

KARL N. FLAGG  
MAYOR - COMMISSIONER

MARY LAWSON BROWN  
VICE MAYOR - COMMISSIONER

EGRA KITCHENS  
COMMISSIONER

VERNON MYERS  
COMMISSIONER

JAMES NORWOOD, JR.  
COMMISSIONER



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

BETSY JORDAN DRIGGERS  
CITY CLERK

RUBY M. WILLIAMS  
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 26, 2009

### CALL TO ORDER:

- a. Invocation – Dr. Ken Johnson, Executive Director, Rodeheaver Boys Ranch
- b. Pledge of Allegiance
- c. Roll Call

### APPROVAL OF MINUTES – 2-12-09

### 1. PUBLIC RECOGNITION

- a. **PROCLAMATION – Azalea Days – March 4 – 8, 2009**
- b. **EMPLOYEE RECOGNITION For Service Above and Beyond the Call of Duty:**  
Public Works Dept. Employees Gordon Brown, Albert Bryant, Jaufees Jackson, Shawn Ladd, Robert McHellen, Willie Nelson, Mike Shazel, and Ronald Valentine
- c. **BLACK HISTORY AND HERITAGE RECOGNITION – Presentation to Recipients**
- d. **STUDENT OF THE MONTH – February, 2009 – Mayor Flagg & Commissioner Kitchens**

Megan Beach	Beasley Middle School
Michelle Hersey	Browning Pearce Elementary School
Alexandra Apostolos	Children's Reading Center Charter School
Aaron Exum	E.H. Miller School
Ta'Mia Robinson	James A. Long Elementary School
Jenni Mast	Jenkins Middle School
Kaela Sapp	Kelley Smith Elementary School
Ja'Quan Hines	Mellon Elementary School
Janaseair Perry	Moseley Elementary School
Franetta Wilson	Palatka High School
Julia Hudson	Peniel Baptist Academy
Stephanie Pittman	River Breeze Elementary School

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

### 3. CONSENT AGENDA:

- \*a. **Award bid to Carter Excavating in the amount of \$31,200.00** for Crystal Cove S/D Stormwater Management System Control Structure Improvements project, per results of RFP and recommendation from Ayres Associates, Project Engineers
- \*b. **Authorize Submission of State of Florida VOCA Grant** to fund PPD Crime Victim's Advocate (no cash matching requirement) per recommendation of Palatka Police Department
- \*c. **Revise 2009 Azalea Festival Special Events Permit to close Public Boat Ramp** at City Dock March 7 from 5:00 a.m. until 5:00 p.m. for associated Sailboat Regatta and Bass Tournament

- \* 4. **PRESENTATION – "Safeguarding our Seniors" and "Florida Saves" – Randell Brown, Regional Director, Dept. of Financial Services, Office of Alex Sink**

**AGENDA - CITY OF PALATKA**  
**February 26, 2009**  
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- \* 5. **RESOLUTION** amending the Palatka Center City Redevelopment Plan, 1985 – Adopt
- \* 6. **RECOMMENDATION** to approve CBD Tax Increment Fund expenditure of up to \$50,000.00 to sponsor the 2009 Blue Crab Festival, per 2/17/09 recommendation of Community Redevelopment Agency
- \* 7. **PUBLIC HEARING - ORDINANCE** rezoning Oaks Landing (Off Lundy Road) from County Planned Unit Development (PUD) to City R-3 (Multi-Family Residential) with a Planned Unit Development (PUD) Overlay, per Planning Board Recommendation – First Reading
- \* 8. **PUBLIC HEARING** - 3813 Reid Street – Planning Board Recommendation to rescind Ordinance 08-19, amend the Future Land Use Map and Future Land Use Element from County Urban Services to City Commercial and Rezone from Putnam County C-2 to City of Palatka C-2 – Holiday Inn Express; Palatka Hospitality, Applicant – Holiday Inn Express; Palatka Hospitality (continued from January 8, 2009)
  - a. **ORDINANCE #09-04** – Land Use Amendment – Adopt
  - b. **ORDINANCE #09-05** – Rezoning – 2<sup>nd</sup> reading, Adopt
- \* 9. **ORDINANCE #09-06** amending Downtown Business (DB) and Downtown Riverfront (DR) zoning districts to restrict a conditional use for single family dwellings without an accompanying commercial use for parcels abutting St. Johns Avenue – 2<sup>nd</sup> Reading, Adopt
- 10. **ADMINISTRATIVE REPORTS**
  - \*a. **REPORT on Comparison of CRA Activities, Goals and Objectives** – Woody Boynton, CRA Manager
  - b. **REPORT on Water Treatment Plant Upgrades** – Melvin Register, WTP Superintendent
- 11. **COMMISSIONER COMMENTS**
- 12. **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:**

February – Black History Month  
February 26, 2009 – Black History Month Recognitions  
March – Women's History Month  
March 6, 2009 – Azalea Festival Mayor's Reception  
March 7 & 8, 2009 – Azalea Festival  
March 26, 2009 – Women's History Month Recognitions  
March 28, 2009 – Palatka Fire Dept. Benefit Golf Tournament  
April 4, 2009 – March of Dimes Walk for Babies

The following employee's have been selected for employee of month, from the Public Works Dept., for their dedication and outstanding leadership installing storm drain pipe at 1100 Carr st.

Gordon Brown

Albert Bryant

Jaufees Jackson

Shawn Ladd

Robert McHellen

Willie Nelson

Mike Shazel

Ronald Valentine

201 N. 2<sup>nd</sup> Street  
Palatka, FL 32177  
Tel. (386) 329-0100  
Fax (386) 329-0199

*City of Palatka*  
*Office of the City Manager*

**To:** Palatka City Commission  
**From:** Woody Boynton, City Manager  
**Date:** February 23, 2009  
**RE:** CRA Plan Amendment & Request for Sponsorship – 2009 Blue Crab Festival

During the CRA meeting held February 17, 2009 the Community Redevelopment Agency voted to recommend the amendment of the Palatka Center City Redevelopment Plan, 1985, to add elements and provisions to fund sustainable events, by inserting the following language, as outlined in Mr. Boynton's and Ms. Deitrich's memorandums (filed), dated February 16 and February 12, 2009, respectively:

*Marketing is a tool that increases visibility for the City of Palatka and is critical for the vitality of its Central Business District (CBD). In order for marketing to succeed, the community stakeholders, business and property owners, merchants, local organizations, the City of Palatka and the Putnam County Chamber of Commerce should come together to establish, develop and foster a unified vision and approach.*

*To succeed in building long term economic success for the CBD, festivals and sustainable events are opportunities that reinforce a District's positioning and branding. That means they must be targeted at appropriate audiences, communicated using local, regional and statewide multi-media resources, and designed to support, not compete with, the permanent businesses of the District. Sustainable events further the exposure to the existing businesses in the area by: bringing in first-time tourism, generating repeat visits, and providing for local resident activity and interaction.*

As you know, you must make this amendment to the CRA Plan before you can act upon a request for funding from the 2009 Blue Crab Festival organizers. I am satisfied that this amendment has been fully vetted by all organizations concerned with the Central Business District. Based upon these recommendations, I am asking the Commission to adopt the CRA Plan amendment as recommended in the resolution before you tonight. Also included in that resolution is the addition of language to the Plan to allow the purchase of property for redevelopment, as recommended and approved by the CRA/City Commission during regular session on August 28, 2009. This is a "housecleaning" measure.

Please take action to adopt Resolution No. 08-55 amending the Palatka Center City Redevelopment Plan, 1985.

**RESOLUTION NO. 8-55**

**A RESOLUTION OF THE CITY OF PALATKA,  
FLORIDA AMENDING THE PALATKA CENTER CITY  
REDEVELOPMENT PLAN, 1985**

**WHEREAS**, the City Commission of the City of Palatka, Florida on December 27, 1983 adopted Resolution No. 4-14 amending the redevelopment plan entitled "Palatka Center City Redevelopment Plan, 1983" and finding that said plan conformed to the Community Redevelopment Act of 1969, and

**WHEREAS**, on November 27, 1985, the Palatka City Commission adopted Resolution No. 4-46 updating and amending the Plan, and approved the Palatka Center City Redevelopment Plan 1985, pursuant to the requirements of the law; and

**WHEREAS**, the Community Redevelopment Agency and Palatka City Commission have deemed it necessary to amend the plan to adopt elements to allow funding for sustainable events and property acquisition; and

**WHEREAS**, pursuant to requirements of law, it is necessary that the amendment be adopted into the Plan and approved.

**NOW, THEREFORE, Be** it resolved by the City Commission of the City of Palatka, Florida, that the Palatka Center City Redevelopment Plan, 1985 be amended as follows:

**SECTION 1.** By adding the following goal and element:

Marketing is a tool that increases visibility for the City of Palatka and is critical for the vitality of its Central Business District (CBD). In order for marketing to succeed, the community stakeholders, business and property owners, merchants, local organizations, the City of Palatka and the Putnam County Chamber of Commerce should come together to establish, develop and foster a unified vision and approach.

To succeed in building long term economic success for the CBD, festivals and sustainable events are opportunities that reinforce a District's positioning and branding. That means they must be targeted at appropriate audiences, communicated using local, regional and statewide multi-media resources, and designed to support, not compete with, the permanent businesses of the District. Sustainable events further the exposure to the existing businesses in the area by: bringing in first-time tourism, generating repeat visits, and providing for local resident activity and interaction

**SECTION 2:** That Page 30 of the Palatka Center City Redevelopment Plan, 1985, Palatka Urban Planning, General Scheme, Paragraph 2, be amended to include the following passage: "This shall include the public purchase of parcels developable along the St. Johns

River to possibly include those blocks between Reid Street and St. Johns Avenue, Memorial Parkway and 2<sup>nd</sup> Street adjacent to the Riverfront Park.”

**FURTHER BE IT RESOLVED** that the Palatka Center City Redevelopment Plan, 1983 as adopted by Resolution 4-14 on December 27, 1983, and the Palatka Center City Redevelopment Plan, 1985 as adopted by Resolution 4-46 on November 27, 1985 shall continue in full force and effect except as specifically modified by herein.

**PASSED AND ADOPTED** this 26th day of February, 2009.

**CITY OF PALATKA**

By: \_\_\_\_\_  
Its **MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**



The following members acknowledged receipt of the foregoing notice of a special meeting on the 6<sup>th</sup> day of February, 2009.

/s/ Mary Lawson Brown  
COMMISSIONER

/s/ Allegra Kitchens  
COMMISSIONER

/s/ James Norwood, Jr.  
COMMISSIONER

/s/ Vernon Myers  
COMMISSIONER

/s/ Sam Deputy  
PRESIDENT  
DOWNTOWN PALATKA, Inc.

/s/ Harry Eaken  
MAIN STREET MANAGER

**INVOCATION** – Commissioner Norwood

**PLEDGE OF ALLEGIANCE** – As a group

2. **APPROVAL OF MINUTES – 2/5/09** – Commissioner Kitchens moved to adopt the minutes as read. Commissioner Myers seconded the motion, which passed unopposed.
3. **COMMUNITY REDEVELOPMENT PLAN AMENDMENT** – Recommendation to add component to fund requests for sustainable events in the Central Business District – Mr. Boynton noted a correction to his memorandum (filed); the document being amended is the Palatka Center City Redevelopment Plan, 1985, adopted November 27, 1985. Commissioner Brown moved to recommend the amendment of the Palatka Center City Redevelopment Plan, 1985, to add elements and provisions to fund sustainable events, by inserting the following language, as outlined in Mr. Boynton's and Ms. Deitrich's memorandums (filed), dated February 16 and February 12, 2009, respectively:

*Marketing is a tool that increases visibility for the City of Palatka and is critical for the vitality of its Central Business District (CBD). In order for marketing to succeed, the community stakeholders, business and property owners, merchants, local organizations, the City of Palatka and the Putnam County Chamber of Commerce should come together to establish, develop and foster a unified vision and approach.*

*To succeed in building long term economic success for the CBD, festivals and sustainable events are opportunities that reinforce a District's positioning and branding. That means they must be targeted at appropriate audiences, communicated using local, regional and statewide multi-media resources, and designed to support, not compete with, the permanent businesses of the District. Sustainable events further the exposure to the existing businesses in the area by: bringing in first-time tourism, generating repeat visits, and providing for local resident activity and interaction.*

Commissioner Kitchens seconded the motion.

Robert Griffith, 510 Mulholland Park, spoke on his experience at the State Main Street convention in Kissimmee. He said at that time Harry Eaken was the Main Street Manager and Commissioner Myers was the Main Street President. They

were all in a seminar being conducted by Jeannette Peters, who does seminars on 501c-3s and is considered an expert in the State. She said every city needs a qualified 501c3 to raise money. They are expected to restore this town, and the very tool they need is not in existence. He understood that Mr. Fulgham's group was given the opportunity to become a 501c3 so they could raise money. There is a lot of confusion about that as it was thought that Downtown Palatka was a 501c3. Because they had learned from the Main Street experts on how to establish a Main Street program, they did not want this program to go to the Chamber. Mr. Deputy made the motion to move the Main Street program to the Chamber. At the seminar, Mr. Eaken asked Ms. Peters how you would operate a 501c3 under a 501c6. Her answer was you can't, and that would be fraud. After that, the Main Street 501c3 was put on the shelf, and Main Street has been operating under the Chamber ever since. He is not criticizing how the Chamber has operated Main Street. They can't raise money without a 501c3 designation. There is not one in existence. Since they first learned about how to operate a CRA, he remembers there was a problem within the Main Street organization because the manager was spending more time on the riverfront project than on Main Street business. Mr. Bush said it was because she also gets her funding from CRA, not Main Street, and was also the CRA Manager. When they heard about the CRA, they did research on what a CRA was. He told Mr. Deputy and Mr. Laibl a CRA fund existed, which they did not know about. He is saying this because he wants this on the record. They cannot continue to go downhill without a 501c3 and a Main Street standing alone to raise money, so money can come in. What happens today will be good, and he is not against this action, but now is the time to clarify direction. These decisions are hard ones to make because of personalities. He finds it exciting that they are in one of the poorest communities in the State, and have a beautiful downtown town, and have funds to do projects. If the focus is putting together a total package similar to the one he received from Winston-Salem, NC, that is good. He appreciates all the work that has been done. At a meeting with downtown property owners, Wes Larson said they all need to drop their own personal agendas and work towards transforming this City.

Mayor Flagg said in the past they had asked one person to wear both the Main Street Manager and CRA Director "hats" and likely not everyone totally understood the differences between those two roles. Today they are better informed on the delineation of those two programs, and they are ready to move forward.

There being no further discussion, A roll call vote was requested and taken, with the following results: Mr. Deputy, Commissioners Brown, Kitchens, Myers, Norwood, and Mayor Flagg, yes; Nays none. The motion was declared passed.

4. **REQUEST FOR Central Business District Tax Increment Funds:** 2009 Blue Crab Festival Sponsorship; up to \$50,000 (tabled from 2/5/09) – Mr. Deputy moved to approve up to \$50,000 from the Central Business District TIF funds to fund the 2009 Blue Crab Festival. Commissioner Norwood seconded the motion. There being no further discussion, A roll call vote was requested and taken, with the following results: Mr. Deputy, Commissioners Brown, Kitchens, Myers, Norwood, and Mayor Flagg, yes; Nays none. The motion was declared passed.

Commissioner Brown said the City has always been partners with Blue Crab Festival; in the past when the City has asked them for funding, they have provided it. A former Mayor approached them about funding for his Clock Tower project, and they obliged.

5. **APPROVAL OF INVOICES: Preston Electric:** \$2,075.31 for Downtown Lighting Expense – Mr. Boynton pulled this from the agenda. It is now his understanding that this is a maintenance expense, and is being paid from the downtown lighting fund.
6. **REMARKS/COMMENTS** – There were none.
7. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 4:20 p.m. upon a motion by Commissioner Norwood, seconded by Commissioner Brown.

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THIS AGENCY 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

like to have a decision to bid the project out, and want to be certain the project will move forward before doing so. Mayor Flagg said they can authorize seeking bid proposals and are in support of the project, but don't want to approve an expenditure without having firm bids.

Chip Laibl, TIF Oversight Committee Chairman, clarified that as they talked about this sign at this meeting, they were comparing apples to oranges. The figure they discussed would be the cost of a pre-fab sign. The architectural design Mr. Taylor has brought forward and is under discussion at the \$115,000 level is adequate. They wanted to put forth an alternative. He now believes the proposal is reasonable. He also concurs with everyone that has stated they need to take bids before approving the sign. Mayor Flagg noted there is a consensus that a sign is needed. Commissioner Myers moved to approve taking bids for the Third Street Electronic Sign with no dollar amount attached, assigned or approved. Commissioner Deputy seconded the motion. A roll-call vote was requested, with the following results: Commissioners Brown, Kitchens, Myers, Norwood, Mr. Deputy and Mayor Flagg, Yes; Nays, none. The motion was declared passed. Commissioner Brown said she received a lot of criticism over the building of the clock tower, as what was presented was not what was built.

Lynda Crabill, 609 S. 14<sup>th</sup> Street, said this sign is also to be used as a central location for Trolley pickup when people come into town. There is parking available at this site, and a kiosk can be added for attractions and shopping information.

*Aug. 28, 2007*

**Authorize City Manager to receive appraisals** on several vacant lots for future parking – Mr. Boynton said they received an offer from a downtown business owner to purchase several lots he owns for parking. The TIF Oversight Committee concurred on this and asked him to look at other parcels and to gather appraisals on each before moving forward. This would cost a total of \$750 – \$1,000 for all appraisals; he will confirm that cost before moving forward. Commissioner Norwood moved to approve authorization to seek appraisals on lots identified as suitable for parking by the City Manager. Commissioner Brown seconded the motion. Mr. Deputy said he is in favor of moving forward, and asked this search be expanded. They should add the Prosperity Bank lot to the list; this is critical parking space for this area. Mayor Flagg noted the request includes other lots as recommended by the City Manager. He'd like a memo to come forward regarding details to all committees concerned and the Commission. Commissioner Kitchens said she'd like to make sure a title search is done on these lots prior to purchase. There being no further discussion, the motion passed unopposed.

**Recommend Amendment of CRA Plan** to include purchase of Frank George Apartments – Commissioner Kitchens moved to approve this item as presented. Commissioner Brown seconded the motion. Mr. Boynton stated Mrs. Banks drafted the following wording, to be added to page 30 of the redevelopment plan: "This shall include the public purchase of parcels developable along the St. Johns River to possibly include those blocks between Reid Street & St Johns Avenue, Memorial Parkway and 2<sup>nd</sup> Street adjacent to the Riverfront Park." A roll-call vote was requested, with the following results: Commissioners Brown, Kitchens, Myers, Norwood, Mr. Deputy and Mayor Flagg, Yes; Nays, none. The motion was declared passed.

201 N. 2<sup>nd</sup> Street  
Palatka, FL 32177  
Tel. (386) 329-0100  
Fax (386) 329-0199

*City of Palatka*  
*Office of the City Manager*

**To:** Palatka City Commission  
**From:** Woody Boynton, City Manager  
**Date:** February 23, 2009  
**RE:** Request for Sponsorship – 2009 Blue Crab Festival TIF Fund Allocation

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During the CRA meeting held February 17, 2009 the Community Redevelopment Agency voted to recommend the allocation of up to \$50,000 from Central Business District TIF Funds for sponsorship of the 2009 Blue Crab Festival. Attached is an excerpt from the draft minutes of that meeting showing the action taken by the CRA.

The following is my recommendation:

1. That up to \$50,000 is appropriated from the Central Business District TIF funds;
2. That you entrust Staff to insure that all issues are properly addressed, to include the following:
  - Budget oversight
  - Program oversight (traditional festival values)
  - Transparency of income and expenditures
  - Guidelines for working closely with downtown businesses
  - Competitive bidding of services (local vendor preference)
  - The CBD be recognized as the sponsor of the event.

CRA Minutes

2-17-09

were all in a seminar being conducted by Jeannette Peters, who does seminars on 501c-3s and is considered an expert in the State. She said every city needs a qualified 501c3 to raise money. They are expected to restore this town, and the very tool they need is not in existence. He understood that Mr. Fulgham's group was given the opportunity to become a 501c3 so they could raise money. There is a lot of confusion about that as it was thought that Downtown Palatka was a 501c3. Because they had learned from the Main Street experts on how to establish a Main Street program, they did not want this program to go to the Chamber. Mr. Deputy made the motion to move the Main Street program to the Chamber. At the seminar, Mr. Eaken asked Ms. Peters how you would operate a 501c3 under a 501c6. Her answer was you can't, and that would be fraud. After that, the Main Street 501c3 was put on the shelf, and Main Street has been operating under the Chamber ever since. He is not criticizing how the Chamber has operated Main Street. They can't raise money without a 501c3 designation. There is not one in existence. Since they first learned about how to operate a CRA, he remembers there was a problem within the Main Street organization because the manager was spending more time on the riverfront project than on Main Street business. Mr. Bush said it was because she also gets her funding from CRA, not Main Street, and was also the CRA Manager. When they heard about the CRA, they did research on what a CRA was. He told Mr. Deputy and Mr. Laibl a CRA fund existed, which they did not know about. He is saying this because he wants this on the record. They cannot continue to go downhill without a 501c3 and a Main Street standing alone to raise money, so money can come in. What happens today will be good, and he is not against this action, but now is the time to clarify direction. These decisions are hard ones to make because of personalities. He finds it exciting that they are in one of the poorest communities in the State, and have a beautiful downtown town, and have funds to do projects. If the focus is putting together a total package similar to the one he received from Winston-Salem, NC, that is good. He appreciates all the work that has been done. At a meeting with downtown property owners, Wes Larson said they all need to drop their own personal agendas and work towards transforming this City.

Mayor Flagg said in the past they had asked one person to wear both the Main Street Manager and CRA Director "hats" and likely not everyone totally understood the differences between those two roles. Today they are better informed on the delineation of those two programs, and they are ready to move forward.

There being no further discussion, A roll call vote was requested and taken, with the following results: Mr. Deputy, Commissioners Brown, Kitchens, Myers, Norwood, and Mayor Flagg, yes; Nays none. The motion was declared passed.

4. **REQUEST FOR Central Business District Tax Increment Funds:** 2009 Blue Crab Festival Sponsorship; up to \$50,000 (tabled from 2/5/09) – Mr. Deputy moved to approve up to \$50,000 from the Central Business District TIF funds to fund the 2009 Blue Crab Festival. Commissioner Norwood seconded the motion. There being no further discussion, A roll call vote was requested and taken, with the following results: Mr. Deputy, Commissioners Brown, Kitchens, Myers, Norwood, and Mayor Flagg, yes; Nays none. The motion was declared passed.

201 N. 2<sup>nd</sup> Street  
Palatka, FL 32177  
Tel. (386) 329-0100  
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*City of Palatka*  
*Office of the City Manager*

**To:** Members, Palatka Community Redevelopment Agency and Other Interested Parties

**From:** Woody Boynton, City Manager

**Date:** February 3, 2009

**RE:** Request for Sponsorship – 2009 Blue Crab Festival

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In late 2008, Blue Crab Festival organizers announced that the 2009 Blue Crab Festival was cancelled due to a one-year “hiatus” with plans to reorganize. The reasons given by the volunteer organizers were 1) lack of sponsors and 2) lack of volunteers. Although the reorganization meant that the festival could resume in 2010, there were no definite plans to do so.

As you know, the City of Palatka approached the Blue Crab Festival Committee about reconsidering its stance on the cancellation of the 2009 Blue Crab Festival. This well-established, highly popular and well-attended festival has been a significant contributor to the economic stability and marketing of Palatka and Putnam County for the past 20 years. This and other festivals, but especially the Blue Crab Festival, gives Palatka’s economy a much needed “shot in the arm” much like the Christmas season does, and provides this at an optimum time that falls in the middle of the year, in between holiday shopping and peak tourism seasons.

Although significant negotiations have not taken place with members of the Blue Crab Festival organization, we believe their request for \$50,000 in sponsorship money is not unreasonable. We believe this festival has benefited the community in numerous and substantial ways, and are certain this 20-year old tradition is well worth continuing. This Festival brings in thousands of visitors each year, and its impact on both the local and countywide economy is immeasurable. The positive name recognition Palatka enjoys as the “host city” for this Festival is priceless. We are grateful for the dedication of the volunteer organizers and staff whose hard work and dedication have made this Festival what it is. It is therefore staff’s recommendation that this money be appropriated from Central Business District (CBD) Tax Increment Funds.

We also understand that there may be some trepidation regarding setting precedence by sponsoring a festival. If necessary, this matter can be worked through by setting guidelines and criteria, such as indicating sponsorship is predicated upon 15-plus years of history, be attended by an excess of 100,000 people on peak days, etc. These “triggers” can be identified and a written policy put in place so that the City does not find itself in the “festival business.”

Other aspects of a City sponsorship that will be identified are:

- Budget oversight
- Program oversight (traditional festival values)
- Transparency of revenue and expenditures
- Guidelines for working closely with downtown businesses
- Competitive bidding of services (local vendors)

We would also require that the CBD be recognized as the sponsor of the event.

Memorandum  
Palatka CRA – Blue Crab Festival Sponsorship  
February 3, 2009  
Page 2

I would like to emphasize that the \$50,000 requested is the maximum amount to be made available for this request. It is expected that Blue Crab Festival organizers will undertake a sponsorship drive and that a portion of this money will be offset by the funds raised as a result of those sponsorships. In addition, it may be plausible that additional revenue streams can be realized through ingenuity and new volunteer leadership recruiting. As always, the City will work closely with the County to minimize both City and County fees.

In conclusion, Staff makes the following recommendations:

- 1. That up to \$50,000 be appropriated from the Central Business District TIF funds;*
- 2. That you entrust Staff to insure that all issues are properly addressed;*
- 3. That policies be put in place to minimize future requests from other festivals for sponsorship monies.*

# Agenda Item

3a

February 12, 2009

Mr. Elwin "Woody" C. Boynton, PE  
City Manager  
City of Palatka  
201 N. 2<sup>nd</sup> Street  
Palatka, Florida 32177

Re: City of Palatka  
Crystal Cover Subdivision  
Stormwater Management System  
Control Structure Improvements  
Ayres Associates Project No. 30-1609.00

Subject: Recommendation for Contract Award

Dear Mr. Boynton:

Ayres Associates has reviewed the bids for the referenced project. There were a total of twelve responsive bidders on this project. We recommend award of this project to Carter Excavating, Inc., as they were the lowest responsive bidder. As part of our review process Ayres Associates contacted their references to verify that the demonstrated ability that would be acceptable to the City of Palatka.

Please feel free to contact me should you have any questions regarding the review of bids.

