he said.

Testimonial from City of Richardson, TX: http://richardsontx.NovusAGENDA.com/play/09222009-48/0/

As a work session or Council meeting is streaming live on the Web, NovusAGENDA employees tag each agenda item. At the conclusion of the meeting, they create an index on the City's Web site and visitors can choose to view individual agenda items rather than watch the entire video. Council and work session meetings will be archived on the site for up to two years. The City's cable channel 16 will replay taped broadcasts.

COSMOS BROADCAST SYSTEM PRICING OPTIONS

COSMOS 5.3 BORADCAST STATION STANDARD CONFIGURATION

NovusAGENDA

QTY	Item Description	Price
3	Sony - EVI-D80- high quality CCD PTZ cameras *	
3	Sony - WM-30B- Wall Mount for Sony EVI-D80	
4	Sony- EVI DS-Cable- to daisy chain cameras	
1	Dell Vostro 260, Core 2 Duo CPU (2.93GHz 1066FSB) with Windows 7, 4GB Ram	
1	S-Video + Audio extender via CAT5, local & remote monitor & speakers, up to 600 feet Model	
1	Averkey550 compact unit to convert visual output from a PC to TV	
1	Datavideo SE-500 KIT –NTSC Video Switcher with TLM-702 Dual 7" Monitor and monitor holder (4 input system)	
2	ViewCast Osprey 260e capture card	
1	Cosmos 5.3 software with Chyron Generator Unit (CG)	
1	APC UPS Remote Power Switch and Management	
1	17" Widescreen Black LCD for Optiplex	
1	Cables and connectors necessary for installation	
1	Labor required to install, hook-up and provisioning	
Total Cost for Camera System & Installation**		$21,647.00

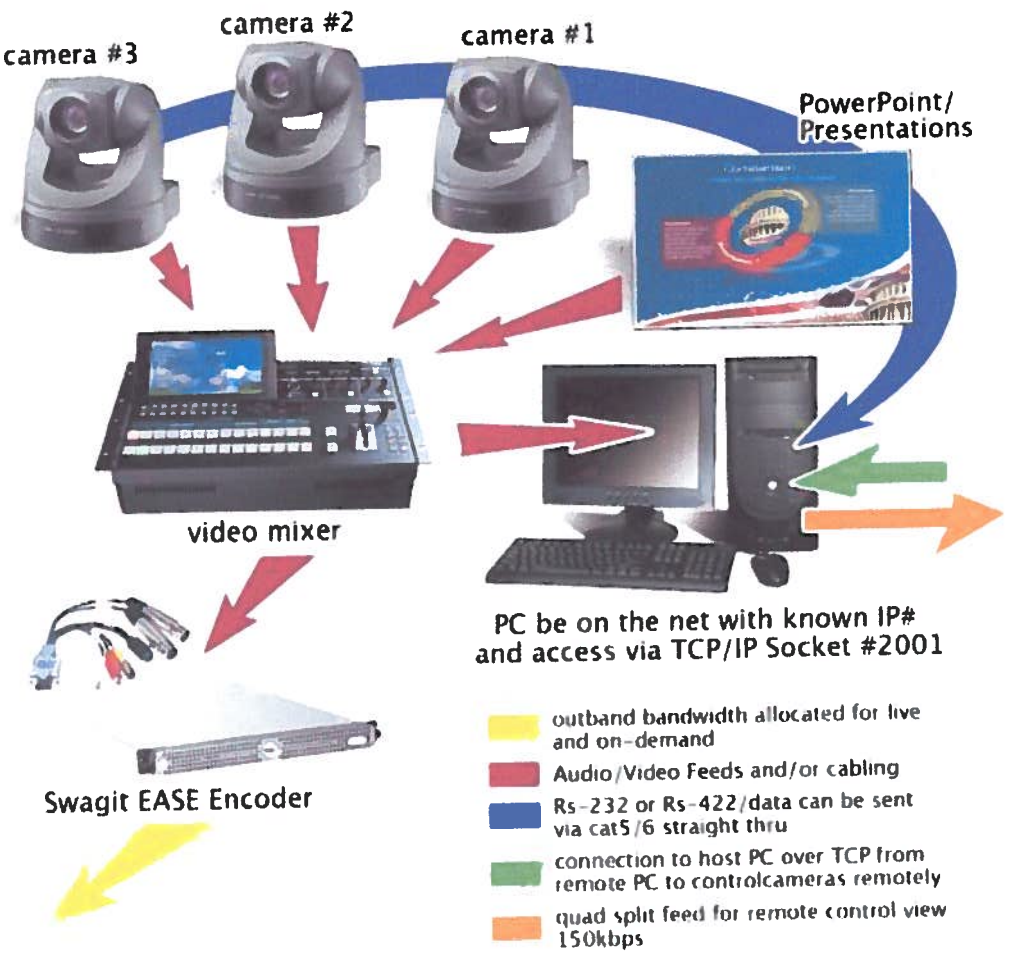
	Optional CG Chyron for Video Graphics/Titles	$ 3,250.00

* Different camera types are available with different horizontal resolution – D-80, D-100, BRC-300, Z-330, H100S

**There may be additional installation costs incurred based on the building/fire code for the jurisdiction, any unknown cabling requirements or impediments to the installation such as fire walls, lack of a drop ceiling, conduit requirements, etc., along with other accessibility issues.

Limited one-year manufacturer's warranty on Sony cameras and DataVideo switcher

Cameras can be controlled locally by the client or remotely by NovusAGENDA's staff.



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HOW DO I ORDER?

We require your signature on the approval page listed below. Once that has been signed and sent back to Novusolutions we will assign your project manager. If you choose to issue a purchase order you may attach it to these documents or send it in under separate cover.

You can email to sales@novusolutions.com **or :**

Mail to: Novusolutions

10012 N Dale Mabry Hwy

Suite 115

Tampa, Florida 33618-4425

Fax to: 954-337-0761

Attn: Sales

NovusAGENDA

APPROVAL PAGE FOR PALATKA CITY PILOT

Signature _____ Date 1/31/2013

Printed Signature Michael J. Czymbor

Purchase Order Number _____ (optional)

Invoice Address:

201 N. 2nd St. Palatka, FL 32177

Accounts payable contact: Kathy Tillman

Phone 386-329-0100 X 220

E-mail ktillman@palatka-fl.gov

Special Billing Instructions: (optional)