Sincerely,

Ayres Associates Inc



Daryl R. Myers, PE  
Project Coordinator

cc: File

pelota

City of Palatka  
Road Opening

Date 2-6-09 3:00pm

Job Title Crystal Cove SD Night System IMPR.

Opened by: Betsy Duggins

Dept/Engineer Ayres Assoc./D. Myers

Read by: Daryl Myers

Bidder name	Acknowledge Addendums?	Base Bid Amount	Alternate #1	Alternate #2
1. A.J. Johns Inc. Jax, FL	<input checked="" type="checkbox"/>	\$ 44,943.00	\$	\$
2. HWA Contracting Jax, FL	<input checked="" type="checkbox"/>	\$ 32,885.40	\$	\$
3. PGCO, Inc. Jax, FL	<input checked="" type="checkbox"/>	\$ 65,405.00	\$	\$
4. Carter excavating, Inc Bell, FL	<input checked="" type="checkbox"/>	\$ 31,200.00	\$	\$
5. Commercial Indust. Corp Buddick, FL	<input checked="" type="checkbox"/>	\$ 35,475.64	\$	\$
6. Cross roads Site Dev. Ormond Bch, FL	<input checked="" type="checkbox"/>	\$ 54,925.00	\$	\$
7. Grimes Contracting Orange Pk, FL	<input checked="" type="checkbox"/>	\$ 34,999.00	\$	\$

M.D. Lancel

Witnesses:

Willie A. Smith

Behm N. Dyer

City of Palatka  
Bid Opening

Date 2-6-09 3:00 pm

Stormwater Mgmt.

Job Title Crystal Cove S/D System Impr. Opened by: Betsy Druggers

Dept./Engineer \_\_\_\_\_

Read by: Daryl Myers

Bidder name	Acknowledge Addendums?	Base Bid Amount	Alternate #1	Alternate #2
8. Jax Utilities Mgmt. Jax, FL	<input checked="" type="checkbox"/>	\$ 57,500.00	\$	\$
9. Kent Bros Elkton, FL	<input checked="" type="checkbox"/>	\$ 34,645.00	\$	\$
10. Kirby Development Jax, FL	<input checked="" type="checkbox"/>	\$ 48,932.00	\$	\$
11. Thompson + Buckles Halliester, FL	<input checked="" type="checkbox"/>	\$ 48,919.74	\$	\$
12. Westwind Contracting Bunnell, FL	<input checked="" type="checkbox"/>	\$ 38,954.90	\$	\$
6.		\$	\$	\$
7.		\$	\$	\$

Witnesses:

Wally Sizer

Baron W. Brown

Tue, Jan 13, 2009  
15:03:54

Receipt No:

# Classified Ad Receipt

## The Florida Times-Union

One Riverside Ave  
359-4321

Acct: 1000237636  
Phone: 9042606288  
E-Mail:  
Client:

Name: AYRES ASSOCIATES  
Address: 9440 PHILIPS HWY

City: JACKSONVILLE State: FL Zip: 32256-1339

Ad Name: 12696590D Reply Request  
Ad Id: 12696590 Standby Type:

Start: 01/16/2009 Issues: 1 Stop: 01/16/2009  
Class: 1450 Rate: LEG Paytype: CC  
Copy Line: INVITATIONTOBIDN Rep: Sharon Walker Colors: 0  
Editions: IN/LEG/ Tearsheets: 0

**INVITATION TO BID**

Notice is hereby given that the City of Palatka, Florida, will receive sealed bids at the office of the City Clerk, City Hall, City of Palatka, Florida, 201 North 2nd Street, Palatka, Florida 32177 until 3:00 p.m. (local time) on February 6, 2009 for the Crystal Cove Subdivision Stormwater Management System Control Structure Improvements.

All work for the Project shall be constructed in accordance with the Drawings and Specifications prepared by Ayres Associates Inc and the proposed improvements will be awarded and constructed, if award is made, under one Contract. Bids shall be submitted for furnishing, delivering, and installing all materials, equipment and services, including labor, for the Work, which generally involves:

Replacement of the underdrain system and reconstruction of the outfall control structure for the stormwater management system located in the Crystal Cove subdivision.

All work shall be in accordance with the construction drawings, specifications, and contract document.

Sealed bids must be submitted to Ms. Betsy Driggers at the address listed above. Any Bids received after the specified time and date will not be considered. One (1) original bid must be submitted along with two (2) copies in a sealed envelope. Envelope must bear on the outside the name of the bidder, his/her address, and the name of the project for which the bid is submitted. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope addressed as specified in the bid form.

Bidding documents may be examined at: Ayres Associates Inc, 5220 Shad Road, Suite 200-3, Jacksonville, Florida 32257

Copies of the documents may be obtained at Engineer's office for \$30.00 dollars per set, which constitute the cost of reproduction and handling. Checks shall be payable to Ayres Associates Inc. Payment is non-refundable.

The City of Palatka is an Equal Opportunity Employer and reserves the right to reject any or all bids.

Ad shown is not actual print size

Thank you for your business!

Lines.....	53.00
Depth.....	3.81
Columns...	2
Price:	582.46
Other Charges:	0.00
Discounts:	0.00
<b>Total</b>	<b>582.46</b>
Payment Due:	582.46
Balance:	0.00

Carter Excavating, Inc  
3799 SW Cr 341  
Bell, FL 32619

STATEMENT OF BIDDER'S QUALIFICATIONS

To: City of Palatka Project: Crystal Cove Subdivision  
Date: 1/30/09 Stormwater management system control structure

The following experience record, as of date shown, shall be submitted to the Owner with the Bid Form. All questions shall be answered fully. Bidders who have qualified to bid on other projects for this Owner within the last 12 months need not resubmit this form unless specifically requested by the Owner. The contents of this form will be considered confidential to the extent allowed by applicable laws and regulations.

Name of Bidder: Carter Excavating, Inc.  
Business Address: 3799 SW Cr 341  
Bell Street FL 32619  
City State Zip Code

1. Number of years in business as a Contractor under the present:  
Business Name Carter Excavating, Inc.  
As Principal Contractor 3 yrs As a Sub-Contractor 3 yrs

2. Class of work you are equipped to perform: site work + underground utilities

3. Class of work you usually sublet: Paving

4. Have any members of your concern ever operated under any other business name?  
NO. If so, give details: \_\_\_\_\_

5. Have you ever failed to qualify as a responsible bidder? NO If so, give details: \_\_\_\_\_

6. Have you ever refused to enter into a contract after the award is made to you?  
NO. If so, give details: \_\_\_\_\_

7. Have you ever failed to complete any work? NO. If so, give details: \_\_\_\_\_

8. Has any surety or financial institution ever experienced loss on your concern?  
NO. If so, give details: \_\_\_\_\_





# EXPERIENCE HISTORY

## 1. Describe Experience and Work Performed

Installed signs, and barricades for MOT. Installed silt fence for erosion control dewatered area using wellpoint system. Installed stormwater treatment unit. Installed 40' 24" RCP from treatment unit to existing pipe. Replaced existing side drains and installed 12" RCP from side drains to manhole. Poured new curb and sidewalk. Stabilized subgrade and installed 6" limerock. Compacted limerock to 98% density. Repaved area with 1.25" type S-III asphalt.



## 2. List Jobs

4<sup>th</sup> Ave Stormwater Improvements/ Mount Dora, FL

## 3. Name of Company/ Employer

Carter Excavating / Bell, Florida

## 4. Dates

8/2008





# Experience History

## 1. Describe Experience and Work Performed

Installed signs, barricades, and cones for maintenance of traffic. Operated dozers, loaders, and excavators to clear and grub right of way. Undercut unsuitable material from road bed. Spread fill in 1' lifts. Graded, watered and compacted fill to density requirements. Stabilized sub grade with crushed lime rock. Installed storm water structures and pipes for side and cross drains. Backfilled and compacted to density requirements. Mixed and applied mortar to tie pipes to structures. Poured inverts and collars as required. Spread lime rock for base. Graded, watered and compacted lime rock.



## 2. List Jobs

State Road 20/Four Lane

## 3. Name of Company/Employer

White Construction Company/ Chiefland, Florida

## 4. Dates

01/1999 – 11/1999



# Experience History

## 1. Describe Experience and Work Performed

Installed signs for Maintenance of traffic. Hand dug to locate existing utility lines. Removed abandoned utility lines. Removed existing drainage structures and pipes. Installed new structures and 19" x 30" elliptical reinforced concrete pipe. Mixed mortar and sealed structures to pipes. Backfilled around pipes and structures with flowable fill. Spread and graded 6" crushed concrete in drainage area. Formed and poured concrete driveway into drainage area. Removed existing pavement and damaged curb and gutter curb in parking area and roadway. Undercut road and parking area and backfilled with suitable material. Graded and compacted sub grade. Formed and poured new curb and gutter curb. Raised existing manholes to match new pavement elevations. Spread, graded, and compacted 8" of crushed lime rock for road and parking lot base. Tack and pave roadway and parking lot with 2" type S-1 asphalt. Stripe pavement and install curb stops in parking area.

## 2. List Jobs

University of Florida Paving and Drainage Improvements/Forman

## 3. Name of Company/ Employer

Wilkerson Construction Company

## 4. Dates

10/2007 – 2/2008

# Experience History

## 1. Describe Experience and Work Performed

Installed silt fence in required areas. Cleared and grubbed runway, taxiway and retention pond areas. Strip and stockpile topsoil. Dug and graded retention pond. Installed storm water drainage structures and pipes. Backfilled and compacted to density requirements. Formed and poured mitered ends. Spread fill in 1' lifts on runway extension. Graded, watered, and compacted to density requirements. Undercut unsuitable material from taxiway and parking area. Backfilled with clean fill. Graded, wet and compacted fill. Stabilized grade and compact subgrade in taxiway and parking area. Box out subgrade and spread 8" compacted lime rock. Finish grade lime rock. Paved with 2" type S-3 asphalt. Finish grade runway extension. Seed runway and sod around taxiway and parking area. Installed 6' chain link fence with 2 20' entry gates.

## 2. List Jobs

Suwannee County Airport Extensions/ Foreman

## 3. Name of Company/ Employer

Wilkerson Construction Company

## 4. Dates

06/2007 – 10/2007

# Experience History

## 1. Describe Experience and Work Performed

Installed signs for maintenance of traffic. Installed silt fence as required. Cleared, grubbed and hauled off debris to disposal site. Stripped and stockpiled topsoil. Dug retention pond. Installed storm water structures. Poured inverts. Installed sanitary sewer lift stations and tied into city sewer system. Undercut parking area and building pad, removing unsuitable material. Hauled in and spread clean fill in 1' lifts. Graded and compacted to density requirements. Formed and poured concrete entrance including curbs and sidewalks. Formed and poured curb in parking area. Stabilized sub grade by mixing with crushed lime rock. Graded and compacted sub grade. Spread lime rock base. Graded and compacted lime rock. Tacked and paved with 2" type S-3 asphalt. Sod pond slopes.

## 2. List Jobs

Sudsville Carwash/ Hawthorne, FL/ Foreman

## 3. Name of Company/ Employer

Wilkerson Construction Company

## 4. Dates

01/2008 - Present



# Experience History

## 1. Describe Experience and Work Performed



Installed silt fence where required. Cleared and grubbed work area. Loaded debris on dump trucks and hauled to burn site. Scraped top soil from building pad and parking lot area. Hauled in fill for pad. Grade, water and compact fill. Dug out and graded existing retention pond. Installed storm water structures and pipes. Back fill and compact pipes and structures. Mixed mortar tie in pipes to structures. Poured inverts and removed existing spillway. Sod pond slopes. Undercut parking lot and backfilled with suitable fill. Stabilized subgrade and added 8" compacted lime rock. Paved with 1.25" S-3 Asphalt. Installed 4" water main to building pad. Tied into existing sewer system with 8" HDPE. Finished grade around building seed and sod disturbed areas.

## 2. List Jobs

Abiding Savior Lutheran Church/ Foreman

## 3. Name of Company/ Employer

Wilkerson Construction Company

## 4. Dates



05/2007 - Present

A. If a corporation, when incorporated: 8/15/05

In which state incorporated: Florida

List name, title, and address of all officers:

	<u>Name</u>	<u>Title</u>	<u>Address</u>
(1)	<u>Thomas Carter</u>	<u>President</u>	<u>3799 SW EE 341 Bell, FL 32619</u>
(2)	<u>Traci Carter</u>	<u>Vice President</u>	<u>SAME</u>
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____

B. If a partnership, date of organization: \_\_\_\_\_

General, Limited, or Associated? \_\_\_\_\_

List name, address, and proportional interest of parties:

	<u>Name</u>	<u>Address</u>	<u>Proportional Interest</u>
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____

15. If requested prior to award of contract, provide to the Owner an accurate, up-to-date, condensed financial statement on a separate sheet attached to these qualifications of the individual co-partnership, or corporation.

The undersigned hereby declares and certifies that the foregoing is a true statement of the experience and condition of the organization, therein first given and that any agency or individual herein named authorized to supply any information as may be deemed necessary to verify this statement.

Signed Traci L Carter

Title Vice President

Subscribed and sworn to before me this 4<sup>th</sup>

day of February, 2009

Katie E Mobley Notary Public

Levy County, FLORIDA

My Commission expires 4-10-10

NOTARY PUBLIC-STATE OF FLORIDA  
 **Katie E. Mobley**  
 Commission # DD538850  
 Expires: APR. 10, 2010  
 Bonded Thru Atlantic Bonding Co., Inc

**ADDENDUM #1**

**City of Palatka**

201 North 2<sup>nd</sup> Street  
Palatka, Florida 32177  
Tel (386) 329-0100

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**Crystal Cove Subdivision**

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ISSUE DATE: January 30, 2009  
ENGINEER: Ayres Associates Inc.  
SUBJECT: City of Palatka  
Crystal Cove Subdivision  
Stormwater Management System  
Control Structure Improvements

INTENT: This addendum is issued prior to the date bids are due to incorporate the following clarifications, additions, omissions, deletions, or changes into the Contract Documents.

Except as hereinafter specified, the work shall be in accordance with the drawings and specifications.

Bidders are to include the work of this addendum in their proposals, and it shall become a part of the Contract Documents when construction is executed.

This addendum shall become part of the contract documents from this point forward. Bidders are reminded that this addendum must be noted on the first sheet of the "Bid Form" when they submit their bid. In an effort to ensure all bidders receive this addendum, please send a signed acknowledgment copy of this addendum with your Bid Form.

**ITEM #1**

Specification Section 00 41 15 BID FORM. The units of Item No. 4 have been change to CY. They were incorrectly shown as LF previously.

The Engineers estimate for this project is \$40,000.

**THE BID DEADLINE REMAINS February 6, 2009 @ 3:00 PM**

Acknowledgment:

Traci Carter 1/30/09  
Signature and Date

Traci Carter / VP  
Printed Name / Title

Carter Excavating  
Company Name

SECTION 00 41 15

BID FORM

**PROJECT IDENTIFICATION:** CITY OF PALATKA  
CRYSTAL COVE STORMWATER MANAGEMENT SYSTEM  
CONTROL STRUCTURE IMPROVEMENTS

**BID DEADLINE:** FEBRUARY 6, 2009 at 3:00 p.m.

**THIS BID IS SUBMITTED TO:** City of Palatka  
201 North 2<sup>nd</sup> Street  
Palatka, Florida 32177

- 1.01 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.
- 2.01 Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. The Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.
- 3.01 In submitting this Bid, Bidder represents, as set forth in the Agreement, that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of all which is hereby acknowledged:

<u>Addendum No.</u>	<u>Addendum Date</u>
<u>1</u>	<u>1/30/09</u>
<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>

- B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in paragraph 4.02 of the General Conditions, and (2) reports and drawings of a Hazardous Environmental Condition, if any, which has been identified in the Supplementary Conditions as provided in paragraph 4.06 of the General Conditions.
- E. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may affect costs, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly

required by the Bidding Documents to be employed by Bidder, and safety precautions and programs incident thereto.

- F. Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of the work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Bidding Documents.
- I. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- J. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

4.01 Bidder further represents that this Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over Owner.

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

BASE BID					
Item No.	Description	Quantity	Unit	Unit Cost	Total Cost
1	Mobilization	1	LS		3000
2	Erosion Control & Pollution Abatement	1	LS		2725
3	Embankment	470	CY	14.19	6670
4	A-3 Sand (Contingency)	50	LF	15	750
5	Class I Concrete (Spillway) (6" Thick)	12	CY	233.33	2800
6	Class I Concrete (Apron) (6" Thick)	1	CY		450
7	Underdrain (Type II)	275	LF	18	4950
8	Underdrain Outlet Pipe (8")	90	LF	25.11	2260
9	Underdrain Cleanouts	6	EA	90	540
10	Rip Rap Rubble	1	TN		300
11	Sodding	1200	SY	2.31	2775
12	Concrete Cutoff Wall	6	CY	663.33	3980

TOTAL BID AMOUNT (ITEMS 1-12)

\$ 31,200.<sup>00</sup>  
(Figures)

Thirty one Thousand two hundred Dollars  
(Use Words)

All specific cash allowances are included in the price(s) set forth above and have been computed in accordance with paragraph 11.02 of the General Conditions.

Unit prices have been computed in accordance with Paragraph 11.03.B of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment of all Unit Price Bid Items will be based on actual quantities provided, determined as provided in the Contract Documents.

6.01 Bidder agrees that the Work will be substantially complete within 45 calendar days after the date when the Contract Times commence to run as provided in paragraph 2.03 of the General Conditions, and completed and ready for final payment in accordance with paragraph 14.07.B of the General Conditions within 60 calendar days after the date when the Contract Times commence to run.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified above, which shall be stated in the Agreement.

7.01 The following documents are attached to and made a condition of this Bid:

- A. Bid Security in the form of a certified check or Bid Bond
- B. Tabulation of Subcontractors & Suppliers
- C. Bidder's Qualification Statement
- D. Florida Trench Safety Act Certification
- E. Public Entity Crimes Statement
- F. Statement of Disputes, Litigation & Surety Completion
- G. Noncollusion Affidavit
- H. Drug-Free Workplace Certificate

8.01 The terms used in this Bid with initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

SUBMITTED on 11/30, 2009.

State Contractor License No. CLC 1224598

A Corporation

Corporation Name: Carter Excavating, Inc. (SEAL)

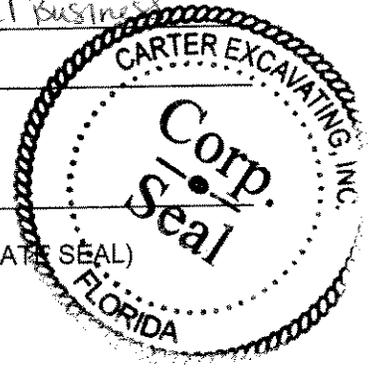
State of Incorporation: Florida

Type (General Business, Professional, Service, Limited Liability): General Business

By: Traci L. Carter  
(Signature - attach evidence of authority to sign)

Name (typed or printed): Traci Carter

Title: Vice President (CORPORATE SEAL)



Attest Traci L. Carter  
(Signature of Corporate Secretary)

Business address: 3799 SW Cr 341  
Bell, FL 32619

Phone No.: 352-213-5361 Fax No.: 352-463-1614

Date of Qualification to do business is 8/15/05

I certify that I am familiar with and accept the responsibilities of registered agent.

P05000113952  
FILED  
August 16, 2005  
Sec. Of State  
jshivers

Registered Agent Signature: THOMAS P CARTER

### **Article VI**

The name and address of the incorporator is:

JOYCE C THOMPSON  
640 NE SANTA FE BLVD  
HIGH SPRINGS, FL 32643

Incorporator Signature: JOYCE C THOMPSON

### **Article VII**

The initial officer(s) and/or director(s) of the corporation is/are:

Title: P  
THOMAS P CARTER JR  
3799 SW COUNTY ROAD 341  
BELL, FL. 32619

Title: S/T  
TRACIL CARTER  
3799 SW COUNTY ROAD 341  
BELL, FL. 32619

### **Article VIII**

The effective date for this corporation shall be:

08/15/2005

SECTION 00 45 19

NONCOLLUSION AFFIDAVIT

TO: The City of Palatka, herein called the "Owner."

Pursuant to bidding requirements for the work titled "Crystal Cove Subdivision Stormwater management system control structure imp."

the enclosed contract documents shall be provided to the Owner.

State of Florida

County of Gilchrist

\_\_\_\_\_ being first duly sworn, deposes, and says that:

- A. He is Vice President (officer's title) of Carter Excavating, Inc (company name), the Bidder that has submitted the attached bid;
- B. He is fully informed respecting the preparation and contents of the attached bid and of all pertinent circumstances respecting such bid;
- C. Such bid is genuine and is not a collusive or sham bid;
- D. Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly with any other Bidder, firm, or person to submit a collusive or sham bid in connection with the contract for which the attached bid has been submitted or to refrain from bidding in connection with such contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm, or person to fix the price or prices in the attached bid or of any other Bidder, or to fix any overhead, profit, or cost element of the bid price or the bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against the City of Palatka or any person interested in the proposed contract; and
- E. The price or prices quoted in the attached bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) Travis Carter

Subscribed and sworn to before me this 4<sup>th</sup> day of February, 2009.

Katie E. Mobley  
Notary Public

4-10-10

My commission expires  
NOTARY PUBLIC STATE OF FLORIDA  
Katie E. Mobley  
Commission # DD538850  
Expires: APR. 10, 2010  
Provided thru Atlantic Bonding Co., Inc

SECTION 00 45 20

DRUG FREE WORKPLACE CERTIFICATE

I, the undersigned, in accordance with Florida Statute 287.087, hereby certify that \_\_\_\_\_

Carter Excavating, Inc (print or type name of firm)

- Publishes a written statement notifying that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace named above, and specifying actions that will be taken against violations of such prohibition.
- Informs employees about the dangers of drug abuse in the workplace, the firm's policy of maintaining a drug free working environment, and available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug use violations.
- Gives each employee engaged in providing commodities or contractual services that are under bid or proposal, a copy of the statement specified above.
- Notifies the employees that as a condition of working on the commodities or contractual services that are under bid or proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, plea of guilty or nolo contendere to, any violation of Chapter 1893, or any controlled substance law of the State of Florida or the United States, for a violation occurring in the work place, no later than five (5) days after such conviction, and requires employees to sign copies of such written statement to acknowledge their receipt.
- Imposes a sanction on, or requires the satisfactory participation in, a drug abuse assistance or rehabilitation program, if such is available in the employee's community, by any employee who is so convicted.
- Makes a good faith effort to continue to maintain a drug free work place through the implementation of a drug free work place program.

"As a person authorized to sign a statement, I certify that the above named business, firm, or corporation complies fully with the requirements set forth herein."

Travis L Carter  
Authorized Signature

2/4/09  
Date Signed

State of: FLORIDA

County of: LEVY

Sworn to and subscribed before me this 4 day of February, 2009.

Personally known  or Produced Identification \_\_\_\_\_  
(Specify type of Identification)

[Signature]  
Notary Public

4-10-10  
My commission expires

NOTARY PUBLIC-STATE OF FLORIDA  
D. Marie E. Mobley  
Commission # DDS38850  
Expires APR. 10, 2010  
The Atlantic Founting Co., Inc.

SECTION 00 45 30

SWORN STATEMENT UNDER SECTION 287.133(3)(a),  
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

(To be signed in the presence of a notary public or other  
officer authorized to administer oaths.)

STATE OF Florida  
COUNTY OF Gilchrist

Before me, the undersigned authority, personally appeared Traci Carter, who  
being by me first duly sworn, made the following statement:

1. The business address of Carter Excavating, Inc.  
(firm name of Bidder/Contractor)  
is 3799 SW Cr 341 Bell, FL 32619
2. My relationship to Carter Excavating, Inc.  
(firm name of Bidder/Contractor)  
is Vice President  
(relationship such as sole proprietor, partner, president, vice president)

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

4. I understand that "convicted" or "conviction" is defined by the statute to mean a finding of guilt or a conviction of a public entity crime, with or without adjudication or guilt, in any federal or state trial of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

5. I understand that "affiliate" is defined by the statute to mean (1) a predecessor or successor of a person or a corporation convicted of a public entity crime; or (2) an entity under control of any natural person with is active in management of the entity and who has been convicted of a public entity crime; (3) those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate; or (4) a person or corporation who knowingly entered into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months.

6. Neither the Bidder/Contractor nor any officer, director, executive, partner, shareholder, employee, member or agent who is active in the management of the Bidder/Contractor, nor any affiliate of the Bidder/Contractor, has been convicted of a public entity crime subsequent to July 1, 1989.

(Draw a line through Paragraph 6 if Paragraph 7 below applies)

7. There has been a conviction of a public entity crime by Bidder/Contractor, or an officer, director, executive, partner, shareholder, employee, member or agent of the Bidder/Contractor who is active in the management of the Bidder/Contractor or an affiliate of the Bidder/Contractor. A determination has been made pursuant to 287.133(3) by order of the Division of Administrative Hearings that it is not in the public interest of the name of the convicted person or affiliate to appear on the convicted vendor list.

The name of the convicted person or affiliate is NIA

A copy of the order of the Division of Administrative Hearings is attached to this statement.

(Draw a line through Paragraph 7 if Paragraph 6 above applies.)

Traci L. Carter  
(Signature)

Sworn to and subscribed before me in the State and County first mentioned above on the 4 day of February, 2009.

K E Mobley  
Notary Public

4-10-10  
My commission expires

NOTARY PUBLIC STATE OF FLORIDA  
Katie E. Mobley  
Commission # DD538850  
Expires: APR. 10, 2010  
Bonded Third Atlantic Bonding Co., Inc.



SECTION 00 43 35

TABULATION OF SUBCONTRACTORS & SUPPLIERS

The undersigned states that the following is a full and complete list of the proposed subcontractors and suppliers on this Project and the class of work to be performed by each, and that such list will not be added to nor altered without written consent to the Owner through the Engineer.

<u>SUBCONTRACTOR OR SUPPLIER AND ADDRESS</u>	<u>CLASS OF WORK OR MATERIAL</u>
1. <u>Wilkerson Construction</u> <u>PO Box 2136 Trenton FL 32693</u>	<u>Hauling</u>
2. <u>Geotech</u>	<u>Testing</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____

BIDDER: Carter Excavating

By: \_\_\_\_\_

Name: Traci Carter

Title: Vice President

Date: 1/30/09

SECTION 00 45 35

BIDDER'S STATEMENT OF DISPUTES, LITIGATION, ARBITRATION, AND SURETY COMPLETION  
LAST THREE (3) YEARS

<u>PROJECT</u>	<u>NAME AND ADDRESS OF OWNER OR ENGINEER</u>	<u>NAME AND PHONE OF OWNER OR ENGINEER REPRESENTATIVE</u>	<u>DATE OF CONTRACT</u>	<u>AMOUNT</u>	<u>STATUS</u>
----------------	--	---	-----------------------------	---------------	---------------

N/A

(Signed) David L. Carter

SECTION 00 45 55

FLORIDA TRENCH SAFETY ACT CERTIFICATION

Bidder acknowledges that included in the various items of the proposal and in the Total Bid Price are costs for complying with the Florida Trench Safety Act (90-96, Laws of Florida) as modified October 1, 2000. The Bidder further identifies the costs to be summarized below:

- |                                 | <u>Cost</u>      |
|---------------------------------|------------------|
| 1. Trench Safety Act Compliance | \$ <u>400.00</u> |
| 2. Special Shoring              | \$ <u>NIA</u>    |

Identify method of compliance for Item #1: \_\_\_\_\_

Identify or attach a copy of Special Shoring requirements for Item #2: \_\_\_\_\_

The undersigned certifies that he/she is the Contractor who will perform the trench excavation for this project, and hereby gives written assurance that Contractor will comply with the applicable trench safety standards specifically set forth in Florida's Trench Safety Act, Laws of Florida, 90-96.

BIDDER: Carter Excavating, Inc.

By: \_\_\_\_\_

Name: Traci Carter

Title: Vice President

Sworn to and subscribed before me this 4 day of February, 2009.

K E Mobley  
Notary Public

My Commission Expires: 4-10-10

NOTARY PUBLIC-STATE OF FLORIDA  
Katie E. Mobley  
Commission # DD538650  
Expires: APR. 10, 2010  
Bonds Thru Atlantic Bonding Co., Inc

# THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

## Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

**Carter Excavating, Inc., 3799 SW CR 341, Bell, FL 32619**  
as Principal, hereinafter called the Principal, and

**Developers Surety and Indemnity Company, PO Box 19725, Irvine, CA 92623**  
a corporation duly organized under the laws of the State of Iowa as Surety, hereinafter called the Surety, are held and firmly bound unto

**City of Palatka, 201 N. 2nd Street, Palatka, FL 32177**  
as Oblige, hereinafter called the Oblige, in the sum of FIVE Percent of the amount bid

Dollars (\$ 31,200.00 )  
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for  
**Crystal Cove Subdivision Stormwater Management System Control Structure Improvements**

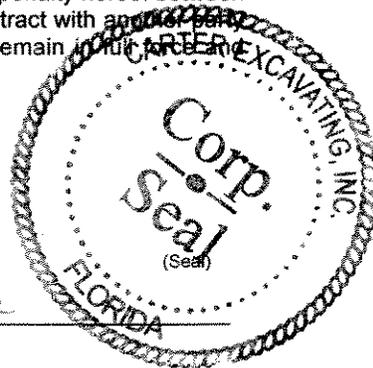
NOW, THEREFORE, if the Oblige shall accept the bid of the Principal and the Principal shall enter into a Contract with the Oblige in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Oblige may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 6th day of February, 2009.

Kate Mobly  
(Witness)

Magnum Baker  
(Witness)

Carter Excavating, Inc.  
(Principal)  
Traci X. Carter  
(Seal)



Developers Surety and Indemnity Company  
(Surety) (Seal)  
Paul A. Locascio  
Paul A. Locascio, Attorney-in-Fact &  
Florida Licensed Resident Agent

**POWER OF ATTORNEY FOR  
DEVELOPERS SURETY AND INDEMNITY COMPANY**  
PO BOX 19725, IRVINE, CA 92623 (949) 263-3300  
www.InscoDico.com

KNOW ALL MEN BY THESE PRESENTS, that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY does hereby make, constitute and appoint:

**\*\*\*Dale Waldorff, Benjamin H. French, Wayne Walker, Pamela L. Jarman, Paul A. Locascio, Robin M. Williams, jointly or severally\*\*\***

as its true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporation as surety, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as the corporation could do, but reserving to the corporation full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolution adopted by the Board of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY effective as of November 1, 2000:

RESOLVED, that the Chairman of the Board, the President and any Vice President of the corporation be, and that each of them hereby is, authorized to execute Powers of Attorney, qualifying the Attorney(s)-in-Fact named in the Powers of Attorney to execute, on behalf of the corporation, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporation be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY has caused these presents to be signed by its respective Executive Vice President and attested by its Secretary this 1st day of December, 2005.

By:   
David H. Rhodes, Executive Vice-President

By:   
Walter A. Crowell, Secretary



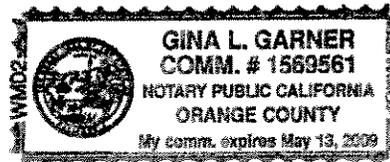
STATE OF CALIFORNIA  
COUNTY OF ORANGE

On December 1, 2005 before me, Gina L. Garner, Notary Public (here insert name and title of the officer), personally appeared David H. Rhodes and Walter A. Crowell, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature 

(SEAL)



**CERTIFICATE**

The undersigned, as Assistant Secretary, of DEVELOPERS SURETY AND INDEMNITY COMPANY, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked, and furthermore, that the provisions of the resolution of the respective Boards of Directors of said corporation set forth in the Power of Attorney, is in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, the 6th day of February, 2009

By:   
Albert Hildebrand, Assistant Secretary

# *Agenda Item*

*3b*

**REQUEST TO BE PLACED ON  
CITY COMMISSION AGENDA**

**NOTE:** Regular City Commission meetings are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays of the month at 6:00 p.m. This request form, together with any attachments or backup material that that would help the Commission to better consider your request, should be submitted to the City Clerk's office ***no later than 5:00 p.m. on the Wednesday, a week prior to the next regularly scheduled Thursday City Commission meeting.*** Meeting dates are subject to change. Please verify the closing date for agenda items with the Clerk's office.

**Name of Individual, Organization or Group making presentation or request:**

Chief Gary Getchell / Palatka Police Department

**Name of Individual making presentation or request, if different:**

Chief Gary Getchell

Address: Palatka Police Department

Daytime Phone 329-0115 Home ph. \_\_\_\_\_ Fax \_\_\_\_\_

Requested meeting date for Agenda Item: February 26, 2009

Request for Commission Action or  Presentation Only; no action required Subject

Matter you wish to address:

***VOCA grant from State of Florida to receive funding for a Crime Victim's Advocate  
for the Palatka Police Department***

*Refer to attached memorandum*

Commission Action Requested, if any: Authorize submission of application to

State of Florida for VOCA grant

**Palatka Police Department**  
**110 North 11<sup>th</sup> Street**

**Memorandum**

**Date:** 02-19-09  
**To:** Betsy Driggers, City Clerk  
**From:** Chief Gary Getchell  
**Subject:** Request to apply for grant – VOCA Grant to fund a Crime Victim's Advocate for the City of Palatka Police Department

---

The Palatka Police Department wishes to submit an application to receive funding from the State of Florida for a Crime Victim's Advocate to assist our department with the initial investigations and follow-up investigations of criminal offenses.

There is no requirement for match funding from the City of Palatka. The grant requires only in-kind contributions, which we believe we have satisfied in the grant application.

A copy of the grant application is attached for your review.

**Chief Gary Getchell**

Cc;  
City Manager Woody Boynton  
Assistant Chief James Griffith



**Victims of Crime Act (VOCA)  
FY 2009-2010**

**Grant Application**

**Office of Attorney General Bill McCollum**

OFFICE OF THE ATTORNEY GENERAL  
2009-2010 VOCA GRANT APPLICATION

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## VOCA GENERAL INFORMATION

1. **Background:** The Victims of Crime Act (VOCA) was enacted in 1984 to provide federal funding to assist state, local and private nonprofit agencies to provide direct services to crime victims. The United States Department of Justice (USDOJ), Office of Justice Programs (OJP), Office for Victims of Crime (OVC), provides funds to support the provision of services to victims of crime. Services are defined as those efforts that respond to the emotional and physical needs of crime victims, assist victims of crime to stabilize their lives after a victimization, assist victims to understand and participate in the criminal justice system and provide victims of crime with a measure of safety and security.
2. **Who May Apply:** Any public or nonprofit organization or a combination of such organizations that provides direct services to crime victims as specified by the VOCA Victim Assistance Grant Final Program Guidelines (Attachment A). Failure to adhere to the Guidelines in the past may affect an Applicant's eligibility for funding.
3. **VOCA Grant Application:** The instructions, information, references and the attachment contained herein comprise the official VOCA Grant Application. Applicants must sign a certification that they have read all of the VOCA Grant Application materials and that the applicant will comply with all applicable federal and state statutes, administrative rules, procedures and policies established in the application. The VOCA Grant Application packet consists of the following materials:
  - \* General Information and Application Instructions
  - \* VOCA Grant Application
  - \* OJP Final Program Guidelines (Attachment A). On-line users please visit <http://www.ojp.usdoj.gov/ovc/welcovc/scad/guidelns.htm>
4. **Funding by Judicial Circuit:** VOCA funds will be awarded by judicial circuit. Applicants will apply for funds within the judicial circuit served by the agency. If the agency serves victims of crime in more than one judicial circuit, an individual application must be submitted for each judicial circuit to be served. All components of each application must be specific to the judicial circuit to be served. See (page 9) for a listing of the counties within each judicial circuit.
5. **Application Deadline and Submission Instructions:** The original application and one exact copy must be received in the Office of the Attorney General (OAG) no later than 5:00 p.m., Eastern Standard Time, on **Friday, February 27, 2009**. Only one application per agency per judicial circuit will be accepted. The application containing original signatures must be marked "original" in the top right hand margin of the first page and stapled together. The applicant should retain an exact copy of the VOCA Grant Application. Applications must be mailed or delivered to the following address:

Using the U.S. Postal Service:

Office of the Attorney General  
Bureau of Advocacy and Grants Management  
PL-01, The Capitol  
Tallahassee, Florida 32399-1050

Using other mail carrier services such as DHL, Federal Express, UPS, etc., please use the Collins Building address:

**Office of the Attorney General  
Bureau of Advocacy and Grants Management  
Collins Building  
107 West Gaines Street  
Tallahassee, FL 32301**

\*\*Do not use the Collins Building address for any U.S. Postal Service mail.

The submission to the Attorney General's Office must include, in the following order:

- \* Fully completed VOCA Grant Application packet (Parts 1-9).
- \* Job descriptions for all proposed VOCA-funded personnel and match personnel that indicate the percentage of time allocated for each job duty.
- \* Three current letters of support.
- \* Documentation of the agency's 501(c) 3 ruling from the Internal Revenue Service. Do not send your 990 statements or letters of non-profit status (**New VOCA applicants ONLY**).

Do not include brochures, annual reports or additional documents in the submission to the Attorney General's Office. Do not include binders or notebooks.

**Late applications will not be considered. Faxed or e-mailed applications will not be accepted.**

6. **Grant Application Review Process:** After grant applications are received, the application will be reviewed by OAG staff for technical compliance. All applications meeting technical compliance will be considered for funding.
7. **Award Announcement and Funding Cycle:** Grant awards are announced annually prior to September 1, for a maximum of one year for the period of October 1 through September 30.
8. **Applicable Laws/Final Program Guidelines:** United States Department of Justice (USDOJ), Office of Justice Programs (OJP), Office for Victims of Crime (OVC), published Final Program Guidelines in the April 22, 1997, Federal Register to implement the victim assistance grant program as authorized by the Victims of Crime Act of 1984, as amended 42 U. S. C. 10601, et seq. If an Applicant receives funding under this program, the Applicant must comply with applicable federal and state laws and regulations, including the OJP Final Program Guidelines and OJP Financial Guide. The following is a partial listing of VOCA eligibility requirements. The Applicant must:
  - \* Provide direct services to crime victims at no charge to the victim (i.e., provider cannot bill third party for services)
  - \* Be a public or nonprofit organization or a combination of such organizations
  - \* Provide documentation that exhibits community support and approval of its services
  - \* Demonstrate financial support from non-federal sources
  - \* Demonstrate, if a new program, that 25-50 percent of financial support comes from non-federal sources
  - \* Provide 20 percent program match derived from resources other than federal funds
  - \* Use volunteers which may include interns

- \* Promote coordinated services with public and private efforts within the community to aid crime victims
- \* Assist victims with filing victim compensation claims
- \* Maintain civil rights information on victims served by race or national origin, sex, age, and disability
- \* Maintain confidentiality of client-counselor information, as required by state and federal law
- \* Comply with state criteria
- \* Provide services to victims of federal crime
- \* Comply with applicable provisions of the OJP Financial Guide. In addition to satisfying an annual audit requirement, these provisions include maintaining programmatic and financial records that fully disclose the amount and disposition of VOCA funds received; financial documentation for disbursements; daily time and attendance records specifying time devoted to allowable VOCA victim services; client files; the portions of the project supplied by other sources of revenue; job descriptions; contracts for services; and other records which facilitate an effective audit.

9. **Disallowed Costs and Activities:** The following list identifies some of the services, activities, and costs that cannot be supported with VOCA funds. All unallowable costs will be removed during OAG technical review and budgets will be reduced accordingly. See the Final Program Guidelines (Attachment A) for additional information concerning non-allowable costs and services at <http://www.ojp.usdoj.gov/ovc/welcovc/scad/guidelns.htm>

- \* Lobbying and administrative advocacy
- \* Perpetrator rehabilitation and counseling
- \* Needs assessments, surveys, evaluations or studies
- \* Prosecution activities, including criminal investigations
- \* Fund-raising activities
- \* Indirect organization costs, including but not limited to, liability insurance on property or vehicles, capital improvements, security and body guards, property losses and expenses, real estate purchases, mortgage payments, construction
- \* Property loss
- \* Most medical costs
- \* Relocation expenses
- \* Vehicles, unless approved in advance by the state VOCA Administrator
- \* Administrative staff expenses including administrators, board members, executive directors, supervisors, etc.
- \* Coordination activities such as: serving on task forces or development of protocols, interagency agreements, and other working agreements undertaken as part of the agency's role as a victim services organization
- \* Costs of sending individual crime victims to conferences
- \* Activities exclusively related to crime prevention
- \* Supporting services to incarcerated individuals
- \* Supplement to crime victim compensation awards
- \* Non-emergency legal representation (i.e., divorces)

10. **Underserved Victims:** Applicants are encouraged to identify gaps in available services for “underserved” victims and to seek funding to provide services to these victims. Underserved populations may include, but are not limited to, child-on-child abuse, child abuse by non-caretaker, crimes against the elderly, non-English speaking persons, persons with disabilities, victims of federal crimes, victims of workplace violence and members of racial or ethnic minorities.
11. **Victims with Disabilities:** Costs of furniture, auxiliary aids that assist persons with sensory disabilities to communicate such as TTY/TTD machines for the hearing impaired or qualified interpreters, or minor building alterations/improvements that make victim services more accessible to persons with disabilities are allowable.

## VOCA DEFINITIONS

Use this information in completing Part 4, Types of Services. Definitions are provided by the U. S. Department of Justice, Office of Justice Programs, Office for Victims of Crime (OVC). The information provided in this section must be consistent with the applicant's Statement of Need and Project Proposal. An applicant who receives VOCA funding will be required to maintain data on victims served and types of services provided in accordance with the following definitions.

**Assistance with Victim Compensation** includes making victims aware of the availability of crime victim compensation, assisting the victim in completing the required forms, gathering the needed documentation, etc. It may also include follow-up contact with the victim compensation agency on behalf of the victim. **This is a mandatory VOCA service.**

**Criminal Justice Support/Advocacy** refers to support, assistance, and advocacy provided to victims at any stage of the criminal justice process, to include post-sentencing services and support.

**Crisis Counseling** refers to in-person crisis intervention, emotional support, and guidance and counseling provided by advocates, counselors, mental health professionals, or peers. Such counseling may occur at the scene of a crime, immediately after a crime, or be provided on an on-going basis.

**Crisis Hotline Counseling** typically refers to the operation of a 24-hour telephone service, 7 days a week, which provides crisis counseling, guidance, emotional support, information and referral, etc.

**Emergency Financial Assistance** refers to cash outlays for transportation, food, clothing, emergency housing, etc. that is supported with VOCA grant funds or reported as matching expenses.

**Emergency Legal Advocacy** refers to the filing of temporary restraining orders, injunctions, other protective orders, elder abuse petitions and child abuse petitions, but does not include criminal prosecution or the employment of attorneys for non-emergency purposes, such as custody disputes, civil suits, etc.

**Follow-up Contact** refers to in-person contacts, telephone contacts, and written communications with victims to offer emotional support, provide empathetic listening, check on a victim's progress, etc.

**Information and Referral (in-person)** refers to in-person contacts with victims during which time services and available support are identified.

**Other Services** refers to other VOCA allowable services and activities not listed in the options provided.

**Personal Advocacy** refers to assisting victims in securing rights, remedies, and services from other agencies; locating emergency financial assistance, intervening with employers, creditors, and others on behalf of the victim; assisting in filing for losses covered by public and private insurance programs including workman's compensation, unemployment benefits, welfare, etc.; accompanying the victim to the hospital, etc.

**Information and Referral (in-person)** refers to in-person contacts with victims during which time services and available support are identified.

**Other Services** refers to other VOCA allowable services and activities not listed in the options provided.

**Secondary Victims** are people other than primary victims receiving services as a result of their own reaction to or needs resulting from a crime directed against a primary victim, e.g., the husband of a rape victim who receives counseling, non-offending caretaker of child abuse victims, etc.

**Shelter/Safe House** refers to providing short- and long-term housing services to victims and families following a victimization.

**Support Groups** refers to the coordination and provision of supportive group activities and includes self-help, peer, social support, etc.

**Telephone Contacts** refers to contacts with victims during which time services and available support are identified.

**Therapy** refers to intensive professional psychological and/or psychiatric treatment of individuals, couples, and family members related to counseling to provide emotional support in crisis arising from the occurrence of crime. This includes the evaluation of mental health needs, as well as the actual delivery of psychotherapy. Individuals who provide this service must meet the criteria outlined in the Florida Statutes (F.S.).

**Unduplicated Victims** are victims not counted on previous quarterly reports. Unduplicated victims may be either primary or secondary victims of crime. A person may be counted more than once only as a result of an entirely separate and unrelated crime during the reporting period, e.g., a domestic violence victim is victimized during a separate episode.

FLORIDA JUDICIAL CIRCUITS

FIRST

Escambia  
Okaloosa  
Santa Rosa  
Walton

SECOND

Franklin  
Gadsden  
Jefferson  
Leon  
Liberty  
Wakulla

THIRD

Columbia  
Dixie  
Hamilton  
Lafayette  
Madison  
Suwannee  
Taylor

FOURTH

Clay  
Duval  
Nassau

FIFTH

Citrus  
Hernando  
Lake  
Marion  
Sumter

SIXTH

Pasco  
Pinellas

SEVENTH

Flagler  
Putnam  
St. Johns  
Volusia

EIGHTH

Alachua  
Baker  
Bradford  
Gilchrist  
Levy  
Union

NINTH

Orange  
Osceola

TENTH

Hardee  
Highlands  
Polk

ELEVENTH

Miami-Dade

TWELFTH

DeSoto  
Manatee  
Sarasota

THIRTHEENTH

Hillsborough

FOURTEENTH

Bay  
Calhoun  
Gulf  
Holmes  
Jackson  
Washington

FIFTEENTH

Palm Beach

SIXTEENTH

Monroe

SEVENTEENTH

Broward

EIGHTEENTH

Brevard  
Seminole

NINETEENTH

Indian River  
Martin  
Okeechobee  
St. Lucie

TWENTIETH

Charlotte  
Collier  
Glades  
Hendry  
Lee

## VOCA APPLICATION INSTRUCTIONS

The VOCA Grant Application packet consists of Parts 1-9 plus the additional documentation listed below. The following information is provided to assist the applicant in completing the application packet.

**Part 1. - Applicant Information:** Complete the information requested for the Agency Name, Agency Director and Contact Person. Enter the name as it should appear on a contract in the event the program receives VOCA funding. Note: An original signature is required on this form.

**Part 2. - Agency Eligibility:** Complete all of the information requested. Use the listing of Florida's Judicial Circuits to identify the judicial circuit that the VOCA program will be serving (see page 9). For example, Miami-Dade is in the 11th judicial circuit. Congressional District information can be found at [www.nationalatlas.gov](http://www.nationalatlas.gov).

**Part 3. - Funding Source Chart:** Complete all of the information requested.

**Part 4. - Victims Served and Types of Services:** Complete all of the information requested.

**Part 5. - Statement of Need:** Complete the information as requested.

**Part 6. - Project Proposal:** Complete the information separately for each section.

**Part 7. - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, Lower Tier Covered Transactions:** This certification is required by federal regulations implementing Executive Order 12549, Debarment and Suspension, 2B CFR Part 67, Section 67.510, Participants= responsibilities. The authorized representative at the subrecipient level must sign the certification. The signed certification must be submitted with the grant application.

**Part 8. - VOCA Budget Request:** The Budget section of the VOCA Application is an itemized description by budget category of proposed costs for VOCA funding. The budget categories are: personnel, contractual services, equipment and operating expenses. **To maximize the availability of services to all crime victims, the OAG discourages the use of VOCA funding to provide services that are eligible for payment through the Victim Compensation Program. Justification that demonstrates the effectiveness of any such duplication is required as part of the budget narrative. Failure to submit a justification may result in removal of the budget request during the technical review.** If awarded VOCA funding, cost reimbursements will be based on the approved budget. Refer to instructions on forms.

**Part 9. - Program Match Budget:** The Final Program Guidelines require that all proposals provide a 20 percent match of the total VOCA project. Total VOCA Project is defined as the VOCA Budget Request plus the Program Match. **Match funds are subject to the same restrictions that govern VOCA grant funds, i.e., the source of program match must be a VOCA-allowable expenditure.** Refer to instructions on forms.

### **Additional Documentation:**

**Job descriptions** for all proposed VOCA-funded personnel and match personnel that indicate the percentage of time allocated for each job duty.

**Letters of Support:** Attach three (3) current letters of support from local community or government groups. Letters from individuals or units within the applicant agency or letters in a standardized format will not be accepted. Do not provide more than three letters. It is the responsibility of the applicant agency to ensure letters confirm the applicant agency's record of providing effective services to crime victims (if applicable) and demonstrate community support for the VOCA Grant Application. A current letter is one that is dated during the current calendar year. *Note: Letters acknowledging participation in a conference or meeting are not acceptable as letters of support.*

**Documentation of the agency's 501(c) 3 ruling from the Internal Revenue Service:** NEW VOCA APPLICANTS ONLY- Do not send your 990 statements or letters of non-profit status.

**Contact Person:** For any questions concerning the VOCA Grant Application, contact the Bureau of Advocacy and Grants Management, Office of the Attorney General, The Capitol, Room PL-01, Tallahassee, Florida 32399-1050, or at 850/414-3380 or fax number (850) 487-3013.

## VOCA APPLICATION CHECKLIST

Original Application plus one exact copy must be received in the Office of the Attorney General no later than 5:00 p.m. Eastern Standard Time on **Friday, February 27, 2009**.

The applicant should use the following checklist to ensure that all parts of the VOCA Grant Application have been completed. Failure to complete and submit all information could render the application non responsive and result in elimination of the application from further consideration.

- Part 1: Certification/Signature
- Part 2: Agency Eligibility
- Part 3: Funding Source Chart
- Part 4: Victims Served and Types of Services
- Part 5: Statement of Need
- Part 6: Project Proposal
- Part 7: Certification Regarding Debarment
- Part 8: VOCA Budget Request (itemized description for each budget category)
- Part 9: Program Match

### Additional Documentation:

- Job descriptions for each proposed VOCA-funded and match position. **Job descriptions must include percentage of time by each duty.**
- Three (3) Letters of Support.
- Documentation of the agency's 501(c)3 ruling as a non-profit agency; applicable to nonprofit or combination nonprofit/public agencies only (**required for new VOCA applicants ONLY**).

**PART 2. AGENCY ELIGIBILITY**

1. Identify which of the following categories best describe the applicant agency:

Public

\* Private nonprofit or a combination private nonprofit/public agency, must provide a photocopy of agency's 501(c)3 ruling which verifies the agency's status as a registered nonprofit organization (required for new VOCA applicants ONLY).

2. Describe the type of implementing Agency (Choose only one category):

Criminal Justice - Government (choose one from the drop-down menu):

Law Enforcement

Describe Other:

Noncriminal Justice - Government (choose one from the drop-down menu):

Describe Other:

Private Non-Profit (choose one from the drop-down menu):

Describe Other:

Native American Tribe or Organization (choose one from the drop-down menu):

Describe Other:

3. Judicial Circuit to be served: (refer to list on page 9)

7 - Seventh

4. List Counties to be served:

Putnam -- City of Palatka

5. List the Congressional District(s) served (\*up to 5 allowed, statewide projects note "99")

3, 7

6. Describe the purpose of the proposed VOCA project (choose one from the drop-down menu):

Start up a new victim services project

7. Funds will primarily be used to (choose one from the drop-down menu):

Offer new types of services

8. Is the applicant organization faith-based? (choose one from the drop-down menu):

NO

**Part 3. FUNDING SOURCE CHART**

In the following table, provide the amount of funding that is allocated to victim services in your agency for the **current fiscal year** by funding source. Do not report the agency budget unless the entire budget is devoted to victim services. For example, if VOCA funds are awarded to support a victim advocate unit in a prosecutor's office, then report the budget for the victim advocate unit only. Round amounts to the nearest dollar. Include all expenses which are budgeted for your victim services program (i.e., personnel costs which include salaries for directors, clerical/support staff, victim advocates, counselors, etc.; training costs; equipment such as computers, fax machines, printers, copiers, telephones, and furnishings, etc.; operating costs such as utilities, postage, printing, office supplies, travel, counseling supplies, etc.). Contact your agency's finance or budget office for assistance in completing this information. Please note: **Do not include in-kind match.**

<b>Funding Source</b>		<b>Current Fiscal</b>	
Federal Funding (excluding VOCA) *Describe below		\$	-
Current Year VOCA (excluding match), if applicable		\$	-
State Funds		\$	-
Local, Public or Private Funds		\$	-
Other: (Describe at right)		\$	-
		\$	-
** For the Judicial Circuit you are requesting funding with this application			

\*If the applicant agency currently receives federal funding for victim services other than VOCA funds, indicate the source(s) and the use of those funds (Response is limited to 1000 characters):

The Palatka Police Department does not currently receive federal funding for victim's services.

**PART 4. VICTIMS SERVED AND TYPES OF SERVICES**

Indicate the number of victims projected to be served by type of victimization:  
 Note: Indicate the number of victims served by VOCA-funded and matching funds though the grant period. Each victim should be counted only once, i.e., a victim of spouse abuse assaults should be counted more than once only as a result of a separate and unrelated crime.

# of Victims to be Served	Type of Victim	# of Victims to be Served	Type of Victim
0	Child Physical Abuse	0	Survivors of Homicide Victims
7	Child Sexual Abuse	39	Robbery
0	DUI/DWI Crashes	51	Assault
153	Domestic Violence	0	Child Victims of Cybercrime
4	Adult Sexual Assault	0	Victims of Child Pornography
0	Elder Abuse	0	Innocent Victims of Gang Violence
0	Adults Molested as Children	5	Other (subtotal from section below)
For other types of crimes, identify and list each separately at right. The subtotal of this section will appear above next to "other."		*****	<b>List other types of crimes below</b>
		5	victims of murder attempts

Indicate the number of victims who are projected to receive the following service (see Definitions on page 7 for description of each service).

# of Victims to be Served	Type of Service	# of Victims to be Served	Type of Service
40	Crisis Counseling	0	Criminal Justice Support/Advocacy
75	Follow-up Contacts	0	Emergency Financial Assistance
0	Therapy	25	Emergency Legal Advocacy
0	Support Groups	30	Assistance Filing Compensation Claims - <b>Mandatory Requirement</b>
0	Crisis Hotline Counseling	45	Personal Advocacy
0	Shelter/Safehouse	75	Telephone Contacts
35	Information and Referral (In-Person)	75	Other (subtotal from section below)
For other types of service, identify and list each separately at right. The subtotal of this section will appear above next to "other."		*****	<b>List other types of services below</b>
		75	Safety Planning

**TOTAL VICTIMS SERVED: 259**

**Part 5. STATEMENT OF NEED**

**Statement of Need:** Please answer the following questions. Responses are limited to 1000 characters. Minimum 10 point font.

1. Using the information checked under Part 4 - Victims Served and Types of Services, briefly describe the specific need for VOCA funds or the deficiency of services to victims.

The Palatka Police Department recognizes the need for a full time Victim Advocate due to the gap in services for victims of all types of crimes, most importantly, victims of violent crimes. The population continues to grow within the city of Palatka, increasing the number of victims of crime, therefore, expanding the need for a full time Victim Advocate.

2. Provide information on crime statistics for the service area.

Florida Department of Law Enforcement (FDLE) Uniform Crime Report (UCR) for FY2007, Palatka Police Department reported 13 forcible rapes, 33 robberies, 141 aggravated assaults, 218 burglaries. Semi-Annual FDLE UCR for January - June, 2008 reported 3 forcible rapes, 14 robberies, 67 aggravated assaults and 62 burglaries.

On the same report, Palatka Police Department reported 58 juvenile arrests, 2 murder suspect arrests, 5 robbery arrests, 40 aggravated assault arrests, 7 burglary arrests.

3. Does a duplication of service exist? (choose one from the drop-down menu):

NO

If yes, please explain.

4. Provide information on geographic characteristics of the proposed service area.

The City of Palatka is the county seat of the rural Putnam County, Florida. The city is 6.96 square miles. Approximately one-third of the residential property hosts public housing residents, including single family homes and a apartments. The other two-thirds of the residential property consists of single family homes, apartment complexes, nursing homes, and group homes for disabled adults and children.

5. Describe the population of the proposed service area. State the population as a number.

The population of the City of Palatka as of July, 2006 was listed at 11,005. The population grows in excess of 60,000 people on a daily basis due to the city of Palatka being the county seat, centrally located within the county, and being the economic hub of Putnam County. Palatka is racially balanced with 48.4% of the residents claiming to be black; 47.5% claiming to be white; 4.1% claiming to be "other".

**PART 6. PROJECT PROPOSAL**

The information provided by the applicant under Part 6 - Project Proposal pertains only to the services related to the proposed Total VOCA Project (VOCA grant plus match). Respond to each question. Responses are limited to 1000 characters. Minimum 10 point font.

1. **Project Summary:** Using the information marked under Part 4 - Victims Served and Types of Services, describe in detail how the services indicated will be provided to the victims indicated.

Being funded by the VOCA grant, the Victim Advocate will be expected to provide direct victim services, crisis counseling, scheduling Child Protective Team (CPT) exams and interviews to satisfy the immediate need for victims. Victims will include, but not limited to, victims of domestic violence, child abuse, elder abuse, adult sexual assault, child sexual assault and child victims of cybercrime.

The Victim Advocate will be expected to counsel legal progression of cases and coordinate psychological services as well as crisis counseling and follow up services for survivors of homicide and suicide. The Victim Advocate will accompany victims of all needs to court for support, accompany officers to conduct intervention, assist with preparing and filing injunctions for protection and other court related paperwork.

- |  |      |
|--|------|
| 2. How many victim advocates/ direct service providers, does your agency staff?<br>Expressed in Full Time Equivalentents (FTE) | 0.00 |
| Of those, how many are you requesting from VOCA?<br>Expressed in Full Time Equivalentents (FTE)                                | 1.00 |
| Of those, how many are you reporting as matching expenses?<br>Expressed in Full Time Equivalentents (FTE)                      | 0.00 |
| Total Number of VOCA project staff (VOCA funded staff + Match staff)   | 1.00 |

3. Provide information about other agencies who will coordinate services with the applicant.

The Palatka Police Department Victim Advocate will be the liasion between the victim of crime, the criminal justice sysem and support services. Cooperating agencies with services available are the Putnam County Health Department, the Lee Conlee House, the State Attorney's Office, Community Legal Services, the Children's Advocacy Center, the Child Protection Team (CPT), the Sexual Assault Team, and other local/state law enforcement agencies.

4. Describe in detail how the coordination of services will be accomplished. Include a description of those services to all victims checked in Part 4.

Putnam County Health Department provides on call services for crisis intervention and will take referrals for counseling services. The Lee Conlee House provides shelter for victims in conjunction with Community Legal Services on preparing and filing injunctions for protection. The Victim Advocate will work with the State Attorney's Office, the Children's Advocacy Center, Child Protection Team, and other law enforcement agencies that may need services of the victim advocate program.

- 5a. **Victim Compensation Assistance:** The Final Program Guidelines mandate that grant recipients provide assistance in filing victim compensation claims. Refer to the definition in the application instructions. Describe how the proposed project will meet this mandatory requirement.

The Victim Advocate will assist victims with information on availability of crime victim compensation, assist with preparing proper forms, gathering documentation, and follow up with the compensation agency on behalf of the crime victim. Information will be made available in English and Spanish by email, telephone, mail, on scene or at a safe location. Special needs individuals and/or elderly individuals will have special assistance offered while completing the application process.

5b. If applicable, provide a justification for not billing Victim Compensation for services that may be funded through Victim Compensation. For example, therapy services.

The Palatka Police Department does not bill the victim for any services that may be funded through Victim Compensation. The services provided fall in the job description of the Victim Advocate and therefore, are not billed. If such a need arises for a victim that are not or cannot be met by services offered, local faith based or community organizations contribute to meet those arising needs.

6. **Use of Volunteers:** The Final Program Guidelines mandate that grant recipients use volunteers. Under this subheading describe how volunteers will be utilized.

The Palatka Police Department currently has an active Volunteer Program. One volunteer will be assigned to the Victim Advocate to assist with administrative duties such as mail outs, copying, returning telephone calls, etc. The Volunteer will do administrative duties to free up the Victim Advocate to work on more of the services for victim's of crime.

7. Identify the number of volunteers currently utilized in the Victim Services Program. This number must be expressed in full time equivalent(s).

0.00	Volunteers provide
0	Hours of service annually
0.00	FTE equivalent (hours provided divided by 2080)

8. Do the activities described in the application (Part 6. - Project Proposal) specifically serve child victims of Cybercrime, victims of child pornography, or innocent victims of gang violence through therapeutic counseling services?

YES

If so, describe this component of the proposed VOCA project in detail. Please note the agency applying for funding must be the service provider.

The Palatka Police Department, in conjunction with the Putnam county Victim Services Task Force, offers a cybercrime awareness program to parents and mentors to the children of the city of Palatka. The Victim Advocate will familiarize themselves with the Florida Attorney General's on-line awareness and be prepared to provide direct victim services, crisis intervention, assistance with scheduling Child Protective Team exams and interviews, counsel legal progression of cases for child victims of Cybercrime, pornography and gang violence.

## PART 7. CERTIFICATION REGARDING DEBARMENT

### Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause title "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Non-procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph (5) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which the transaction originated may pursue available remedies, including suspension and/or debarment.

**Part 8. VOCA BUDGET REQUEST**

The Budget section is an itemized description by budget category of proposed costs for VOCA funding. The budget categories are: personnel, contractual services, equipment and operating. Provide a detailed (itemized) list and narrative for every budgeted item. See Final Program Guidelines for specific details regarding Allowable and Non-Allowable Costs. Attach additional pages as necessary.

To maximize the availability of services to all crime victims, the OAG discourages the use of VOCA funding to provide services that are eligible for payment through the Victim Compensation Program. Justification that demonstrates the effectiveness of any such duplication is required as part of the budget narrative. Failure to submit a justification may result in removal of the budget request. Budget categories must be rounded to the nearest whole dollar (i.e., \$8,081.43 = \$8,081 or \$8,081.78 = \$8,082).

<b>Budget Summary By Category - Provide the subtotal for each budget category for the Total VOCA Budget Request. Amounts must be rounded to the nearest whole dollar.</b>	<b>TOTAL VOCA BUDGET REQUEST</b>
<b>Personnel</b>	\$ 34,286
<b>Contractual Services</b>	
<b>Equipment</b>	
<b>Operating Expenses</b>	
<b>TOTAL</b>	\$ 34,286

<b>REQUIRED MATCH (use this total amount in Part 9 - Match Budget)</b>	\$8,572
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**Part 8. VOCA PERSONNEL BUDGET REQUEST**

Provide a job description for all proposed VOCA-funded staff and indicate the percentage of time by each job duty. The job description must reflect VOCA allowable activities that are equal to or greater than the percentage of the position that is VOCA funded.

<b>Personnel:</b>			
Position Requested	Total Actual Cost (from chart below)	Total Amount VOCA Funded 2009-2010	Percentage VOCA Funded
Victim Advocate	\$ 34,286.00	\$ 34,286.00	100.00%
Subtotal		\$ 34,286	

Pay schedule (choose one from the drop-down menu):

Complete the table below for each position requested (adding additional pages if necessary). In the explanation section indicate if the salary/benefit expenses listed include costs that are anticipated during the 12 month period. For example, raises and increases in benefit costs.

RATE: A percentage should be indicated for those benefits that are calculated by using a percentage of the gross salary, e.g., retirement is often calculated in this manner. FR (flat rate) should be indicated for those benefits that are calculated based on a flat rate regardless of salary, e.g., health insurance is often calculated in this manner.

Position Requested:	Victim Advocate		
Hours per week =	40	RATE	Employer Cost
Hourly Rate =	\$ 13.46		
Annual Gross Salary	\$ 27,997		\$ 27,997
FICA		7.65%	\$ 2,142
Retirement			\$ 3,528
Health Ins.			\$ 418
Life Ins.			
Dental Ins.			
Workers Comp			\$ 201
Unemployment (1st \$7K)			\$ -
Other (provide explanation below):			
		TOTAL	\$ 34,286

Position Requested:			
Hours per week =		RATE	Employer Cost
Hourly Rate =			
Annual Gross Salary	\$ -		\$ -
FICA			\$ -
Retirement			\$ -
Health Ins.			
Life Ins.			
Dental Ins.			
Workers Comp			\$ -
Unemployment (1st \$7K)			\$ -
Other (provide explanation below):			
		TOTAL	\$ -

Explanation (if applicable):

Explanation (if applicable):

Position Requested:			
Hours per week =		RATE	Employer Cost
Hourly Rate =			
Annual Gross Salary	\$ -		\$ -
FICA			\$ -
Retirement			\$ -
Health Ins.			
Life Ins.			
Dental Ins.			
Workers Comp			\$ -
Unemployment (1st \$7K)			\$ -
Other (provide explanation below):			
TOTAL			\$ -

Explanation (if applicable):

Position Requested:			
Hours per week =		RATE	Employer Cost
Hourly Rate =			
Annual Gross Salary	\$ -		\$ -
FICA			\$ -
Retirement			\$ -
Health Ins.			
Life Ins.			
Dental Ins.			
Workers Comp			\$ -
Unemployment (1st \$7K)			\$ -
Other (provide explanation below):			
TOTAL			\$ -

Explanation (if applicable):

Position Requested:			
Hours per week =		RATE	Employer Cost
Hourly Rate =			
Annual Gross Salary	\$ -		\$ -
FICA			\$ -
Retirement			\$ -
Health Ins.			
Life Ins.			
Dental Ins.			
Workers Comp			\$ -
Unemployment (1st \$7K)			\$ -
Other (provide explanation below):			
TOTAL			\$ -

Explanation (if applicable):

Position Requested:			
Hours per week =		RATE	Employer Cost
Hourly Rate =			
Annual Gross Salary	\$ -		\$ -
FICA			\$ -
Retirement			\$ -
Health Ins.			
Life Ins.			
Dental Ins.			
Workers Comp			\$ -
Unemployment (1st \$7K)			\$ -
Other (provide explanation below):			
TOTAL			\$ -

Explanation (if applicable):

**Part 8. VOCA CONTRACTUAL BUDGET REQUEST**

For each contractual service listed, include a description of the service to be provided, the business name of the contractor, the cost per unit of service, and the estimated units of service to be used. Indicate in the narrative section how the number of services requested was determined. Also, give a description of a unit of service, e.g., a 60 minute individual therapy session, a 90 minute group therapy session. Attach additional page if needed.

**EXAMPLE - Budget Narrative/Justification for not billing Victim Compensation:**

Therapy, Inc., will be utilized to provide therapy for adult survivors of incest. Typically adult survivors of incest are beyond the filing deadline for Victim Compensation. It is anticipated that this service will be used approximately 10 times during the year.

<b>Contractual Services - Contracts for specialized services:</b>			
Name of Business or Contractor	Cost Per Unit of Service	Estimated Units of Service	Total
1   N/A			\$ -
2			\$ -
3			\$ -
4			\$ -
5			\$ -
Subtotal		...	\$ -

**Budget Narrative:**

1. The Palatka Police Department does not anticipate using a business or contractor for specialized services in the projected budget year.
- 2.
- 3.
- 4.
- 5.

**Part 8. VOCA EQUIPMENT BUDGET REQUEST**

Items included in this section must be furniture and/or equipment costing \$1,000 or more. If awarded funds in this category, prior approval is required before purchasing items. Provide a justification for the equipment purchase requests (refer to the Final Program Guidelines on "Advanced Technologies"). Attach additional pages if needed.

**EXAMPLE - Narrative Response:**

The computer will increase the advocate's ability to reach and better serve crime victims. The cost listed above is for a complete computer package which includes the computer, monitor, software and printer.

<b>Equipment:</b>			
Description	Number	Cost Per Item	Total
1   N/A			\$ -
2			\$ -
3			\$ -
4			\$ -
5			\$ -
Subtotal	...	...	\$ -

**Budget Narrative:**

1. The Palatka Police Department anticipates using existing equipment, to include office furniture, computer, telephone, police radio and cell phone with service for the Victim Advocate.
- 2.
- 3.
- 4.
- 5.

**Part 8. VOCA OPERATING BUDGET REQUEST**

Office supplies such as paper, pencils, toner, printing, books, postage, transportation for victims; monthly service costs for telephone or utilities; staff travel (for direct service to crime victims only), etc. Furniture and equipment costing less than \$1,000 should be requested from this budget category. In the narrative section, provide a brief description of the operating expenses and note if the cost is pro-rated. Indicate how the number and cost of services requested was determined. Attach additional page if needed.

**EXAMPLE- Narrative Response:**

The Victim Advocate will need monthly telephone service calculated at \$20 per month which is the standard rate budgeted for new positions in this agency.

<b>Operating Expenses:</b>			
Description	Number	Cost Per Item	Total
1 N/A			\$ -
2			\$ -
3			\$ -
4			\$ -
5			\$ -
6			\$ -
7			\$ -
8			\$ -
Subtotal	...	...	\$ -

**Budget Narrative:**

1. The Palatka Police Department does not anticipate and operation expenses other than the existing expenses already budegeted for the Department.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

## Part 9. VOCA MATCH BUDGET

**Program Match:** The Final Program Guidelines require that all proposals provide a 20 percent match of the total VOCA project. Total VOCA Project is defined as the VOCA Budget Request plus the Program Match. Match funds are subject to the same restrictions that govern VOCA grant funds, i.e., the source of program match must be a VOCA-allowable expenditure.

To determine the amount of match required by the Final Program Guidelines for the proposed VOCA project, divide the total amount of the VOCA Budget Request by four. The result is the amount of the program match. For example, if the VOCA Budget Request is \$30,000, then divide \$30,000 by four which equals \$7,500. In this case, the required match is \$7,500 which equals 20 percent of the total VOCA project. The following further illustrates the program match requirement:

\$30,000 VOCA Budget Request  
+ 7,500 Required Program Match (\$7,500 equals 20% of the total VOCA Project)  
\$37,500 Total VOCA Project

Allowable match funds may include, but are not limited to, volunteers, staff salaries, rent, equipment, operating costs, etc. Federal funds from other sources cannot be used for VOCA match. Match used for the VOCA project cannot be used as match for any other grant. Do not over report match, i.e., do not provide match in excess of 20% of the total VOCA project. Match may be provided as either cash or in-kind or a combination of cash and in-kind as follows:

**Cash Match:** A cash match is any cost component that is included in the agency's overall budget as it applies to the provision of direct services for victims of crime (i.e., staff providing direct victim services, travel related to the delivery of direct victim services, rent paid by the agency for the portion of the program providing direct victim services, etc.). If the agency pays for the expense, then it may be used as a cash match.

**In-Kind Match:** An in-kind match includes donated items or services that benefit the program but which do not have a dollar value assigned for budgeted purposes. For example, programs may use volunteer hours as match. The value placed on donated services must be consistent with the rate of compensation paid for similar work in the applicant agency. If the required skills are not found in the applicant agency, the rate of compensation must be consistent with the labor market. Programs may use items donated by other programs or individuals as in-kind match (i.e., rent and utilities used for the provision of direct services to victims and donated by another source outside the agency).

The Program match section is an itemized description by budget category of proposed matching contributions. The budget categories are personnel, contractual services, equipment and operating expenses. Provide a detailed (itemized) list and a budget narrative for each budgeted category. Indicate the funding source and indicate if it is a cash or in-kind match. Do not over report required match. Unless otherwise approved by the OAG, reported match must be consistent with the monthly reimbursement request.

**Match Narrative -** Describe in detail the type of Match, whether cash or in-kind, the budget category, etc. Submit the same detailed information for match as provided for VOCA funded items (i.e., if match is in Personnel for paid staff complete the table below (attach additional pages if needed) and provide the total salary & benefits and percentage. Job descriptions are required for all paid staff and/or volunteers reported as a Match. Failure to provide VOCA allowable job descriptions may result in a reduction to your request.

**EXAMPLES- Match Narrative:**

Our agency utilizes volunteers who provide direct services to crime victims such as intake clerks, clerical (types reports and calls victims) and victim advocates. The agency anticipates using volunteers at the equivalent of 20 - 23 hours per week x 52 weeks x \$5.15 for a match of \$5,698.\* Only those agencies with an established volunteer component will be eligible to utilize volunteers as match.

The agency rents office space from the Global Company at \$14,400 annually and the agency's pro rated portion for office space for volunteers and supervisor of the victim advocate would be approximately 19% (or \$234 per month) x 12 months = \$2,807.

Approximately 5% of the Victim Advocate Supervisor position will be utilized to provide supervision for the victim advocate position. The supervisor's total salary and benefits equal \$32,000.

Program Match Description	Funding Source May not be derived from Federal Dollars	Cash or In-kind	Budget Category	Match Amount
1 Detective Division Supervisor	Local	IN-KIND	Personnel	\$ 4,921
2 Volunteer	Donated	IN-KIND	Personnel	\$ 3,470
3 Voice Recorder	Local	IN-KIND	Equipment	\$ 181
4				
5				
TOTAL				\$ 8,572

**Match Narrative:**

1. The Palatka Police Department Detective Division Supervisor/Sergeant will supervise the Victim Advocate which will expend 10% of the Sergeant's time. The Sergeant's salary and benefits equal \$40,214.00, an amount funded by the City of Palatka Police Department allowing \$4,921.00 for match funding.
2. Palatka Police Department will utilize a volunteer for ten (10) hours per week for administrative duties assisting the Victim Advocate. Volunteer hours are calculated at the hourly rate of minimum wage of \$6.67. This will be a donated in-kind match of 10 hours per week X fifty two weeks X minimum wage of \$6.67 equals \$3,470.00.
3. Palatka Police Department anticipates providing a digital recorder to the Victim Advocate to aide in proper/accurate reporting of a victim's statement at a match of \$181.00.
- 4.
- 5.

Match Position:		Detective Supervisor/Sergeant		
Hours per week	40	RATE	Employer Cost	Reported MATCH=
=				
Hourly Rate =	\$ 19.66			
Annual Gross Salary	\$ 40,893		\$ 40,893	\$ 4,089
FICA		7.65%	\$ 3,128	\$ 313
Retirement			\$ 5,193	\$ 519
Health Ins.				\$ -
Life Ins.				\$ -
Dental Ins.				\$ -
Workers Comp			\$ -	\$ -
Unemployment (1st \$7K)			\$ -	\$ -
Other (provide explanation below):				\$ -
TOTAL			\$ 49,214	\$ 4,921

Explanation (if applicable):

Match Position:		Volunteer		
Hours per week	10	RATE	Employer Cost	Reported MATCH=
=				
Hourly Rate =	\$ 6.67			
Annual Gross Salary	\$ 3,468		\$ 3,468	\$ 3,468
FICA			\$ -	\$ -
Retirement			\$ -	\$ -
Health Ins.				\$ -
Life Ins.				\$ -
Dental Ins.				\$ -
Workers Comp			\$ -	\$ -
Unemployment (1st \$7K)			\$ -	\$ -
Other (provide explanation below):				\$ -
TOTAL			\$ 3,468	\$ 3,468

Explanation (if applicable):

**User Tips:**

**Format and use of the application:** The application is set-up to help you submit the most accurate information possible. Some worksheets have been formatted to calculate the data entered. The totals will refresh as you input new information. Also, you will see drop-down pick lists for some questions/answers. Select the answer box and use the arrow button to view and choose the appropriate response from the list of choices.

To navigate through the document: At the bottom of the screen, use the arrows to scroll through the tabs. Select a tab by clicking on it.

To hard return (new paragraph) in the narrative text boxes: press "Alt" + "Enter"

Saving the document: Use the "Save As" command on the "File" pull down menu. This will enable you to save the application.

Printing the document: Use the "Print" command on the "File" pull down menu. In the "what to print" dialog box, select "entire workbook." All pages of the workbook will print. You may print individual pages/tabs by selecting the tab and choosing "print."

Mail the application to:

Using the U.S. Postal Service:

**Office of the Attorney General  
Bureau of Advocacy and Grants Management  
PL-01, The Capitol  
Tallahassee, Florida 32399-1050**

Using other mail carrier services such as DHL, Federal Express, UPS, etc., please use the Collins Building address:

**Office of the Attorney General  
Bureau of Advocacy and Grants Management  
Collins Building  
107 West Gaines Street  
Tallahassee, FL 32301**

**\*\*Do not use the Collins Building address for any U.S. Postal Service mail.**

**\*Faxed or emailed applications will not be accepted.**

**Questions? Call the Office of the Attorney General at (850) 414-3380**

**City of Palatka Police Department  
Job Description**

**JOB TITLE:** Police Detective Sergeant

**SUPERVISION RECEIVED:** Work is performed under general supervision of the Operations Commander or a superior officer within broad program guidelines and is reviewed through conferences and reports.

**SUPERVISION EXERCISED:** Provides general supervision to subordinate investigative personnel; assigns cases for follow-up investigation.

**LAST MODIFIED:** 06/09/06

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**PURPOSE OF JOB:**

To protect life and property, maintain order and enforce the laws of the United States of America, the State of Florida and the City of Palatka; serve as principal investigator, oversees all felony crimes and homicides committed within the City's jurisdiction and assigned to the Investigative Section.

**LEVEL OF AUTHORITY:**

Under general to specific supervision of the Operations Commander, performs duties following established procedures and statutes. Has latitude to make decisions about priorities for both routine and emergency and non-emergency situations.

**WORK ENVIRONMENT:**

Work is performed in an indoor and outdoor environment. Verbal communication is conducted face to face, on the telephone, and in a classroom setting. A computer keyboard is used to enter and retrieve data and requires continuous or repetitive arm-hand movements. Some assignments may include evening and weekend work and field observations which may result in exposure to dirt, dust, pollen, odors, wetness, humidity, rain, fumes, temperature and noise extremes, machinery, vibrations, electric currents, traffic hazards, animals/wildlife, toxic/poisonous agents, violence, disease or pathogenic substance.

**ESSENTIAL JOB FUNCTIONS:**

1. Serves as investigator of crimes, particularly felony crimes and homicides within the City's jurisdiction.
2. Investigates complaints to determine whether a crime has been committed; secures evidence for the arrest and prosecution of suspects; advises

concerning the sufficiency of evidence for the holding of suspects; follows and traces the movements and activities of suspects.

3. Interviews suspects, victims, complaints, witnesses, and informants; detects, gathers and preserves evidence from various sources, traces and locates missing persons or those charged with commission of crimes, keeps records and makes reports on results of investigations.
4. Conducts follow-up investigations.
5. Assists patrol staff in conducting follow-up and active case investigations.
6. Collects case evidence and prepares for storage.
7. Uses fingerprint kit, camera and radio.
8. Appears in court and testifies as needed.
9. Apprehends suspects and makes arrest.
10. Prepares and maintains intelligence records.
11. Maintains records of investigative funds expended.
12. Reviews written reports for completeness and accuracy.
13. Uses a variety of weapons and other types of law enforcement equipment including firearms.
14. Performs duties and/or tasks associated with other law enforcement positions (traffic, crime prevention, escorts, etc.) as necessary or assigned.
15. Performs related work duties as assigned.
16. Directs and participates in police activities on assigned shift.
17. Inspects officers for personal appearance.
18. Prepares shift work schedules and makes assignments.
19. Assists motorists and citizens.
20. Searches subjects and takes evidence.
21. Secures, transports and books prisoners.
22. Secures and searches crime scenes for clues and evidence, reconstructs criminal events.
23. Uses a variety of weapons and other types of law enforcement equipment.
24. Exercises general supervision over all employees of the division or section to which assigned.
25. Reviews daily reports or subordinate officers / employees.
26. Makes suggestions for changes in policies, methods and procedures to increase the efficiency and effectiveness of the department.
27. Advises officers and employees of change which affect them or their work.
28. Prepares / performs employee performance evaluations.
29. Attends and participates in staff and supervisory meetings.
30. Plans, organizes and performs special details / events.
31. Conducts foot, bike and specialized vehicle patrols as needed.
32. Operates communication equipment.
33. Gives referrals as needed to other agencies and organizations for victims and witnesses.
34. Acts as OIC during unusual occurrences.

## **QUALIFICATIONS:**

### **Education & Experience**

1. High School education or equivalency.
2. Completion of minimum standards training as required by State of Florida for Certified Law Enforcement Officer.
3. Minimum of three (3) years as a full-time sworn officer with the department (or) two (2) years of full-time service with the department along with a minimum of thirty (30) college credits (Associate Degree or Higher preferred).
4. Eighty (80) hours of training in Supervision.

### **Physical**

1. Ability to stand, walk and safely operate police department vehicles.
2. Ability to physically handle exertion from suspect apprehension.
3. Ability to communicate effectively with diverse and sometimes irate individuals and to handle calmly situations ranging from routine to emergency.

### **Technical /Other**

1. Knowledge of modern law enforcement methods and procedures, local geography and social conditions, criminal investigative techniques, rules of evidence and court proceedings.
2. Thorough knowledge of criminal investigation techniques, procedures, methods and equipment.
3. Thorough knowledge of legal requirements for the collection, preservation and transferring of evidence.
4. Thorough knowledge of interviewing and interrogation techniques and practices.
5. Considerable knowledge of law enforcement methods, practices and equipment.
6. Considerable knowledge of the assistance and services available from State and Federal law enforcement agencies.
7. Ability to identify evidence and reconstruct criminal activities and events from information gathered at a crime scene.
8. Knowledge of first aid and general emergency measures.
9. Ability to communicate at a level to perform adequate interviews and interrogations.
10. Ability to communicate effectively orally as well as in writing (typing and computer skills).
11. Ability to act decisively and calmly in emergency situations.
12. Ability to enforce laws in a firm, impartial manner and draw valid conclusions from sometimes incomplete data.
13. Ability to establish effective working relationships with the general public, other employees and representatives of the court, other law enforcement agencies and civic groups.

14. Must be honest and exhibit integrity and courage in the performance of duties.
15. Possess a valid Florida Driver's License.

**USE OF TOOLS AND EQUIPMENT:**

Two-way radio, personal computer, fax machine, assigned firearm, non-deadly weapons (OC, baton, Taser), and other items deemed by the Palatka Police Department.

**OTHER:**

1. Undergo a comprehensive background investigation.
2. As an absolute condition of employment, employees are required upon hire to sign a drug-free workplace agreement.
3. The statements contained in this job description reflect general details as necessary to describe the principle functions of this job, the level of knowledge and skill typically required and the scope of responsibility. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absences or provide relief, to equalize peak work periods or otherwise to balance the workload.
4. Following an offer of employment, and prior to starting work, individuals may be required to have a pre-employment physical examination by a physician designated by the City and a drug screening. The examination will be paid for by the City. Satisfactory clearance to perform essential job functions will be required for employment.

**City of Palatka Police Department  
Job Description**

**JOB TITLE:** Volunteer

**SUPERVISION RECEIVED:** Direct to limited supervision is received from area of assignment supervisor, work is checked upon completion.

**SUPERVISION EXERCISED:** None

**LAST MODIFIED:** 05/18/06

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**PURPOSE OF JOB:**

The fundamental reason for the existence of this position is fulfill civic responsibility and to give back to officers that provide for their safety; allows for law enforcement agencies and officers to focus on policing and enforcement functions by providing supplemental or support services, such as administrative assistance or citizen patrols. Volunteering in law enforcement benefits the agency, the volunteer, and the community.

**LEVEL OF AUTHORITY:**

Under general to specific supervision, performs non-hazardous office and field activities.

**WORK ENVIRONMENT:**

Work environment will vary based upon area of placement. Environment will range from indoor atmosphere, with a requirement for sitting for extended periods of time; repetitive hand/arm movement for computer or phone usage to an outdoor atmosphere consisting of unpredictable weather conditions.

**RESPONSIBILITIES:**

Activities undertaken by volunteers in a law enforcement realm included one or more of the following:

1. Administrative Duties
  - a. Enter Data
  - b. Type reports, file, answer phones, and perform other office task.
  - c. Help Records Personnel by answering citizen inquiries, directing citizens to the proper police unit, and performing routine administrative tasks.
2. Citizen Patrols
  - a. Patrol shopping centers during the holiday season to assist with stranded motorists or lost children.

- b. Write citations or warnings for parking violations of handicapped parking restrictions.
  - c. Assist with non-criminal calls for service.
3. School-related activities
  - a. Assist in school-based functions sponsored by the department.
4. Neighborhood Watch
  - a. Assisting individuals / neighborhoods in establishing a Neighborhood Watch Program.
5. Provide assistance to the following:
  - a. Citizen Police Academies
  - b. Police Athletic Leagues
  - c. r.a.d.KIDS Program
  - d. Special events
  - e. Fingerprinting
  - f. Crime Prevention Programs
6. Apply special skills:
  - a. Counselors can provide support to victims of crime and assist with crisis intervention.
  - b. Mechanics can help maintain police vehicles.
  - c. Faith leaders can become involved in Chaplain programs.
  - d. Architects, landscapers, and building engineers can suggest ways community centers can improve or modify buildings and landscape designs to prevent or reduce crime.
  - e. Bilingual individuals can assist with translation.

#### **ADDITIONAL RESPONSIBILITIES:**

1. Conduct or assist with special projects in support of the Police Department and City.
2. Maintain professional relationships within and outside the Police Department.
3. May perform portions of the work of other department positions occasionally, as assigned.
4. May perform duties of similar complexity in any City department as required or assigned.
5. Maintain excellent public relations through communications with public and other city departments and outside agencies.
6. Respond courteously to inquiries, provide information within scope of responsibility and refer calls as appropriate to other staff.
7. Identification cards are to be used by volunteers while on duty and should not be used for any other purpose.
8. It is imperative for volunteers to understand and appreciate the sensitive nature of information they may encounter prior to beginning their duties.

9. Volunteers working within the department are expected to meet the same dress standards as paid employees while acting on behalf of the department.

## **QUALIFICATIONS:**

### **Education & Experience (Preferred not required)**

1. High school graduate.
2. Possession of valid Florida Driver's License.
3. Completion of the Citizen Police Academy class.

### **Other**

1. Ability to handle multiple interruptions and adjustments to priorities throughout the day.
2. Ability to communicate effectively with diverse and sometimes irate individuals and to handle calmly and efficiently situations ranging from routine to emergency.
3. Ability to deal with multiple responsibilities and to meet deadlines.
4. Ability to travel to schools, conferences, networking, meetings, etc.
5. Requires the ability to provide guidance, assistance, and/or interpretation to others on how to apply procedures and standards to specific situations.

### **Use of Tools and Equipment**

Requires the ability to start, stop, operate and monitor the functioning of equipment, machinery, tools and/or materials used in performing essential functions.

## **OTHER**

1. Undergo a comprehensive background investigation.
2. As an absolute condition of employment, employees are required upon hire to sign a drug-free workplace agreement.
3. The statements contained in this job description reflect general details as necessary to describe the principal functions of this job, the level of knowledge and skill typically required and the scope of responsibility. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absences or provide relief, to equalize peak work periods or otherwise to balance the workload.

4. Following an offer of employment, and prior to starting work, individuals may be required to have a pre-employment physical examination by a physician designated by the City and a drug screening. The examination will be paid for by the City. Satisfactory clearance to perform essential job functions will be required for employment.

## **TRAINING**

All volunteers should receive an orientation to the agency prior to assuming any responsibilities. Orientation may include one or more of the following:

1. A welcome from the chief executive or another top official.
2. An agency history.
3. The agency structure and organizational chart.
4. A tour of the facility.
5. A glossary of language and abbreviations they may encounter.
6. Emergency procedures.
7. Program policies and procedures.
8. Where he or she should report.
9. Employees he or she will be working with.
10. Where to park.
11. Specific equipment, tools or materials they will utilize.

**City of Palatka Police Department  
Job Description**

**JOB TITLE:** Victim Advocate

**SUPERVISION RECEIVED:** Direct to limited supervision is received from Detective Division supervisor, work is checked upon completion.

**SUPERVISION EXERCISED:** None.

**LAST MODIFIED:** 02/11/2009

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**PURPOSE OF JOB:**

The fundamental reason for the existence of this position is to provide direct victim services to include assistance in filing compensation claims, crisis intervention, scheduling of child Protection Team Exams/Interviews, counseling the legal progression of case to victim, coordinate psychological services, offer crisis counseling by immediate intervention, perform follow-up contact in person or by telephone to each victim of sexual battery, domestic violence related battery and survivors of homicide or suicide.

**LEVEL OF AUTHORITY:**

Under general to specific supervision, performs non-hazardous office and field activities.

**WORK ENVIRONMENT:**

Work environment will vary, ranging from indoor atmosphere, with a requirement for sitting for extended periods of time; repetitive hand/arm movement for computer or phone usage to an outdoor atmosphere consisting of unpredictable weather conditions.

**RESPONSIBILITIES:**

Activities undertaken by the Victim Advocate in a law enforcement realm included one or more of the following:

1. Administrative Duties
  - a. Enter Data
  - b. Type reports, file, answer phones, and perform other office task.
    - i. As required by VOCA for victim assistance and statistical reporting to VOCA.
    - ii. Estimated Advocate will devote 10% of time to these tasks.
2. Direct Victim Services
  - a. Crisis Intervention

- b. Assist in scheduling Child Protection Team exams/interviews
  - c. Counsel victims in the legal progression of their case
  - d. Coordinate psychological services through Putnam County Health Department
  - e. Provide direct crisis intervention to survivors of suicide/homicide
  - f. Accompany victims/survivors to court as needed
  - g. Assist victims with filing injunctions and other court paperwork
  - h. Estimated 80% of time will be devoted to these tasks
3. Apply special skills:
- a. victim Advocate may provide support to victims of crime and assist with crisis intervention.
  - b. Bilingual individuals can assist with translation.
    - i. Estimated 10% of time will be devoted to these tasks.

#### **ADDITIONAL DUTIES:**

1. Maintain professional relationships within and outside the Police Department.
2. May perform portions of the work of the other department positions occasionally, as assigned.
3. Maintain excellent public relations through communications with public and other city departments and outside agencies.
4. Respond courteously to inquiries, provide information within scope of responsibility and refer calls as appropriate to other staff.
5. Identification cards are to be used by volunteers while on duty and should not be used for any other purpose.
6. It is imperative for volunteers to understand and appreciate the sensitive nature of information they may encounter prior to beginning their duties.
7. Volunteers working within the department are expected to meet the same dress standards as paid employees while acting on behalf of the department.

#### **QUALIFICATIONS:**

##### **Education & Experience (Preferred not required)**

1. High school graduate.
2. Possession of valid Florida Driver's License.
3. Completion of State of Florida Attorney General Victim Advocate Training.

**Other:**

1. Ability to handle multiple interruptions and adjustments to priorities throughout the day.
2. Ability to communicate effectively with diverse and sometimes irate individuals and to handle calmly and efficiently situations ranging from routine to emergency.
3. Ability to deal with multiple responsibilities and to meet deadlines.
4. Ability to travel to schools, conferences, networking, meetings, etc.
5. Requires the ability to provide guidance, assistance, and/or interpretation to others on how to apply procedures and standards to specific situations.

**Use of Tools and Equipment**

Requires the ability to start, stop, operate and monitor the functioning of equipment, machinery, tools and/or materials used in performing essential functions.

**OTHER:**

1. Undergo a comprehensive background investigation.
2. As an absolute condition of employment, employees are required upon hire to sign a drug-free workplace agreement.
3. The statements contained in this job description reflect general details as necessary to describe the principal functions of this job, the level of knowledge and skill typically required and the scope of responsibility. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absences or provide relief, to equalize peak work periods or otherwise to balance the workload.
4. Following an offer of employment, and prior to starting work, individuals may be required to have a pre-employment physical examination by a physician designated by the city and a drug screening. The examination will be paid for the City of Palatka. Satisfactory clearance to perform essential job functions will be required for employment.

## **TRAINING**

All volunteers should receive an orientation to the agency prior to assuming any responsibilities. Orientation may include one or more of the following:

- A welcome from the chief executive or another top official.
- An agency history.
- The agency structure and organizational chart.
- A tour of the facility.
- A glossary of language and abbreviations they may encounter.
- Emergency procedures.
- Program policies and procedures
- Where he or she should report
- Employees he or she will be working with
- Parking
- Specific equipment, tools or materials they will utilize.



Charlie Crist  
Governor

Dr. Ana M. Viamonte Ros, M.D.  
State Surgeon General

February 16, 2009

Bureau of Advocacy and Grants Management  
Office of the Attorney General  
The Capitol  
Room PL-01  
Tallahassee, FL 32399-1050

Dear Sir or Madame:

This letter is written in support for the FY 2009-2010 VOCA application for new funding being submitted by the Palatka Police Department.

The Palatka Police Department interfaces with a significant number of crime victims within their jurisdiction. They currently utilize a part-time victim advocate out-posted from the Lee Conlee House agency. This advocate provides the services of crisis counseling, information and referral, assistance with Crimes Compensation, advocacy, and criminal justice support/advocacy. The Palatka Police Department has incorporated victim advocacy services into their protocols and is well-positioned to employ an advocate of their own. New VOCA funding would allow the PPD to employ a full-time advocate and provide increased services to a broader range of crime victims.

The Palatka Police Department is a valuable community partner to the Health Department and regularly coordinates services through referrals and case management of shared clients. They are active in community collaborations such as the Victim Services Task Force and Putnam County Sexual Assault Response Team that address victims' issues and needs.

The Health Department is committed to the long-standing partnership with The Palatka Police Department and supports their request for new VOCA funding.

Sincerely,

A handwritten signature in black ink that reads "Robin Wright".

Robin Wright  
Administrator

Jeff Hardy, Sheriff



*SHERIFF*

Putnam County

February 13, 2009

Bureau of Advocacy and Grants Management  
Office of the Attorney General  
The Capitol  
Room PL-01  
Tallahassee, FL 32399-1050

Dear Sir or Madam,

Please accept this letter of support for the FY 2009-2010 VOCA funding application submitted by the Palatka Police Department for the creation of a full-time Victim Advocate position. This position will allow our fellow agency the benefits and consistency of Victim Services that we currently enjoy through our own Victim Services Unit.

It is our pledge to work hand in hand with this newly created position and to share in both referrals and resources to assist in the development and success of this venture. We encourage you to meet the needs of those whose lives are touched by crime.

If I may be of further assistance or respond to any questions you may have, please do not hesitate to contact me at 385-329-0849.

Sincerely,

Jeff Hardy,  
Sheriff

130 Orle Griffin Blvd.  
Palatka, FL 32177-2495

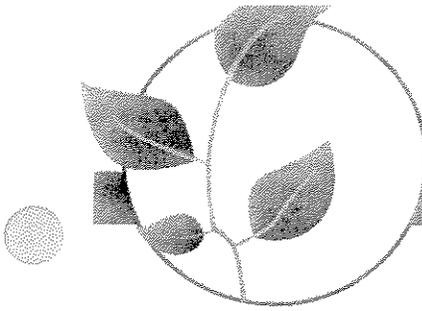
386-329-0300



*"To serve and protect"*

P. O. Drawer 1578  
Palatka, FL 32178-1578

[www.pcs0.us](http://www.pcs0.us)



# Lee Conlee House, Inc.

## Domestic Violence Center

February 11, 2009

24 HR. Helpline

386.325.3141

Administration

386.325.4447

Fax: 386.328.7755

P.O. Box 2558  
Palatka, FL 32178  
[conleehouse@GBSO.NET](mailto:conleehouse@GBSO.NET)

Bureau of Advocacy and Grants Management  
Office of the Attorney General  
The Capitol  
Room PL-01  
Tallahassee, Florida 32399- 1050

Dear Sir or Madame:

I am pleased to write this letter of support on behalf of the Palatka Police Department's (PPD) application for VOCA Funding for FY 2009-2010.

The Palatka Police Department provides exceptional services to the citizens of Palatka. The exemplary way in which they conduct their investigations, and the compassion in they show towards victims of crimes have earned them the respect of victim advocates county-wide. Palatka Police Department is already considered a partner in victim's services. They provide office space, computer and internet services for a Lee Conlee House advocate at the Dept. headquarters. Additionally, PPD participates in Victims Rights Week, Sexual Assault Awareness Month, Domestic Violence Awareness Month and Child Abuse Awareness Month. PPD staff is very involved in the Sexual Assault Response Team of Putnam County, and has actively worked to assist in the implementation of the local Child Advocacy Center.

The addition of a victim advocate would strengthen the department and help to ensure that victims in Putnam County receive advocacy at all points of entry into the system. Lee Conlee House is committed to assisting with any domestic violence training that this advocate would require.

Should you have any questions regarding this endorsement please feel free to contact me at 386.325.4447.

Sincerely,

Beth O'Grady  
Executive Director

Fed ID #59-316-9443

Lee Conlee House is funded through United Way, VOCA, Putnam County, Dept of Children & Families, and HUD.

Certified  
Member ECADV  
FL Coalition Against  
Domestic Violence



## Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14  
R. 04/05  
05/26/07

85-8012621665C-8

Certificate Number

06/17/2007

Effective Date

06/30/2012

Expiration Date

MUNICIPAL GOVERNMENT

Exemption Category

This certifies that

CITY OF PALATKA  
201 N 2ND ST  
PALATKA FL 32177-3735

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



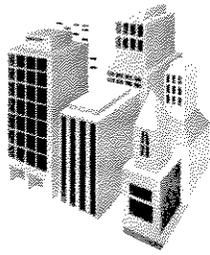
## Important Information for Exempt Organizations

DR-14  
R. 04/05

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (FAC).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others by your organization of tangible personal property, sleeping accommodations or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, FAC).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third degree felony. Any violation will necessitate the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Central Registration at 850-487-4130. The mailing address is PO BOX 6480, Tallahassee, FL 32314-6480.

# *Agenda Item*

*3c*



**CITY OF PALATKA**

Jeff Norton  
Special Events Coordinator  
201 N. 2<sup>nd</sup> Street  
Palatka FL 32177  
Phone: 386-329-0100  
Fax: 386-329-0106  
e-mail: jnorton@palatka-fl.gov

# Memorandum

**To:** City Commission & Staff  
**From:** Jeff Norton, Special Events Coordinator  
**Date:** 2-19-09  
**Re:** Azalea Festival Events Permit Revision

---

Attached find correspondence from Julie Linton, Azalea Festival, requesting closure of the public boat ramp at the Riverfront Park all day Saturday, March 7, until 5:00 p.m.

The Festival is requesting the closure due to the following events:

1. BBQ Cook Off – this is stationed in the Boat Ramp parking area
2. Bass Tournament – boats launch at first light; weigh in at 4:00 p.m.
3. Sailboat Regatta – participating boats will launch in a.m. The regatta course runs along the riverfront.

Please revise the Azalea Festival Special Events permit to authorize closure of the City Dock Saturday from 5:00 a.m. to 5:00 p.m.

## Betsy Driggers

---

**Subject:** FW: City Dock

-----Original Message-----

**From:** Julie Linton [mailto:tourism@pccofofc.com]  
**Sent:** Thursday, February 19, 2009 3:19 PM  
**To:** Betsy Driggers  
**Subject:** FW: City Dock

We are requesting dock closure for Saturday, March 7, 2009 from sunrise until 5pm due to a boat regatta, bass tournament and bbq cookout all taking place in that area.

Thank You,  
Julie Linton  
VP Tourism  
Putnam County Chamber of Commerce  
386-328-1503



# *Agenda Item*

**4**



REPRESENTING  
**ALEX SINK**  
CHIEF FINANCIAL OFFICER  
STATE OF FLORIDA

January 14, 2009

Department of Financial Services  
135 Executive Circle, Suite 103  
Daytona Beach, FL 32114

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

Dear Ms. Driggers:

This is a request to schedule a presentation by the Department of Financial Services, for your City Commission Meeting scheduled for Thursday, February 26, 2009, at 6:00pm.

Our office would like to make a presentation relating to the new program, "Safeguarding Our Seniors", as initiated by the Chief Financial Officer for the State of Florida, Alex Sink.

We appreciate any consideration of our request. Thank you for your time in this matter.

Sincerely,

Randell Brown  
Regional Director  
Department of Financial Services  
Daytona Beach Service Office

RB/lss

*2/18/09 - confirmed - also add "Florida Saves"*

# *Agenda Item*

5

# *Agenda Item*

6

# *Agenda Item*

7

**CITY OF PALATKA CITY COMMISSION  
AGENDA ITEM**

ITEM: Public hearing to consider an ordinance to rezone Oaks Landing located on Lundy Road from County Planned Unit Development (PUD) to City Residential R-3 with a Planned Unit Development (PUD) overlay zoning. DEPARTMENT: Building & Zoning

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AGENDA SECTION: Public Hearing Agenda item for 1<sup>st</sup> reading

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ATTACHMENTS: 1. Planning Board January 6, 2009, Staff Report DATE: February 26, 2009  
2. January 6, 2009, and draft February 3, 2009 Planning Board minutes  
3. Oaks Landing Residential (R-3) and Planned Unit Development Rezoning Applications, dated July 6, 2007  
4. Oaks Landing Residential (R-3) and Planned Unit Development Appendix to Rezoning Application

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**SUMMARY HIGHLIGHTS:**

The applicant applied to rezone parcels 18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000 (Oaks Landing on Lundy Road) from Putnam County Planned Unit Development to City Multi-family Residential (R-3) with a Planned Unit Development Overlay. This parcel was annexed into the City in 2005, however since the City's Comprehensive Plan was not in compliance, the Future Land Use Amendment and Zoning could not be done until the City received a positive Notice of Intent from the Department of Community Affairs.

The Large Scale Future Land Use amendment from County Urban Reserve to City Medium Density Residential was included in the approval of the City's Evaluation and Appraisal Report based amendments in December 2008. A site specific policy was also in the EAR based amendments which limited the density to a maximum of 7.74 dwelling units per acre and 120 units.

The Planning Board conducted a public hearing on January 6, 2009, and continued the public hearing to February 3, 2009, so that the applicant could provide additional information. This information is included in the Oaks Landing Residential (R-3) and Planned Unit Development Appendix to Rezoning Application, dated January 22, 2009.

On February 3, 2009 the Planning Board voted to approve the request to rezone to R-3 multi-family residential with a planned unit development overlay with the stipulation that it be approved as a condominium complex, single-phase development.

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**RECOMMENDED ACTION:**

Approve an ordinance to rezone parcels 18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000 from Putnam County Planned Unit Development to City Multi-family Residential (R-3) with a Planned Unit Development Overlay with the stipulation that it be approved as a condominium

complex, single-phase development with the information and conditions provided in the Oaks Landing Residential (R-3) and Planned Unit Development Rezoning Application, dated July 6, 2007, Planning Board, January 6, 2009, Staff Report, and the Oaks Landing Residential (R-3) and Planned Unit Development Appendix to Rezoning Application, dated January 22, 2009. (1<sup>st</sup> reading )

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AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

This instrument prepared by:  
Jim Lee  
205 N. 2<sup>nd</sup> St.  
Palatka, FL 32177

ORDINANCE NO. 09

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 IN SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST AND SECTION 18, TOWNSHIP 10 SOUTH, RANGE 27 EAST FROM COUNTY PLANNED UNIT DEVELOPMENT (PUD) TO CITY R-3 (MULTI-FAMILY RESIDENTIAL) WITH A PLANNED UNIT DEVELOPMENT OVERLAY (PUD); 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 owner, Held Investment Properties LLP, to the City for certain amendments to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including a public hearing before the City of Palatka Planning Board on January 6, 2009, which was continued to February 3, 2009, and two public hearings before the City of Palatka City Commission on February 26, 2009, and March 12, 2009, and

WHEREAS, following the continued public hearing on February 3, 2009, the City of Palatka Planning Board recommended approval of proposed amendments to the Official Zoning Map of the City of Palatka, Florida, and

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

Section 2. 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 County Planned Unit Development (PUD) to City R-3 (Multiple-family Residential), with a Planned Unit Development (PUD) overlay, said Planned Unit Development (PUD) overlay to be adopted and recorded in its entirety as part of this rezoning ordinance. The Planned Unit Development (PUD) overlay includes the attached Exhibit A, Oaks Landing Residential (R-3) and Planned Unit Development Rezoning Application with Developer's Agreement dated July 6, 2007, Exhibit

B, Planning Board Report, dated January 6, 2009, and Exhibit C, Oaks Landing Residential (R-3) and Planned Unit Development Appendix to Rezoning Application with Developer's Agreement dated January 22, 2009.

**DESCRIPTION OF PROPERTY:**

**Property Appraiser parcel numbers: 18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000**

A PARCEL OF LAND LYING IN THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUTNAM COUNTY, TOGETHER WITH A PARCEL OF LAND LYING IN GOVERNMENT LOTS 3 & 9, SECTION 18, TOWNSHIP 10 SOUTH, RANGE 27 EAST, PUTNAM COUNTY.

COMMENCING AT THE NORTHEAST CORNER OF GOVERNMENT LOT 4, SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST, THENCE NORTH 89°02'04" EAST, 726.47' (DEED 726.5') TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING; THENCE NORTH 02°21'34" WEST, ALONG THE WEST LINE OF A BOUNDARY LINE AGREEMENT, AS RECORDED IN O.R. 620, PAGE 427, OF THE PUBLIC RECORDS OF SAID COUNTY, 572.43' (DEED 571.5') TO A CONCRETE MONUMENT; THENCE NORTH 89°02'04" EAST, ALONG THE NORTH LINE OF SAID BOUNDARY LINE AGREEMENT, 417.30' (DEED 417.95') TO THE WESTERLY RIGHT OF WAY LINE OF SEABOARD COAST LINE RAILROAD, LYING IN A CURVE BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 5715.63', ARC LENGTH OF 1460.39' AND DELTA OF 14°38'22"; THENCE SOUTH 22°19'03" WEST, ALONG THE CHORD OF SAID CURVE, 1456.43' TO THE INTERSECTION WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 9, SECTION 18, TOWNSHIP 10 SOUTH, RANGE 27 EAST; THENCE SOUTH 89°01'28" WEST, 593.02' TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 9; THENCE NORTH 01°56'25" EAST, ALONG THE WEST LINE OF SAID GOVERNMENT LOT 9, 124.65'; THENCE SOUTH 89°02'04" WEST, ALONG AN OLD WIRE FENCE, 589.44' TO THE INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF LUNDY ROAD, AS MONUMENTED; THENCE NORTH 00°34'33" EAST, ALONG SAID EAST RIGHT OF WAY LINE, 317.47'; THENCE NORTH 89°02'04" EAST, 703.91' TO THE INTERSECTION WITH THE WEST LINE OF LOT 1, WEBB & NICHOLS SUBDIVISION, AS RECORDED IN MAP BOOK 1, PAGE 40, OF THE PUBLIC RECORDS OF SAID

COUNTY; THENCE SOUTH 02°22'41" EAST, ALONG THE WEST LINE OF SAID LOT 1, 85.86'; THENCE NORTH 89°01'28" EAST, ALONG THE SOUTH LINE OF SAID WEBB & NICHOLS SUBDIVISION, 526.03' TO A CONCRETE MONUMENT AND THE POINT OF CURVATURE OF A CURVE TO THE LEFT, BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 115.00' AND DELTA OF 91°23'02" (DEED 91°24'15" – O.R. 620, PAGE 427); THENCE ALONG THE ARC OF SAID CURVE 183.42' (DEED 183.46' – O.R. 620, PAGE 427) TO POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 02°21'34: WEST, ALONG THE WEST LINE OF A BOUNDARY LINE AGREEMENT AS RECORDED IN O.R. 620, PAGE 427, OF THE PUBLIC RECORDS OF SAID COUNTY, 291.85' (DEED 291.15') TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING.

Containing 15.51 acres, more or less, inclusive of Easements.

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 12th day of March 2009.

CITY OF PALATKA

BY: \_\_\_\_\_  
Its Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

\_\_\_\_\_  
City Attorney

**Exhibit A**

**Oaks Landing Residential (R-3) and Planned Unit Development  
Rezoning Application with Developer's Agreement dated July 6, 2007**

**Exhibit B**

**Planning Board Report, dated January 6, 2009**

**Exhibit C**

**Oaks Landing Residential (R-3) and Planned Unit Development  
Appendix to Rezoning Application with Developer's Agreement  
dated January 22, 2009.**

**PLANNING BOARD REPORT**  
**January 6, 2009 Regular Meeting**

**A. SUBJECT:** Case: # 08-41

**Address:** Lundy Road (Oaks Landing)

**Parcel:** 18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000

**B. REQUEST:** Request to rezone from County Planned Unit Development to City R-3 (Multi-Family Residential) with a Planned Unit Development Overlay

**C. BACKGROUND:**

**Property Owner:** Held Investment properties, LLP

**Agent:** Lara Dietrich, Kimley-Horn and Associates, Inc.

**Zoning:** In 2005, the subject parcel was annexed from Putnam County to the City of Palatka. Upon inclusion into the City of Palatka, the City had not assigned a land use or zoning designation to the subject parcel. Its land use has since been approved as Residential/Medium Density. The applicant proposes a zoning designation of R-3 (Multi-Family Residential) with a Planned Unit Development (PUD) Overlay.

**Acreage:** 15.51

**Surrounding Zoning:** North – Residential (R-1), Agriculture (AG), and Residential (R-1AA)  
South – Residential (R-1), Residential Mobile Home (RMH), and Agriculture (AG)  
East – Conservation  
West – Residential (R-1AA), and Residential (R-1)

**Adjacent Uses:** North – Golf Course and residential  
South – Residential  
East – Conservation Area  
West - Residential

**Advertisement:** Ran 12-20-08

**Notices to Surrounding Owners:** Mailed 12-8-08

**History:**

Held Investment Properties, LLP, (the "Applicant") had applied for a Large Scale Land Use Amendment, which was approved through the Evaluation and Appraisal Report (EAR) process on July 10, 2008, by the City Commission. In addition, the applicant proposes a zoning designation of R-3 (Multi-Family Residential) and a PUD (Planned Unit Development Overlay). The application is submitted to the City with the intent to rezone parcel numbers 18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000 for the purpose of proposing a rezoning designation change from the existing Putnam County's PUD to the City of Palatka's R-3 (Multiple-Family Residential) and a PUD (Planned Unit Development Overlay), as defined by the City of Palatka Municipal Code.

The intent of the applicant is to propose a multi-family golf course residential concept located on 15.42 acres in the City of Palatka, adjacent to the City of Palatka Golf Course. The applicant had submitted a Large Scale Land Use Amendment requesting Medium Density Residential (MED RES) that was transmitted to the Department of Community Affairs (DCA) December 29, 2006. The City of Palatka's Comprehensive Plan states that MED RES allows for a maximum of 10 dwelling units per acre, which would allow for up to 154 dwelling units, however, the applicant and City Staff, in conjunction with recommendations from the City Commission, have drafted conditions and a development agreement limiting the subject

property through the PUD to allow up to 120 multi-family residential units, limiting the subject property to 7.74 dwelling units per acre. In addition, more than half of the subject property (65% or 10.02 acres) is being committed to open space, providing tree preservation, sidewalks, golf cart paths and roads.

The companion Land Use Amendment 2006-046 for this Rezoning Application was approved by Palatka's City Commission and transmitted in December of 2006. However, after the Department of Community Affairs (DCA) informally reviewed the land use amendment, they returned the land use amendment along with comments to the City of Palatka based on requirements for the City's need to update their Evaluation and Appraisal Report (EAR) prior to accepting any transmitted land use amendments. Land Use Amendment #2006-046 was included in the City's EAR Based Amendments which was approved July 10, 2008.

#### **D. COMPLIANCE WITH THE PALATKA MUNICIPAL CODE, R-3 (MULTI-FAMILY RESIDENTIAL) APPLICATION**

##### **Rezoning requirements**

When pertaining to the rezoning of land, the report and recommendations of the Planning Board to the City Commission shall show that the Planning Board has studied and considered the proposed change in relation to the following, where applicable (from Sec. 94-38(f)(1) of the Palatka Municipal Code):

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

#### **FUTURE LAND USE ELEMENT**

##### **Goal 1 9J-5.006(3)a: F.S. 187.201(16)3**

**Preserve and protect the City's natural resources and quality of life by establishing a pattern of development that is harmonious with the City's natural environment and provides a desired lifestyle for City residents.**

**Staff Analysis:** The proposed multi-family residential golf course concept is anticipated to complement the golf course in keeping with its open space, given that 8.53 of the 15.51 acres are being maintained in their existing natural state. In addition, the proposed development lends itself to the residential neighborhood by allowing for substantial natural buffers.

##### **Policy A.1.1.4**

**By June 1, 2009, the City's Subdivision and Zoning Code shall be reviewed and where necessary revised to address drainage and stormwater issues as identified in the Public Facility Element; open space requirements as addressed in the Recreation and Open Space Element; and on-site traffic flow and vehicle parking as addressed in the Traffic Circulation Element.**

- A. Open space requirements will meet the LOS adopted in the Recreation and Open Space Element.
- B. On-site traffic will, at a minimum, require that adjacent commercial, high density / medium density (or combinations thereof) properties provide interconnections to reduce requirements for road trips.
- C. Parking requirements shall be specified in terms of number of parking space units per type and size of facility.

**Staff Analysis:** In reference to "A," with this methodology in place, in relation to the proposed development, there would be approximately 309 persons (2.58 PPH x 120 dwelling units) inhabiting the residential development at maximum capacity on 15.51 acres which provides for approximately 20 persons per acre. The PUD includes open space and passive recreation areas. Recreational amenities and space, including an amenity center cabana with approximately 1,200 square feet and a pool having approximately 4,500 square feet of a deck amenity. In addition, there are approximately 2.2 acres of a forested park



**Staff Analysis:** The buffering between the proposed development and the adjacent properties meets the requirements of the Zoning Code (Table 94-304A. – Option 3).

**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 adopted 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 Analysis:** The proposed development provides for internal infrastructure connecting it to Browns Landing Road/Lundy Road with only one ingress/egress. The development design is created to promote pedestrian friendly living as well as utilization of the City of Palatka's Golf Course. The site has extensive open space with the preservation of a large portion of the existing tree canopy as well as green space connectivity throughout the site plan.

There are no wetlands detected on the site. The subject property is elevated from a range of 70 feet to 20 feet towards the southeastern portion of the property, meeting the CSX Railroad which lies at 10-35 feet in elevation. The subject site and its surrounding properties are located within the Flood Zone "X", which according to the Flood Insurance Rate Map (FIRM), represents "areas outside the 500-year flood". The closest flood zone is located across the CSX railroad to the east. There are no limitations on the site related to the flood zone.

**Policy A.1.8.2**                      **9J-5.006(3)(c)5**

The Land Development Regulations shall include provisions for Planned Unit Developments as an optional overlay designation. PUDs shall be permitted within any land use area through land use amendment procedures defined in s. 163.3187, Florida Statutes.

**Staff Analysis:** The applicant proposes R-3 (Multi-Family Residential) and a PUD (Planned Unit Development Overlay).

**Policy A.1.9.3**                      **9J-5.006 (3) (c) 7**

Land Development Regulations adopted to implement this Plan shall be based on the following land use standards:

A.      Land Use Districts

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.

Medium Density (231 acres) – provides for a range of densities up to 10 units per acres.

B.      Overlays

**1. Planned Unit Developments**

Typical uses of the PUD may be.....Planned Unit Development may be applied as an optional overlay district over any underlying land use. Use of the PUD overlay will require a land use amendment in accordance with s. 163.3187, F.S.

**Staff Analysis:** The applicant has an approved land use designation of Medium Density Residential which allows for the development of a multi-family residential golf course concept providing for 120 dwelling units which complies with the City of Palatka's Comprehensive Plan in that the Medium Density Residential land use category provides for a development to consist of up to 10 dwelling units per acre. In addition, the applicant proposes a zoning designation of R-3 (Multi-Family Residential) and a PUD (Planned Unit Development Overlay).

**Policy A.1.11.5**

The property known as "Oaks Landing" shall have a land use designation of Residential / Medium Density with a maximum gross density of 7.75 units per acre and a maximum number of units of 120 dwelling units.

**Staff Analysis:** This Policy is a result of the subject parcel's land use amendment being transmitted with the EAR and approved on July 10, 2008.

**TRAFFIC CIRCULATION ELEMENT:**

**Policy B.1.1.1. 9J-5.007(3)(c)1**

The statewide minimum acceptable operating level of service (LOS) standards for the State Highway System and City Street System shall be the base LOS standards listed herein, except for those conditions provided in Policies 1.1.1.A. and 1.1.1.B.

The City hereby adopts the following LOS standards for each listed facility type:

- a) principal arterials – LOS C
- b) collectors and minor arterials – LOS D
- c) local city streets – LOS D
- d) Florida Intrastate Highway System  
LOS B – Rural  
LOS C – Urban and transition urban

**Staff Analysis:** As the project is located in the southeastern quadrant of the City of Palatka, traffic entering and exiting the site must access the project from the north and west. The most direct route to access the project site is via Browns Landing Road/Lundy Road from Edgemoor Street. To evaluate the worst case scenario, it is assumed that all project traffic will only access the project site from the north via the Edgemoor Street to Browns Landing Road/Lundy Road route. In order to access the major commercial centers in the City of Palatka, project traffic will be able to utilize Edgemoor Street or Moseley Avenue/Fairway Drive for connectivity to the City roadway network. As project traffic must utilize Edgemoor Street to access Browns Landing Road/Lundy Road it is assumed that most project traffic will utilize Edgemoor Street over Moseley Avenue/Fairway Drive; therefore the project traffic distribution is assumed to have a 70/30 split with 70 percent of traffic utilizing Edgemoor Street and 30 percent of traffic utilizing Moseley Avenue/Fairway Drive. Based on further calculations, it is estimated that all of the study roadway links are expected to operate at level of service C.

**Policy B.1.1.6 9J-5.007(3)c(3)**

The City will require developers to comply with City road design standards and to pave all internal roadways for all

new subdivisions and participate in access road improvements. The City has until June, 2008 to include the standards under the street portion of the code to address those situations not covered by the subdivision portion of the code.

**Staff Analysis:** The proposed development will have paved internal roadways. Per conditions agreed to by City and County staff and the applicant, which are stated in the draft development agreement, the developer will make those additional roadway improvements to Lundy Road. (See **Attachment A**)

**HOUSING ELEMENT:**

**Policy C.1.7.1**                      **9J-5.010(3)(c)(3)**

The City shall enforce current provisions regarding the elimination of non-conforming land uses to include all uses which are inconsistent with the Future Land Use Map 2020 or cannot be made compatible with adjacent land uses. New development or redevelopment shall require buffering between land uses of different densities or intensities of use that are sufficient to ensure compatibility between land uses.

**Staff Analysis:** The subject parcel has a land use designation of medium density residential. In addition, the subject parcel is bounded by: Residential (R-1), Agriculture (AG) and Residential (R-1AA), with uses of a public golf course and residential to the north; Conservation, with a state park use to the east; and Residential (R-1AA) and Residential (R-1), with residential uses to the west; and Residential (R-1), Residential Mobile Home (RMH), and Agriculture (AG), with residential uses to the south.

The buffering between the proposed development and the adjacent properties meets the requirements of the Zoning Code (Table 94-304A. – Option 3).

*b. The existing land use pattern.*

**Staff Analysis:** The surrounding community consists of residential development having a mixture of single-family and multi-family dwelling units. The surrounding area contains existing developments and is made up of zoning districts within proximity to the subject parcel that are similar if not exceeding in density to the applicant's request.

The following information represents three existing developments, identifying their ranges of zoning districts and density, and their approximate distances to the subject parcel:

High Density Residential Level R-3: an existing multi-family residential development which allows for 10 to 18 units per acre and is located within 3,600 feet of the proposed development;

Medium Density Residential Levels R-2, R-3, R-4 (MH) and PUD: an existing multi-family residential development which allows for 8 units, 31 units, and 5 mobile homes per acre and is located within 2,400 feet of the proposed development; and

High Density Residential Level R-3: an existing multi-family residential development which allows for 31 units per acre and is located within 1,200 feet of the proposed development.

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

**Staff Analysis:** This application proposes no creation of an isolated district, as the applicant's request is compatible with the surrounding development.

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

**Staff Analysis:** At the time of building permit application; this project will be reviewed for concurrency. Electric power is provided by FPL and potable water and sewer are provided by the City of Palatka. Potable water and wastewater lines are available near the project site. A 6" water main and fire hydrant are located in front of the project site on the west side of Browns Landing Road aka Lundy Road. An 8" force main is located at the intersection of Browns Landing Road and Edgemoor Street.

The proposed multi-family residential development is in proximity and serviced by the following schools: Moseley Elementary (E) School, Beasley Middle (M) School, and Palatka High School (HS). Based on the Putnam County School District and Department of Education, school facility student stations availability in these schools will not be adversely impacted by the development.

The Putnam County School Board Area Director, Mike Pegg and Governmental Affairs, Philip L. Leary, AICP, have determined that this proposed development would not exceed concurrency capacity levels from generated students.

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

**Staff Analysis:** There are no illogically drawn boundaries that would conflict with the proposed development.

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

**Staff Analysis:** The property that makes up Oaks Landing was originally located within the jurisdiction of Putnam County. Previously being zoned Agriculture prior to January 24, 1984, the Putnam County Board of County Commissioners (BOCC) approved a Planned Unit Development (PUD) to allow for 65 multi-family dwelling units on 16.4 acres. Later that same year, September 12, 1984, the Planning Commission approved an amendment to the PUD per Ordinance Number 75-6 to allow for 30 single family dwelling units. There was no development agreement or time limit established within the guidelines of the PUD. On February 12, 1988, Ordinance 88-1 was adopted to replace Ordinance 75-6, which does not address previous rezoning where no development had occurred. Incidentally, Ordinance 75-6 had no reversion clause included.

On May 11, 1993, Putnam County Board of County Commissioners approved general policies to allow administrative vesting determinations all pending on whether or not "A PUD approved without an expiration date 'prior to' (policy 1) or 'on or after' (policy 2) December 19, 1986 will determine their vesting rights and status of development with respect to the County taking action to process what [they] find to be an appropriate zoning category." A Letter of Request regarding the current status of subject parcels was sent to Peter Brown, former County Planner from Ray Spofford on behalf of the request from the previous owner Ben Bates. The response came back on August 24, 1993 stating the following:

Putnam County Comprehensive Plan Ordinance 91-30, Policy A.1.9.3.B(1)c. The four part test for determining vested development:

Policy 2. A PUD approved without an expiration date prior to December.

19, 1986, which has not been initiated by the time that the Planning, Zoning, and Building staff review such cases is not vested. The County will take action to process a rezoning on the property to appropriate category.

In 2005, the subject property was annexed to the City of Palatka.

Therefore, the “changed or changing conditions that make the passage of the proposed amendment necessary” have already been reviewed and approved by the City of Palatka through the EAR process on July 10, 2008. The previously approved land use amendment was necessary for two reasons. First, the subject parcel had no land use designation upon annexation and still had yet to be assigned one. The applicant worked with City staff to incorporate the parcel into the EAR, as **Policy A.1.11.5** allowing for the parcel to have a land use designation of Residential/Medium Density. Secondly, the City of Palatka has a need for mid to higher-end market-rate housing. In addition, this proposed development is adjacent to the City’s golf course which supports mid to higher-end residential development and promotes additional contiguous users.

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

**Staff Analysis:** This project will not adversely impact the surrounding properties. The proposed development is to be of mid to higher-end residential character. In addition, the subject site is adjacent to the City of Palatka Golf Course. The golf course serves as a City amenity, providing recreation for the residents and visitors of the City of Palatka. The golf course is in need of a regular increased stream of revenue. The proposed residential development would provide for a multi-family golf course residential concept, allowing for course access with golf carts, connective trails and preserved open space. In turn, this stimulates additional golf course revenue for the City of Palatka.

Per conditions agreed to by City and County staff and the applicant, which are stated in the draft development agreement, the developer has agreed to make additional roadway improvements to Lundy Road that will be a positive improvement on the substandard existing roadway.

In prior years, the applicant has engaged in public dialogue with the surrounding community residents and golf course management with regards to the project through public meetings and hearings. There have been several meetings held between the applicant and City/ County staff in the further development of the proposed project.

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

**Staff Analysis:** All concurrency reviews will be conducted at permit issuance. Based on the analysis conducted and included in the TIA, the project does not impact any deficient roadway links.

Policy B.1.1.1. 9J-5.007(3)(c)1

The statewide minimum acceptable operating level of service (LOS) standards for the State Highway System and City Street System shall be the base LOS standards listed herein, except for those conditions provided in Policies L.1.1.A. and L.1.1.B.

The City hereby adopts the following LOS standards for each listed facility type:

- a) principal arterials – LOS C
- b) collectors and minor arterials – LOS D
- c) local city streets – LOS D
- d) Florida Intrastate Highway System  
LOS B – Rural

LOS C – Urban and transition urban

**Staff Analysis:** As the project is located in the southeastern quadrant of the City of Palatka, traffic entering and exiting the site must access the project from the north and west. The most direct route to access the project site is via Browns Landing Road/Lundy Road from Edgemoor Street. To evaluate the worst case scenario, it is assumed that all project traffic will only access the project site from the north via the Edgemoor Street to Browns Landing Road/Lundy Road route. In order to access the major commercial centers in the City of Palatka, project traffic will be able to utilize Edgemoor Street or Moseley Avenue/Fairway Drive for connectivity to the City roadway network. As project traffic must utilize Edgemoor Street to access Browns Landing Road/Lundy Road it is assumed that most project traffic will utilize Edgemoor Street over Moseley Avenue/Fairway Drive; therefore the project traffic distribution is assumed to have a 70/30 split with 70 percent of traffic utilizing Edgemoor Street and 30 percent of traffic utilizing Moseley Avenue/Fairway Drive. Based on further calculations, it is estimated that all of the study roadway links are expected to operate at level of service C.

**Policy B.1.1.6**      **9J-5.007(3)c(3)**

**The City will require developers to comply with City road design standards and to pave all internal roadways for all new subdivisions and participate in access road improvements. The City has until June, 2008 to include the standards under the street portion of the code to address those situations not covered by the subdivision portion of the code.**

The proposed development will have paved internal roadways. In addition, the developer, per conditions agreed to by the City and the applicant stated in the draft development agreement, constitute roadway improvements to Lundy Road. (See **Attachment A**)

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

**Staff Analysis:** Any new development associated with this request will be required to meet all requirements of the St. Johns River Water Management District as part of the permitting process.

- j. Whether the proposed change will seriously reduce light and air to adjacent areas.*

**Staff Analysis:** This change will not reduce light or air to adjacent areas; the existing setbacks and maximum impervious area limitations serve to prevent the reduction of light or air to adjacent areas.

- k. Whether the proposed change will adversely affect property values in the adjacent area.*

**Staff Analysis:** This project will not adversely impact the surrounding properties. The proposed development is to be of mid to higher-end residential character. In addition, the subject site is adjacent to the City of Palatka Golf Course. The golf course serves as a City amenity, providing recreation for the residents and visitors of the City of Palatka. The golf course is in need of a regular increased stream of revenue. The proposed residential development would provide for a multi-family golf course residential concept, allowing for course access with golf carts, connective trails and preserved open space. In turn, this stimulates additional golf course revenue for the City of Palatka.

In prior years, the applicant has engaged in public dialogue with the surrounding community residents and golf course management with regards to the project through public meetings and hearings. There have been several meetings held between the applicant and City/County staff in the further development of the proposed project.

- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in*

*accord with existing regulations.*

**Staff Analysis:** This project will have the potential of being a stimulus to the golf course and other surrounding developments. In addition, there are significant improvements that are being made to the infrastructure related to this project.

*m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.*

**Staff Analysis:** This rezoning does not constitute a grant of special privilege.

*n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.*

**Staff Analysis:** This property was never given a zoning designation upon its annexation from Putnam County to the City of Palatka under the City ordinances per section “f” of this report.

*o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.*

**Staff Analysis:** The population continues to increase in the northeast region of Florida which encourages growth of residential and commercial development, infrastructure, and public facilities. The City of Palatka and Putnam County are bedroom communities to St. Johns, Clay, Flagler and Volusia Counties, meaning that there is a sizable population within the City and County that leave to enter into other cities and counties for employment purposes. This draws more residential population to reside in the City of Palatka due to the median home price. This in turn creates the need for additional residential development.

In addition, the subject site is adjacent to the City of Palatka Golf Course. The golf course serves as a City amenity, providing recreation for the residents and visitors of the City of Palatka. The golf course is in need of a regular increased stream of revenue. The proposed residential development would provide for a multi-family golf course condominium concept, allowing for course access with golf carts, connective trails and preserved open space. In turn, this stimulates additional golf course revenue for the City of Palatka.

*p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.*

**Staff Analysis:** The subject site is adequate for the proposed residential development. The unique feature of the site is its direct proximity to the City of Palatka Golf Course for residential development.

*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 Analysis:** This parcel is not located in a Historic District.

## E. SUMMARY

**Staff Analysis:** It is staff’s opinion that the request for an R-3 (Multi – Family Residential) zoning district for the site is consistent with the City of Palatka Comprehensive Plan and the other criteria identified in Section 94-38(f) (1) of the Palatka Municipal Code.

**G. STAFF RECOMMENDATION**

**Staff Analysis:** Approval of the rezoning request to R-3, (Multi-Family Residential) zoning district.

**H. COMPLIANCE WITH THE PALATKA MUNICIPAL CODE, PUD (PLANNED UNIT DEVELOPMENT OVERLAY) APPLICATION**

The Palatka Municipal Code requires that the Planning Board review any request for a PUD under the requirements of Section 94-3. Before the application can be approved, the Planning Board shall make a written finding that the granting of the PUD will not adversely affect the public interest and certifying that the specific requirements governing the individual PUD, if any, have been met by the petitioner and that, further, satisfactory provision and arrangement has been made concerning the following matters, where applicable:

- a. Compliance with all applicable elements of the comprehensive plan.*

**FUTURE LAND USE ELEMENT**

**Goal 1 9J-5.006(3)a; F.S. 187.201(16)3**

**Preserve and protect the City's natural resources and quality of life by establishing a pattern of development that is harmonious with the City's natural environment and provides a desired lifestyle for City residents.**

**Staff Analysis:** The proposed multi-family residential golf course concept is anticipated to complement the golf course in keeping with its open space, given that 8.53 of the 15.51 acres are being maintained in their existing natural state. In addition, the proposed development lends itself to the residential neighborhood by allowing for substantial natural buffers.

**Policy A.1.1.4**

**By June 1, 2009, the City's Subdivision and Zoning Code shall be reviewed and where necessary revised to address drainage and stormwater issues as identified in the Public Facility Element; open space requirements as addressed in the Recreation and Open Space Element; and on-site traffic flow and vehicle parking as addressed in the Traffic Circulation Element.**

- A. Open space requirements will meet the LOS adopted in the Recreation and Open Space Element.**
- B. On-site traffic will, at a minimum, require that adjacent commercial, high density / medium density (or combinations thereof) properties provide interconnections to reduce requirements for road trips.**
- C. Parking requirements shall be specified in terms of number of parking space units per type and size of facility.**

**Staff Analysis:** In reference to "A," with this methodology in place, in relation to the proposed development, there would be approximately 309 persons (2.58 PPH x 120 dwelling units) inhabiting the residential development at maximum capacity on 15.51 acres which provides for approximately 20 persons per acre. The PUD includes open space and passive recreation areas. Recreational amenities and space, including an amenity center cabana with approximately 1,200 square feet and a pool having approximately 4,500 square feet of a deck amenity. In addition, there are approximately 2.2 acres of a forested park like area at the front of the project. No tree removal is planned and there will be pathways, sitting areas and tables for residents use.



**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 adopted 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 Analysis:** The proposed development provides for internal infrastructure connecting it to Browns Landing Road/Lundy Road with only one ingress/egress. The development design is created to promote pedestrian friendly living as well as utilization of the City of Palatka’s Golf Course. The site has extensive open space with the preservation of a large portion of the existing tree canopy as well as green space connectivity throughout the site plan.

There are no wetlands detected on the site. The subject property is elevated from a range of 70 feet to 20 feet towards the southeastern portion of the property, meeting the CSX Railroad which lies at 10-35 feet in elevation. The subject site and its surrounding properties are located within the Flood Zone “X”, which according to the Flood Insurance Rate Map (FIRM) represents “areas outside the 500-year flood”. The closest flood zone is located across the CSX railroad to the east. There are no limitations on the site related to the flood zone.

**Policy A.1.8.2** 9J-5.006(3)(c)5

The Land Development Regulations shall include provisions for Planned Unit Developments as an optional overlay designation. PUDs shall be permitted within any land use area through land use amendment procedures defined in s. 163.3187, Florida Statutes.

**Staff Analysis:** The applicant proposes R-3 (Multi-Family Residential) (R-3) and PUD (Planned Unit Development Overlay).

**Policy A.1.9.3** 9J-5.006 (3) (c) 7

Land Development Regulations adopted to implement this Plan shall be based on the following land use standards:

A. Land Use Districts

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.

Medium Density (231 acres) – provides for a range of densities up to 10 units per acres.

B. Overlays

1. Planned Unit Developments

Typical uses of the PUD may be.....Planned Unit Development may be applied as an optional overlay district over any underlying land use. Use of the PUD overlay will require a land use

amendment in accordance with s. 163.3187, F.S.

**Staff Analysis:** The applicant has an approved land use designation of Medium Density Residential which allows for the development of a multi-family residential golf course concept providing for 120 dwelling units which complies with the City of Palatka's Comprehensive Plan in that the Medium Density Residential land use category provides for a development to consist of up to 10 dwelling units per acre. In addition, the applicant proposes a zoning designation of R-3 (Multi-Family Residential) and a PUD (Planned Unit Development Overlay).

**Policy A.1.11.5**

**The property known as "Oaks Landing" shall have a land use designation of Residential / Medium Density with a maximum gross density of 7.75 units per acre and a maximum number of units of 120 dwelling units.**

**Staff Analysis:** This Policy is a result of the subject parcel's land use amendment being transmitted with the EAR and approved on July 10, 2008.

**TRAFFIC CIRCULATION ELEMENT:**

**Policy B.1.1.1. 9J-5.007(3)(c)I**

**The statewide minimum acceptable operating level of service (LOS) standards for the State Highway System and City Street System shall be the base LOS standards listed herein, except for those conditions provided in Policies 1.1.1.A. and 1.1.1.B.**

**The City hereby adopts the following LOS standards for each listed facility type:**

- a) principal arterials – LOS C
- b) collectors and minor arterials – LOS D
- c) local city streets – LOS D
- d) Florida Intrastate Highway System  
LOS B – Rural  
LOS C – Urban and transition urban

**Staff Analysis:** As the project is located in the southeastern quadrant of the City of Palatka, traffic entering and exiting the site must access the project from the north and west. The most direct route to access the project site is via Browns Landing Road/Lundy Road from Edgemoor Street. To evaluate the worst case scenario, it is assumed that all project traffic will only access the project site from the north via the Edgemoor Street to Browns Landing Road/Lundy Road route. In order to access the major commercial centers in the City of Palatka, project traffic will be able to utilize Edgemoor Street or Moseley Avenue/Fairway Drive for connectivity to the City roadway network. As project traffic must utilize Edgemoor Street to access Browns Landing Road/Lundy Road it is assumed that most project traffic will utilize Edgemoor Street over Moseley Avenue/Fairway Drive; therefore the project traffic distribution is assumed to have a 70/30 split with 70 percent of traffic utilizing Edgemoor Street and 30 percent of traffic utilizing Moseley Avenue/Fairway Drive. Based on further calculations, it is estimated that all of the study roadway links are expected to operate at level of service C.

**Policy B.1.1.6 9J-5.007(3)c(3)**

**The City will require developers to comply with City road design standards and to pave all internal roadways for all new subdivisions and participate in access road improvements. The City has until June, 2008 to include the standards under the street portion of the code to address those situations not covered by the subdivision portion of the code.**

**Staff Analysis:** The proposed development will have paved internal roadways. In addition, the developer, per conditions agreed to by the City and the applicant stated in the draft development agreement constitute roadway improvements to Lundy

Road. (See Attachment A)

**HOUSING ELEMENT:**

**Policy C.1.7.1 9J-5.010(3)(c)(3)**

The City shall enforce current provisions regarding the elimination of non-conforming land uses to include all uses which are inconsistent with the Future Land Use Map 2020 or cannot be made compatible with adjacent land uses. New development or redevelopment shall require buffering between land uses of different densities or intensities of use that are sufficient to ensure compatibility between land uses.

**Staff Analysis:** The subject parcel has a land use designation of medium density residential. In addition, the subject parcel is bounded by: Residential (R-1), Agriculture (AG) and Residential (R-1AA), with uses of a public golf course and residential to the north; Conservation, with a state park use to the east; and Residential (R-1AA) and Residential (R-1), with residential uses to the west; and Residential (R-1), Residential Mobile Home (RMH), and Agriculture (AG), with residential uses to the south.

The buffering between the proposed development and the adjacent properties meets the requirements of the Zoning Code (Table 94-304A. – Option 3).

**RECREATION AND OPEN SPACE ELEMENT:**

**Staff Analysis:** The Recreation and Open Space Element does not contain Goals, Objectives and Policies that speak to open space requirements with regards to residential development, however, the proposed development does provide for significant open space in its Master Development Plan (MDP). The subject parcel consists of 15.51 acres with 120 dwelling units to be developed on-site. The City of Palatka's Comprehensive Plan's Future Land Use Element "Analysis (p.A-6)"; Section A. "Factors that Affect Development;" Part 1. "Population;" Subpart b. "Methodology;" Subset (4) "Persons Per Household (PPH) Average Household Size states:

**The City experienced a PPH of 2.35 in 1990. The City's PPH average has remained around 2.40 for the past 20 years. Bureau of Business and Economic Research (BEBR) projects that the PPH will remain 2.40 through 2020. However, methodology used for determining level of services and demand for public facilities as identified in the Public Facilities Element uses a PPH of 2.58.**

According to this methodology stated above from the Recreation and Open Space Element, the proposed development would provide for housing for approximately 309 persons (2.58 PPH x 120 dwelling units) inhabiting the residential development at maximum capacity on 15.51 acres which provides for approximately 20 persons per acre. The PUD includes open space and passive recreation areas. Recreational amenities and space, including an amenity center cabana with approximately 1,200 square feet and a pool having approximately 4,500 square feet of a deck amenity. In addition, there are approximately 2.2 acres of a forested area at the front of the project. No tree removal is planned, and there will be pathways, sitting areas and tables for residents use.

*b. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

**Staff Analysis:** Ingress/egress to the property is from Browns Landing / Lundy Road, which is a County-maintained two lane local road. It is estimated that all of the study roadway links are expected to operate at a level of service C.

Based on the analysis conducted and included in the Traffic Impact Analysis, the project does not impact any deficient roadway links.

*c. Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.*

**Staff Analysis:** The proposed development provides for 2.2 parking spaces per unit, having the vast majority of spaces provided for on the first floor of each building. These spaces will predominantly be reserved for residents. Visitor parking spaces adjacent to buildings and internal on-street parallel parking have been provided and will be in compliance with ADA access design guidelines.

*d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.*

**Staff Analysis:** Refuse and service areas will be located on the ground floors of the proposed structures so that they are out of site from surrounding properties.

*e. Utilities, with reference to location, availability and compatibility.*

**Staff Analysis:** Electric power is provided by FPL. Potable water and sewer are provided by the City of Palatka. The Developers will design and construct each residence so as to furnish adequate fire protection. Potable water and wastewater lines are available near the project site. A 6" water main and fire hydrant are located in front of the project site on the west side of Browns Landing Road aka Lundy Road. An 8" force main is located at the intersection of Browns Landing Road and Edgemoor Street.

*f. Screening and buffering, with reference to type, dimensions and character.*

**Staff Analysis:** Buffering between the subject parcel and the adjacent residential parcels is provided and is in accordance with Table 94-304A – Option 3 of the Zoning Code. This Option provides for a 20' undisturbed buffer and does not require additional planting, fencing, or berms.

*g. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.*

**Staff Analysis:** Traffic signage will be provided per County and City Code development requirements. A main entry sign will be provided with a design style matching the architecture of the complex.

*h. Required yards and other open space.*

**Staff Analysis:** The PUD includes open spaces and passive recreation areas. Recreational amenities and space, including an amenity center cabana with approximately 1,200 square feet and a pool having approximately 4,500 square feet of a deck amenity. In addition there are approximately 2.2 acres of a forested area at the front of the project. No tree removal is planned in these areas. Pathways, seating areas and tables are planned for residence use.

*i. General compatibility with adjacent properties and other property in the district.*

**Staff Analysis:** The proposed development is compatible with the surrounding properties and other properties in the

district, consisting of multi-family residential developments having medium and high density.

*j. Any special requirements set out in the schedule of district regulations for the particular use involved.*

**Staff Analysis:** This application meets the requirements of the other applicable sections of the Palatka Municipal Code for Planned Unit Developments. These include Section 94-232 Permitted Uses, Section 94-233 Development Standards, and Section 94-234 Unified Control.

*k. The recommendation and any special requirements of the historic preservation board for uses within the HD zoning district.*

**Staff Analysis:** The subject parcel is not located within a historic district.

## **I. SUMMARY**

**Staff Analysis:** It is staff's opinion that the request for a PUD (Planned Unit Development Overlay) for the site is consistent with the City of Palatka's Comprehensive Plan and the other criteria identified in Section 94-3 of the Palatka Municipal Code. The request also meets the intent of Article IV, Planned Unit Developments, of the Palatka Municipal Code by encouraging the development of large tracts of land as planned neighborhoods or communities, preserving the natural amenities of the land by encouraging scenic and open areas within residential areas, and provides an environment of stable character compatible with surrounding residential areas.

In addition to meeting the criteria identified in Section 94-3 and Article IV, Planned Unit Development, this request is consistent with Section 94-235 (c), Review and Approval Procedures of the Palatka Municipal Code. This includes consistency with the City of Palatka Comprehensive Plan, compatibility with the surrounding area, and increased open space over conventional development for the future residents.

## **J. STAFF RECOMMENDATION**

Staff recommends approval of this request with the following conditions:

1. All standards, conditions, criteria and infrastructure improvements indicated in Attachment A, Oaks Landing Residential (R-3) and Planned Unit Development Rezoning Applications, dated July 6, 2007, are part of this approval.
2. All standards, conditions, criteria and infrastructure improvements indicated in this report are part of this approval.
3. This approval is based on the site plan entitled, "Oaks Landing, Multi-Family Residential Concept- Alternative 4" which is a part of Attachment A, Oaks Landing Residential (R-3) and Planned Unit Development Rezoning Applications, dated July 6, 2007.
4. The number of residential units is limited to 120 units with a maximum gross density of 7.75 units per acre.
5. The majority of the infrastructure improvements and appropriate timing are included in the Draft Development Agreement dated December 1, 2006, and a part of Attachment A, Oaks Landing Residential (R-3) and Planned Unit Development Rezoning Applications, dated July 6, 2007. This Draft Development Agreement will need to be updated and presented to the City Commission no later than the second public hearing on this request.

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**Case 08-43**    **Location:** 2801 Kennedy Street – continued

Mr. Taylor, 710 St. Johns Ave., gave an overview of the Owner's intent to expand their existing services for a dental clinic with a modular building of approximately 1453 square feet and that the facility will be established to serve the general public.

**(Regular Meeting)**

**Motion** made by Sue Roskosh to approve the request for a conditional use for a dental clinic in an R-3 zoning district. Seconded by Clem Saccareccia. All present voted affirmative, motion carried.

**Case 08-17**    **Location:**     3875 Reid Street  
                  **Parcel #:**     (03-10-26-0000-0010-0010)  
                  **Applicant:**    Palatka Lodge 184, Loyal Order of Moose, Inc.

**Request:** To amend the Future Land Use Map from Industrial (IN) to Public Buildings and Grounds (PBG) and rezone from Industrial (M-1) to Recreation/Open Space (ROS)

**(Public Hearing)**

Ms. Banks advised that this came to our attention several months ago, when the owners came and discussed their interest in allowing camping, which is not allowed in the current zoning district of M1. She stated that staff believes that this request will more appropriately reflect the existing use and the proposed use, and that the airport will be rezoned and the future land use will be amended to more correctly reflect the airport use. She added that no comments were received from the advertisement or notices sent out to surrounding property owners.

**(Regular Meeting)**

**Motion** made by Randy Braddy to approve the request to amend the Future Land Use Map from Industrial to Public Buildings and Grounds and rezone from Industrial to Recreation/Open Space. Seconded Sue Roskosh All present voted affirmative, motion carried.

✓ **Case 08-41**    **Address:**     Lundy Road (Oaks Landing)  
                  **Parcel:**     18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000  
                  **Owner:**     Michael J. Held  
                  **Agent:**     Lara Dietrich – Kimley-Horn and Associates

**Request:** To rezone to R-3 Multi-family residential with a Planned Unit Development Overlay.

**(Public Hearing)**

Mr. Lee gave a brief of history on this case, advising that the site was annexed into the City in 2005. The Planning Board had meetings on November 7, 2006 and December 5, 2006 to consider recommendation to the City Commission of whether to transmit the Large Scale Future Land Use amendment to the Department of Community Affairs (DCA) on December 14, 2006, and at that meeting, the owner's representatives

**Case 08-41 Address:** Lundy Road (Oaks Landing) – continued

voluntarily agreed to place density and number of units per acre restrictions of 7.75 units per acre with a maximum density of 120 units on the site. At that time, it was discovered by DCA, that the City was not in compliance with the EAR or the Comprehensive Plan, and since then we have come full circle and are ready to move forward. He added that the Comprehensive Plan was approved by DCA on July 10, 2008 with site-specific conditions related to this project, which limited the density to 7.75 units per acre and 120 dwelling units. He added there are additional conditions listed in the staff report to be considered.

Mr. Holmes asked if this was forwarded to DCA as a large-scale amendment.

Mr. Lee advised yes, the original document was submitted as a Large Scale Future Land Use amendment, however, because of our status of non-compliance of Ear at the time, the request was approved with a medium density residential designation, with a density cap of 7.75 units per acre. This was not approved by DCA through the Large-scale Comprehensive Plan Future Land Use amendment process but through the EAR based amendment process.

Lara Dietrich, Agent for Kimley-Horn and Associates, 8657 Bay Pine Rd., Jacksonville, FL 32256 introduced several associates and reiterated what Mr. Lee had said and added that since the annexation of the property, it still carries the County's Land Use and Zoning designations and referred to the policy of the Comprehensive Plan A.1.11.5, which specifies that Oaks Landing shall have a land use designation of residential medium-density, with a cap of 7.75 units per acre and a maximum of 120 dwelling units. Part of her presentation included several maps that were shared with the audience. She added that 65% of this 15.51-acre site would not be developed. She stated that conservation lands of the Ravines State Gardens Park or the City of Palatka golf course mostly bind it. More than 10 acres of this site will be kept in open space and left undeveloped. There will 5 buildings, 4 stories, with one story for parking that will actually be underground and will not be visible. Due to the clustering design of these 5 buildings, they will all be buffered by either preservation area or open space. There will be amenities, to include a cabana and swimming pool area, cart paths and trails. She added that this development would also help promote the Municipal Golf Course.

Mr. Bill Schilling, also with Kimely-Horn and associates, spoke of traffic and safety concerns that were expressed from surrounding residents at the previous presentation and those items were addressed in the developer's agreement. He stated that as part of the EAR amendment is that this level of service had actually decreased as per the latest traffic counts that were conducted by the County. As of May of 2006, the total count is less than 10%. The project is expected to generate approximately 854 to 750 daily trips. He pointed out that as some improvements include upgrade/widening to 24 feet of that portion of Lundy Road and beyond approximately 200' and repave. Installing a southbound turning lane, road signage and sidewalks from the end of Moseley Ave. and down Edgmore St and down Lundy Rd. beyond the development.

Ms. Dietrich reiterated the improvements offered by the developer's agreement Edgmore St. at Moseley avenue intersection and 250' beyond the development there will be road improvements and water & sewer improvements to the area.

Dr. Cathy Cantwell, project chair for Putnam Land Conservancy also a member of the Palatka Water Works Committee, stated that she was not for or against the project and explained that one of the goals of the Palatka Water Works is to connect that area with the Florida Trail Ways. She stated that this development

**Case 08-41 Address:** Lundy Road (Oaks Landing) – continued

would fall right in the middle of the planned trail. She asked that one of the conditions of the agreement be that an easement be worked out for this effort.

Tom Pelikan, Executive Director for Putnam Land Conservancy, 607 S. Moody Rd. #18E, explained that with combined efforts of the Chamber of Commerce and the City to promote Palatka as a Regional Trails Hub, this proposed trail would connect us with the Historic Water Works and the St. Johns River and the Cross Florida Greenway long term.

Discussion took place regarding the intentions for the future of the trails in this area and easement size requirements and acquiring trail type easements, through purchase agreements vs. adding it as a condition set forth by the Planning Board for this Planned Unit Development.

Mr. Holmes expressed his concerns regarding putting conditions of approval of this type on this request.

Mr. Lee reiterated that the considerations before the Board today for the PUD is the buildings, the landscaping, and internal road network and is the zoning appropriate with the Future Land Use element. He ended by saying that the PUD is reviewed, as stated in the staff report, under the conditional use criteria.

Henry Sanders, 2509 Lundy Rd, spoke in opposition of the request and advised that he was not aware of some of the meetings that were held. He mentioned one of his concerns was the fact that once rezoned R-3 it would remain with a maximum allowance for 31 units per acre and if something were to happen to this development, the R-3 zoning would still be in place and a different developer could come in with a completely different project, with even more units per acre than what is being proposed today. He ended by saying that he would rather see a single-family development go in this area.

Discussion took place regarding this request for R-3 zoning versus the current Future Land Use (with a parcel specific restriction cap of 7.75 units per acre) and the current zoning, and that fact that the medium density would take precedence over the zoning, whether this PUD goes through or not. The PUD's window of opportunity, if approved, would be 2 years from the effective date of the PUD with a 1 yr option for extension.

Ms. Elworth Kearney, 2403 Lundy Road stated that she lives right on the curve of Lundy Rd. right by the Church and has troubles now getting out of her driveway. She questioned where the turning lane and sidewalks would be in relation to her house and where the property would come from for the sidewalks.

Mr. Schilling explained that the turning lane would be southbound and the sidewalks would be on the North side of Edgemore St. and down the left side of the property. The sidewalks would come from the existing 60' r-o-w where the proposed road expansion is.

Debra Massey, 4041 Browns Landing Rd. questioned if the elements of the PUD are up for discussion tonight.

Case 08-41 Address: Lundy Road (Oaks Landing) – continued

Mr. Holmes answered that yes, the PUD elements and the R-3 zoning is before the board tonight. Further explaining that with a PUD overlay zoning the site plan can be part of the Board's consideration.

Ms. Massey asked if it would be incomprehensible for the city to consider a lower residential designation and asked if there any other zoning choices, for the Future Land Use that has been designated, that could be considered tonight.

Mr. Holmes replied that zoning categories do not designate density, the Comp Plan does, in this case medium density is limited from 5 to 7.75 units per acres, which is site specific, and that the zoning must be compatible with the Comprehensive Plan at the time of approval. He added that R-2 could fit within the Comprehensive designation for this property, however, that would require duplexes and take more ground cover.

Ms. Massey commented that this development is that it is being marketed to golfers and golfing families, and believes that those types of people are really looking for up-scale single-family homes with back yards that they can build their own putting greens. She stated that she thought it was a wonderful thing that the developer wants to include so much green space. She asked the Board to consider the lowest density available to them, to not only meet the needs of the developer but the community as well.

Phyllis Lott, 1601 Edgemoor St., spoke in oppositions of this request, stating that she believes that this is not the best use for this land. She stated her concerns were of traffic, crime, infrastructure, noise pollution, and believes this will destroy their way of life.

Joe Willis, 2500 Lundy Rd., spoke in opposition to this request. He stated that he agreed with the others that spoke before him. He added that he is lucky enough to have a circular driveway, but there are many others that have to back out onto Lundy Rd. now, and with increased traffic, it will only be a bigger problem for them.

Lara Deittrech explained that negotiations were made in consideration of the same concerns expressed here tonight such as traffic and safety, through several public meetings and negotiations. The agreed improvements were made by way of a Developer's agreement with the City and include turning lanes, road expansions, re-surfacing, sidewalks and water & sewer utility line expansions. She added that this road is currently substandard and not adequate for an urban collector.

Mr. Schilling added that the main entrance had been reconsidered to relocate it further South than originally presented, in consideration of one of the neighboring property owners, so to not have vehicles shinning lights into his house. Also, Mr. Sanders had referred to issues of traffic volumes and his ability to get in and out of his driveway and as this development is North of his property, the traffic from this development would actually be subject to his right of way.

Ms. Lott again, spoke of concessions being made for others, with regards to driveways and easements and asked what about the other property owners.

Mr. Holmes asked if a signalization study had been done at the Lundy Rd. curve area.

Case 08-41 Address: Lundy Road (Oaks Landing) – continued

Mr. Schilling replied yes, that there had been considerable dialog with the City about this intersection and possible modification for some other type of intersection, instead of it being a curve, and there was an ownership issue as to making it into a (T) type of intersection.

Discussion continued regarding traffic volumes.

Mr. Holmes advised that the discussion needed to be kept relevant to the items on the Agenda, which is the zoning and the PUD under the conditional use guidelines.

Mr. Lee concurred with Mr. Holmes and further advised that this is a difficult case, because you are dealing with a PUD that is typically designed for onsite issues. The Board would have the ability require and make stipulations within the PUD, in regards to location of buildings, elevations, height restrictions, the aesthetics of a building, setbacks requirements, landscaping, tree heights and those types of things. He did not advocate, but only informed the board, that the Comp. Plan limits the flexibility between 5 to 7.75 units per acre to remain consistent with zoning and the Future Land Use designation.

Discussion took place regarding the Developer's Agreement for this site.

Michael Held, 805 Brandy Wine Court, St. Augustine, FL, responded to several questions from Mr. Braddy.

Mr. Braddy asked if there were going to be several points of ingress and egress from various points at the golf course.

Mr. Held responded yes.

Mr. Braddy asked about fire safety, and how would the fire trucks and how city service trucks would turn around.

Mr. Braddy expressed that he had concerns that the flow of traffic from the point of ingress, would flow contrary to the normal flow of play.

Mr. Held stated that the cart path connectivity was conceptual at this point, that it was requested from the golf pro and the paths will be integrated for the most appropriate locations. That an auto turn analysis would be done as part of the construction documents phase.

Mr. Lee advised that this is the one chance that the Planning Board and the City Commission have to mandate how the project will look, there is no site plan review process between the Planning Board's recommendation to the City Commission and building permit application, at the moment, as some jurisdictions do.

Mr. Holmes stated that he believed everyone was interested in doing the best thing for the citizens of Palatka and the developer. The concerns that have been raised are real concerns in terms of what we are being told what is planned versus what could happen.

**Case 08-41 Address:** Lundy Road (Oaks Landing) – continued

Mr. Lee stated that he would like to see more detail in terms of construction. He believed that is the intent and purpose of having a Planned Unit Development. That is where how it looks and the layout of the land is decided by the Planning Board and the City Commission, that he cannot, when it gets to his level, tell them that the building should be moved because it would have less impact on the neighborhood. He stated that the Planning Board, during this process, has the ability to indicate where it is located on the property, what kind of buffering, how high it is, number of stories, access, pool location, etc. If the Planning Board and City Commission determine the information presented is fine, so be it, it will then go forward to the permitting process and follow the basic zoning code. As there would not be another site review process before the Planning Board to engage in, and he had twice before asked the applicant's agent if they had additional site details.

Mr. Holmes stated that as there are some limitations to construction details at this stage, there are provisions for the Planning Board to request additional information if they decide they want more detail to properly evaluate the proposed development plan, as per the Municipal Code reference 94-235 (b)(2)(i)(4).

Mr. Schilling stated that there are height limits and restrictions in the PUD text however, they have not prepared a visual exhibit at this point because they are not that deep into the process as to finishes, colors and dumpster locations, etc. He added that they have worked very closely with staff for a considerable amount of time now and if there are a few additional questions, they can be worked through.

Discussion continued place regarding common review practices of the PUD process per our code and other jurisdictions, as well as, the definition of construction commencement, as per our code, as being vertical construction.

Anthony Harwell requested to see a more developed elevations plan, possibly some schematic design plans and a more developed site plan.

Zachary Landis, agreed with Mr. Braddy's concerns for ingress and egress safety.

Discussion took regarding the type of site plan submitted, and the recommendation for approval from staff after staff's review.

Mr. Holmes referred to municipal code section 94-235 and 94-3(1)(a...e) and stated that is the criteria that the staff and the Board is to consider for recommendation to the City Commission.

Mr. Lee advised that the staff report lists their findings based on the material submitted, and based on that, staff makes a recommendation based on those requirements being met to the Planning Board only, and the Board can then asked for additional details.

Mr. Braddy requested conceptual elevations of front, side and rear elevations of the buildings and a circulation plan for ingress/egress onto the golf course and refuse location.

Ms. Diettrich stated that this was planned to be a single-phase project.

**Case 08-41 Address:** Lundy Road (Oaks Landing) – continued

Earl Wallace requested a right-of-way survey, as he does not believe that there is a right-of-way easement there at the curve of Lundy Rd.

Ms. Diettrich confirmed the requested additional items for consideration by the Board, for next month's meeting as follows:

1. Ingress/Egress detail for fire safety with 3 point turn around,
2. Refuse locations,
3. Elevation drawings of front, back and sides,
4. Connectivity plan with the golf course for golf carts and;
5. Right-of-way maps based on survey for Lundy Rd. curve.

Mr. Stewart agreed.

Mr. Lee advised that these items should be turned in within the next two weeks for staff review and forwarding to the Board for the next scheduled meeting.

**Motion** made by Clem Saccareccia to table the request to rezone to R-3 Multi-family residential with a Planned Unit Development Overlay until the February 3, 2009 at 4:00 pm to review the requested information (as listed above). Seconded by Sue Roskosh. All present voted affirmative, motion carried.

Meeting adjourned at 7:40 pm.

Meeting called to order by Chairman Carl Stewart at 4:00PM. **Members present:** Ezekiel Johnson, Earl Wallace, Sue Roskosh, Clem Saccareccia, Randy Braddy, and Anthony Harwell.

**Members absent:** Zachary Landis, Phil Leary and School Board Representative. Also present: City Attorney, Donald Holmes; Planning Director, Jim Lee; Assistant Planning Director, Debbie Banks and Recording Secretary, Pam Sprouse.

**Motion** made by Clem Saccareccia to approve the minutes of the January 6, 2009 meeting. Seconded by Randy Braddy. All present voted affirmative, motion carried.

Jim Lee read, "To Appeal any Decision."

Mr. Stewart requested that any Ex Parte Communication be disclosed prior to each case.

### **OLD BUSINESS**

**Case 08-41**    Address:        Lundy Road (Oaks Landing)  
                  Parcel:        18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000  
                  Owner:       Michael J. Held  
                  Agent:       Lara Diettrich – Kimley-Horn and Associates

**Request:**        To rezone to R-3 Multi-family residential with a Planned Unit Development Overlay.  
(Continued from Jan. 6, 2009)

### **(Public Hearing)**

Lara Diettrich, 8657 Bay Pine Rd. #300 Jacksonville, FL 32256, shared a slide presentation depicting the 5 items as requested from the Board members at the last meeting. The presentation showed r-o-w maps based on a roadway survey, emergency vehicle access and maneuverability that were based upon discussions with the Fire Marshal, Mark Lynady. Also shown, were locations for refuse areas that will be within buildings, elevations of the buildings, a conceptual architectural rendering of the buildings and golf cart path connectivity location to the golf course. She advised that based on the survey, the roadway does provide for a r-o-w of 60 feet, and that the road is substandard and does not meet the 24 feet minimum, and that is why they are proposing to make the improvements to bring that roadway area up to standard.

Mr. Braddy asked if the turn around points indicated on the diagram for emergency vehicles were reviewed with the contemplation of parked vehicles in the designated parking area.

Nathan Tidd, representative for Kimley-Horne, advised that the turn points are not encroaching in any parking areas.

James Pierce, of Pensacola FL, spoke on his mother's behalf (she lives at the sharp curve area). He stated concerns with the access point and the curve area, and wanted to know if some kinds of precautions could be put in place to stop speeders as there have been several people that could not maneuver that curve, and either ended up dead or in Ms. Howell's front yard. He ended by requesting that the people that live on Edgemore Dr. be given an alternate kind of egress, in and out of that area, other than Lundy Rd.

**PLANNING BOARD**  
**February 3, 2009**  
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**Case 08-41** Lundy Road (Oaks Landing) – continued

Mr. Braddy asked the developer if he planned on retaining an equity interest in a number of units of this project,

Mr. Held replied that they plan to develop and sell out all the units, and that he did not have any intentions of developing rental units.

Henry Sanders, asked why the Developer's Agreement with the city, has a 5 year time frame and the PUD agreement is a 2-year agreement, with the possibility of a 1 time 1-year extension.

Jim Lee advised that the Developer's Agreement is still a draft document and will need to be finalized and approved along with the PUD.

Ms. Diettrich commented on some of the previous questions, stating that the trails and the easements on area resident's property is a private matter between the property owners and the trails folks. She stated approximately 3,000 sq. ft. of Mr. Sanders' property encroaches onto Mr. Held's property, and will be given to Mr. Sanders by Mr. Held, as a gift. Regarding the buffer concerns mentioned by Mr. Sanders, she stated that there will be a 25 foot buffer with a tree canopy of 60 to 80 feet tall and that there will be 40 feet between the two points of ingress/egress. She advised that they have worked for the past two years with city and county staff regarding needed improvements to the road.

Bill Schilling of Kimley-Horne advised that they intend to bring the roadway up to standards and that the intended turn lane would hold 4 cars. He advised that the sidewalk would fit entirely in the r-o-w, however should site conditions render the sidewalks not buildable a financial commitment will be made to the city for an equivalent length of sidewalks that can be built in another area where they can be more useful.

Mr. Lee asked Mr. Schilling if there was a difference in the number of trips rated for a condominium complex versus an apartment complex.

Mr. Schilling advised that yes, there is, but that it wasn't very high, approximately 4-5 peak hour trips for 120 apartment units versus a condominium unit.

Ms. Kerny, 2403 Lundy Rd., asked if there was any protection from developing low-income apartments in that spot.

Mr. Lee advised no.

Earl Wallace, Board member and a state registered surveyor, commented that the r-o-w is different than the one shown on the map submitted, some of the property deeds show overlapping lot lines. He stated he has concerns with the improvements of the curve area, and if they would have room to put them in.

Mr. Schilling advised that the information was obtained from a Florida state licensed surveyor.

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**February 3, 2009**  
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**Case 08-41** Lundy Road (Oaks Landing) – continued

Mr. Braddy commented that it is a very difficult decision making process, when you have the interest of a community to consider in terms of financial impact of a project like this, with the additional tax base, the obvious improvements that would be made for the benefit of citizens to some degree. He asked if they had considered the effect of the tonnage on that tract with regards to the construction itself. He stated that he also had concerns of the shift of gears from developing condominiums to apartments, and if there is an open door, as to some other type of development then it gives a lot of latitude to something quite different than what has been considered, and can seriously effect those that live in the area. He ended by saying that he would not be able to support the change in zoning and the Land Use Map without an agreement that the property would be developed according to the original concept of individually owned condominium units.

Mr. Held agreed that as a stipulation of the PUD, the development would be condominium units only.

Mr. Lee added that all the prior reviews, including traffic and school board issues, were conducted under the understanding that this was a condominium project.

Mr. Harwell commented that he thought this is the time to make any specifications to the aesthetics.

Mr. Lee advised that this is a PUD, and this is the only time that those types of stipulations to the project can be made.

Discussion continued regarding the ability of the Board to specify to the Developer, what architectural style is acceptable, by way of the conditional use consideration of compatibility with surrounding area, and how to measure aesthetic compatibility with without established guidelines and area standards.

**(Regular Meeting)**

**Motion** was made by Randy Braddy to recommend approval of the request to rezone to R-3 Multi-family residential with a Planned Unit Development Overlay, with the stipulation that it be approved as a condominium complex, single-phase development and forward to the City Commission for consideration. Sue Roskosh seconded the motion. All present voted, with a show of hands resulting in 5 yeas and 1 nay, motion carried.

**Case 08-29**    Address:        N 16<sup>th</sup> from Reid St. to St. Johns Ave.  
                  Applicant:     St. Johns Automotive Real Estate LLC  
                  Agent:         Juli Holmes

**Request:**      To close that portion of N 16<sup>th</sup> St from Reid St. to St. Johns Ave.

**(Public Hearing)**

Ms. Banks advised that the applicant has requested tabling this request until the March 3, 2009 meeting.

**Motion** made by Sue Roskosh and seconded by Randy Braddy to table this request until the March 3, 2009 meeting at 4:00pm. All voting members voted affirmative, motion carried.

**PLANNING BOARD**  
**February 3, 2009**  
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**NEW BUSINESS**

**Case PB 07-18**      **Address:**      105 Williams Street (01-10-26-5200-0200-0110)  
**Applicant:**      Robert and Janet Walker

**Request:** To annex into the City of Palatka, amend the Future Land Use Map from County Urban Service to City Low Density Residential and rezone from County R 1-A (single family residential) to City R 1-A (single family residential)

**(Public Hearing)**

Ms. Lennard, a neighbor of the applicants, asked why she received a letter and asked if this request would affect her in any way.

Ms. Banks advised that notification to surrounding property owners is a requirement of this type of request, and advised that this request would not affect her property.

**(Regular Meeting)**

**Motion** made by Randy Braddy and seconded by Clem Saccareccia to approve the request to annex into the City of Palatka, amend the Future Land Use Map from County Urban Service to City Low Density Residential and rezone from County R 1-A (single family residential) to City R 1-A (single family residential). All present voted affirmative, motion carried.

**Case PB 07-17**      **Address:**      2104 Husson Avenue (13-10-26-6790-0000-0130)  
**Applicant:**      Yvonne Van Der Lee

**Request:** To annex into the City of Palatka city limits, amend the Future Land Use Map from County Urban Service to City Low Density Residential and rezone from County R 1-A (single family residential district) to City R 1-A (single family residential district)

**(Public Hearing)**

**(Regular Meeting)**

**Motion** made by Randy Braddy and seconded by Clem Saccareccia to approve the request to annex into the City of Palatka city limits, amend the Future Land Use Map from County Urban Service to City Low Density Residential and rezone from County R 1-A (single family residential district) to City R 1-A (single family residential district) All present voted affirmative, motion carried.

**Case 09-01**      **Downtown Riverfront and Downtown Business District**

**Request:** To amend the Downtown Riverfront and Downtown Business Zoning Districts to exclude those parcels abutting St. Johns Avenue from the Conditional Use allowance for single-family dwellings.

**PLANNING BOARD**  
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**Case 09-01**                      Downtown Riverfront and Downtown Business District – continued

**(Public Hearing)**

Ms. Banks explained that the City Commission approved this request as it was tied to another C-2 zoning request, allowing hotels and motels as a permitted use, however due to some concerns of residential uses abutting St. Johns Ave., they requested that staff and the Planning Board revisit the changes.

**(Regular Meeting)**

**Motion** made by Randy Braddy and seconded by Clem Saccareccia to approve the request to amend the Downtown Riverfront and Downtown Business Zoning Districts to exclude those parcels abutting St. Johns Avenue from the Conditional Use allowance for single-family dwellings. All voting members voted affirmative, motion carried.

**Election of Chairman**

**Motion** made by Randy Braddy and seconded by Clem Saccareccia to re-elect Carl Stewart as Chairman and Sue Roskosh as continued Vice-Chairman. All voting members voted affirmative, motion carried.

Mr. Lee advised that they would begin drafting a PUD that makes sense and provide for additional Planning Board review process.

**Adjournment – 6:00 PM**

# *Agenda Item*

8



Improvements Element. On February 17, 2009, DCA published a Notice of Intent to find these amendments in compliance.

Staff recommends the adoption of the attached ordinance which will rescind the City Commission's prior approval of this small-scale amendment to the future land use map on December 11, 2008, and readopt the same small-scale amendment.

The first reading of the ordinance to rezone the site from County C-2 to City C-2 was conducted by the City Commission on December 11, 2008. The applicant was the only person to speak at this public hearing. The second reading had been scheduled for January 8, 2009. At this public hearing, staff informed the City Commission of DCA's direction on the small scale amendment, and the Commission continued this public hearing to February 26 so that the small scale amendment ordinance could be readopted first, followed by the rezoning ordinance.

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**RECOMMENDED ACTION:**

Staff recommends approval of the attached future land use map amendment ordinance and the zoning ordinance.

---

**AGENDA ITEM NUMBER:**

**AGENDA PAGE NUMBER:**

This instrument prepared by:  
Jim Lee  
201 North 2<sup>nd</sup> Street  
Palatka, Florida 32177

ORDINANCE NO. 09 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) AS DESCRIBED HEREINAFTER, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides for the amendment of an adopted comprehensive plan, and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides that any local government comprehensive plan amendments directly related to proposed small scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan, and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides that a local government may amend its adopted comprehensive plan to change the land uses of up to 80 acres by small scale amendments annually, and

WHEREAS, the Planning Board conducted a public hearing on November 4, 2008, and recommended approval of this amendment to the City Commission, and

WHEREAS, the City Commission conducted a public hearing on this amendment on December 11, 2008, and

WHEREAS, following the public hearing on December 11, 2008, the City Commission approved this amendment by the adoption of Ordinance NO. 08-19, and

WHEREAS, on January 13, 2009, the City of Palatka received a letter, dated January 8, 2009 from the State Department of Community Affairs, returning the amendment package because Section 163.3177(3)(b)1, Florida Statutes prohibits a local government from amending its future land use map, except for plan amendments to meet the new requirements under Chapter 163, Part II, Florida Statutes, and emergency amendments until the local government has adopted and transmitted the annual Capital Improvements Element (CIE) update to the Department, and

WHEREAS, the State Department of Community Affairs directed the City of Palatka to adopt the comprehensive plan amendment meeting the annual CIE update criteria and then re-advertise, re-adopt and re-submit this amendment for processing pursuant to Section 163.3187(1)(c), Florida Statutes, and

WHEREAS, the City Commission adopted the comprehensive plan amendment meeting the annual CIE update criteria on December 18, 2008, and

WHEREAS, this amendment was re-advertised for a public hearing before the City Commission on February 26, 2009, and

WHEREAS, following the public hearing the City Commission approved this Ordinance which rescinded their earlier Ordinance NO. 08-19, and re-adopted the original amendment

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

Section 1. Adopted Small Scale Amendments

That the Future Land Use Element and Future Land Use Map of the adopted comprehensive plan of the City of Palatka is hereby amended to provide that the land uses of the parcel of land listed in Table 1 below shall be changed as designated and that the Future Land Use Map shall be amended to show the changes in land use.

TABLE 1  
ADOPTED SMALL SCALE AMENDMENTS

<u>Property Tax Number</u>	<u>Acreage</u>	<u>Current Land Use</u>	<u>Amended Land Use</u>
02-10-26-0000-0380-0000	1.98	County Urban Service	City Commercial

**DESCRIPTION OF PROPERTY:**

Situated in the Southeast Quarter of the Northwest Quarter of Section 2, Township 10 South, Range 26 East, and more particularly described as follows:

From the Southwest corner of the Northwest Quarter of said Section 2, run North 1 degree 00 minutes West, along the Westerly boundary of Section 2, a distance of 2156.6 feet to the centerline of State Highway No. 100; thence run South 69 degrees 30 minutes East, along the centerline of said State Highway, a distance of 2543.2 feet; thence run South 20 degrees 30 minutes West, a distance of 100.0 feet to the Southerly right-of-way of said State Highway; thence run South 69 degrees 30 minutes East along said right-of-way a distance of 254.0 feet to the Point of Beginning. From Point of Beginning run South 20 degrees 30 minutes West a distance of 215.0 feet to a Iron Pipe; thence run South 7 degrees 14 minutes West a distance of 292.81 feet; thence run South 69 degrees 30 minutes East, parallel with the centerline of said State Highway 225.02 feet to the Easterly boundary of the Northwest Quarter of Section 2; thence run North 1 degree 14 minutes West; along said Easterly boundary a distance of 538.26 feet to the Southerly right-of-way of said State Highway; thence run North 69 degrees 30 minutes West along said right-of way a distance of 92.91 feet to the Point of Beginning and to close.

(Being tax parcel #02-10-26-0000-0380-0000)

Section 2. 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 3. 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 4. Effective date

This Ordinance shall become effective thirty-one (31) days after its final passage by the City Commission of the City of Palatka, Florida.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka on this 26<sup>th</sup> day of February, 2009.

CITY OF PALATKA

By: \_\_\_\_\_  
Its Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

This instrument prepared by:  
Jim Lee  
201 N. 2<sup>nd</sup> St.  
Palatka, FL 32177

ORDINANCE NO. 09

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 IN SECTION  
02, TOWNSHIP 10 SOUTH, RANGE 26  
EAST; 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 owners, Palatka Hospitality, LLC, to the City for certain amendments to the Official Zoning Map 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 and before the City Commission of the City of Palatka, and

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

Section 2. 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 County C-2 (Commercial II) to City C-2 (Intensive Commercial).

**DESCRIPTION OF PROPERTY:**

Situated in the Southeast Quarter of the Northwest Quarter of Section 2, Township 10 South, Range 26 East, and more particularly described as follows:

From the Southwest corner of the Northwest Quarter of said Section 2, run North 1 degree 00 minutes West, along the Westerly boundary of Section 2, a distance of 2156.6 feet to the centerline of State Highway No. 100; thence run South 69 degrees 30 minutes East, along the centerline of said State Highway, a distance of 2543.2 feet; thence run South 20 degrees 30 minutes West, a distance of 100.0 feet to the Southerly right-of-way of said State Highway; thence run South 69 degrees 30 minutes East along said right-of-way a distance of 254.0 feet to the Point of Beginning. From Point of Beginning run South 20 degrees 30 minutes West a distance of 215.0 feet to a Iron Pipe; thence run South 7 degrees 14 minutes West a distance of 292.81 feet; thence

run South 69 degrees 30 minutes East, parallel with the centerline of said State Highway 225.02 feet to the Easterly boundary of the Northwest Quarter of Section 2; thence run North 1 degree 14 minutes West; along said Easterly boundary a distance of 538.26 feet to the Southerly right-of-way of said State Highway; thence run North 69 degrees 30 minutes West along said right-of way a distance of 92.91 feet to the Point of Beginning and to close.

(Being tax parcel #02-10-26-0000-0380-0000)

**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 26<sup>th</sup> day of February, 2009.

**CITY OF PALATKA**

BY: \_\_\_\_\_  
Its Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

\_\_\_\_\_  
City Attorney



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

RECEIVED  
JAN 13 2009  
BY: OB

CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

January 8, 2009

Mr. James A. Lee, AICP  
Planning Director  
City of Palatka Building and Zoning  
201 North 2nd Street  
City of Palatka, Florida 32177

Dear Mr. Lee:

The Department has received a small-scale amendment for the City of Palatka adopted by Ordinance No. 08-19 on December 11, 2008, as submitted with your letter dated December 18, 2008. The amendment was received on December 22, 2008. **The amendment package is being returned because Section 163.3177(3)(b)1, Florida Statutes (F.S.), prohibits a local government from amending its future land use maps, except for plan amendments to meet new requirements under Chapter 163, Part II, F.S. and emergency amendments until the local government has adopted and transmitted the annual Capital Improvements Element (CIE) update to the Department.**

According to the Department's records your annual CIE updates were scheduled to be adopted and transmitted by **December 1, 2008** and have not been received by the Department. Therefore, the adopted small scale amendment is being returned and deemed to be invalid.

Once you have adopted the comprehensive plan amendment meeting the annual CIE update criteria, you should re-advertise, re-adopt and re-submit this comprehensive plan amendment for processing pursuant to Subsection 163.3187(1)(c), F.S.

If you have any questions, please feel free to contact Ray Eubanks of my staff at (850) 922-1767. Thank you for your assistance in this matter.

Sincerely,

Mike McDaniel, Chief  
Office of Comprehensive Planning

MM/DRE/dh

Enclosure Local Government's Amendment  
cc: Mr. Brian D. Teeple, Chief Executive Officer, Northeast Florida RPC

2555 SHUMARD OAK BOULEVARD \* TALLAHASSEE, FL 32399-2100  
850-488-8466 (p) \* 850-921-0781 (f) \* Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)

\* COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) \* FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) \*  
\* HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) \*

December 11, 2008  
City Commission Minutes

FLORIDA, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance as read. Commissioner Brown seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance No. 08-18 was declared adopted.

**LAND USE AMENDMENT ORDINANCE** – Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) AS DESCRIBED HEREINAFTER; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance as read. Commissioner Myers seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance No. 08-19 was declared adopted.

**REZONING ORDINANCE** – 1<sup>st</sup> Reading – The Clerk read an ordinance entitled 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 IN SECTION 02, TOWNSHIP 10 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading. Commissioner Myers seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. The ordinance was declared passed on first reading. Planning Director Jim Lee noted the 2<sup>nd</sup> reading of this ordinance is scheduled for January 8, 2009, and introduced Mr. Greg Crawford, corporate representative/Agent for Palatka Hospitality, LLC.

10. **ORDINANCE** Rezoning 200 S. State Road 19 from City C-1 General Commercial to City C-2 Intensive Commercial – JJ's Wash Barn LLC, Applicant – 1<sup>st</sup> Reading – The Clerk read an ordinance entitled 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 IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to pass the ordinance on first reading as read. Commissioner Kitchens seconded the motion. There being no discussion, a roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. The ordinance was declared passed on first reading.

Kimberly Buck, Alann Engineering Group, Inc., representing JJ's Wash Barn LLC, thanked the Commission for their action. Planning Director Jim Lee noted the 2<sup>nd</sup> reading of this ordinance is scheduled for January 8, 2009.

11. **ADMINISTRATIVE REPORTS** – There were none

12. **COMMISSIONER COMMENTS**

Commissioner Brown distributed Christmas cakes she baked to members of the Commission and Staff. She said she has enjoyed working with members of the City Commission and Staff this year. She is ending her sixth term and will begin her seventh term in January. She thinks City Manager Boynton was a good choice for them. They have all found a way to work together for the good of the City. She thanked the citizens for showing confidence in them and believes next year will be as good or better than this year.

January 8, 2009  
City Commission  
Minutes

in with residential. Mayor Flagg said the downtown is in decline; they want businesses on ground level. They don't need any grey areas. If they can legally add the language, they should, so as not to lead people down a dead-end path. Mr. Holmes said they should not amend an ordinance on 2<sup>nd</sup> reading. Mr. Lee said he recommends that Section 1 and 2 be removed, and leave Section 3. Mr. Holmes said he is also uncomfortable that the re-drawing of districts may be years down the road. Mr. Lee said that is months down the road; they could have that accomplished by the end of this year. Mayor Flagg said this does not constitute a crisis; nothing will happen in a few months. His recommendation is that they proceed with this ordinance. They won't create any harm to anyone if this legislation goes through. Commissioner Kitchens said given these concerns, they should pull this and start the process over from the beginning. Mayor Flagg said the issue is related to single-family dwellings. Hotels and motels are not a problem. He sees no problem with passing this legislation with the attorney's comments on record. Mr. Lee said, in looking at Section 2, downtown business district, they can add "excluding St. Johns Avenue" and can bring that back through the Planning Board and City Commission. They can include other housekeeping amendments. There are two people who have said they cannot get financing due to their non-conforming status. Commissioner Norwood asked the earliest they could start the amendment process to amend this. Mr. Holmes said they can send an ordinance to the Planning Board next month. There being no further discussion, a roll-call vote was taken, with the following results: Commissioners Brown, Myers, Norwood and Mayor Flagg, yes; Commissioner Kitchens, Nay. The ordinance was declared adopted on 2<sup>nd</sup> reading.

**ORDINANCE** rezoning 3813 Reid Street from Putnam County C-2 to City of Palatka C-2 - Holiday Inn Express; Palatka Hospitality, Applicant - 2<sup>nd</sup> Reading, Adopt - The Clerk read an ordinance entitled 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 IN SECTION 02, TOWNSHIP 10 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance on 2<sup>nd</sup> reading as read. Commissioner Myers seconded the motion. Mr. Lee said DCA has asked they put off adoption of this ordinance pending a re-adoption of the ordinance amending the future land use designation and element for this property, which was adopted prior to the adoption of the capital improvements elements, adopted 12-18-08. It is his recommendation that they continue this public hearing to February 22, 2009. Commissioner Norwood rescinded his motion. Commissioner Myers rescinded his second to the motion. Commissioner Kitchens moved to continue the public hearing on the second reading of the ordinance to February 26, 2009. Commissioner Brown seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. The motion to continue was declared passed.

**ORDINANCE** Rezoning 200 S. State Road 19 from City C-1 General Commercial to City C-2 Intensive Commercial - JJ's Wash Barn LLC, Applicant - 2<sup>nd</sup> Reading, Adopt - The Clerk read an ordinance entitled 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 IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to pass the ordinance on 2<sup>nd</sup> reading for adoption. Commissioner Kitchens seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted on 2<sup>nd</sup> reading.

**ADMINISTRATIVE REPORTS** - There were none.

#### **COMMISSIONER COMMENTS**

Commissioner Brown said she attended a meeting of the Northeast Florida Regional Council today, at which Palatka's Capital Improvements Element was approved.

Commissioner Kitchens added some history to the proclamation read earlier tonight, noting Palatka had two bottling companies, the Coca-Cola bottling plant in Seventh and Oak Street and the Pepsi Cola Company located on the corner of 8th and Lemon St. in

Meeting called to order by Chairman Carl Stewart at 4:00PM. Members present: Ezekiel Johnson, Earl Wallace, Sue Roskosh, Clem Saccareccia, Randy Braddy, Leigh Rion, Zachary Landis, and Anthony Harwell. Members absent: School Board Representative. Also present: Planning Director, Jim Lee; Assistant Planning Director, Debbie Banks and Recording Secretary, Pam Sprouse.

**Motion** made by Clem Saccareccia to approve the minutes of the meeting for the October 7, 2008. Seconded by Sue Roskosh. All present voted affirmative, motion carried.

Debbie Banks read, "To Appeal any Decision."

Mr. Stewart requested that any Ex Parte Communication be disclosed prior to each case.

### NEW BUSINESS

**Case 07-50**    **Location:**    3813 Reid Street; 02-10-26-0000-0380-0000  
                  **Owner:**            Palatka Hospitality, LLC  
                  **Agent:**             EDG of FL/Greg Crawford  
                  **Request:**          Annexation, Amending the Future Land Use Map from County Urban Service to city Commercial, and Rezoning from County C-2 to City C-2 (intensive commercial)

#### (Public Hearing)

Mr. Lee advised the Board that this is the first request of this type in almost 2 years, and for us, this is an important issue for our growth. The owners intent is to build a hotel on this site. He explained that the three separate actions listed in this request are all relative to the annexation process, and that the request was reviewed under Chapter 171 of the Florida Statutes, the Municipal Code and the recently updated, Comprehensive Plan and that staff believes it to be consistent. He stated that no comments were received regarding this request and staff recommended approval.

Greg Crawford, agent for EDG of FL, P.O. Box 623471 Oviedo, FL 32762, advised that the proposed hotel is for a 3-story building with 71 units.

#### (Regular Meeting)

Mr. Braddy asked if each part of this request had to be considered under separate motions or just one motion.

Mr. Lee advised that one motion could be made, however each portion should be mentioned specifically.

**Motion** made by Randy Braddy to recommend approval of the request of Annexation, Amending the Future Land Use Map from County Urban Service to City Commercial, and Rezoning from County C-2 to City C-2 (intensive commercial). Seconded by Sue Roskosh. With no opposition, motion carried.

**PLANNING BOARD REPORT**  
**November 4, 2008 Regular Meeting**

**SUBJECT: CASE # 07-50 – 3813 REID STREET**

**A. REQUEST:**

Request to annex, amend the Future Land Use Map (Small Scale) from County Urban Service to City Commercial, and rezoning from County C-2( Commercial II) to City C-2, (Intensive Commercial) for approximately 1.98 acres

**B. BACKGROUND:**

1. Owner: Palatka Hospitality, LLC
2. Agent: EDG of FL/Greg Crawford
3. General Parcel Information:
  - a. Location: 3813 Reid Street
  - b. Parcel #: 02-10-26-0000-0380-0000
  - c. Size: 1.98 acres
  - d. Current Zoning: Putnam County C-2 (Commercial II)
  - e. Requested Zoning: City of Palatka C-2 (Intensive Commercial)
  - f. Current Land Use Map: County Urban Service
  - g. Requested Future Land Use Map: City Commercial
  - h. Current Use: Vacant

**ADJACENT DEVELOPMENT:**

<u>DIRECTION:</u>	<u>ZONING:</u>	<u>FLUM:</u>	<u>CURRENT USE:</u>
North	County C-2	County Urban Service	Reid Street (SR 100) r-o-w and wooded land
East	County C-2 and City C-2	County Urban Service, County Commercial and City Commercial	Power line easement (County) and Sleep Inn Motel (City)
South	Annexed, but County C-3	County Urban Service but Amendment at DCA for review for the Lowe's site	Lowe's parking area
West	County C-3 and County C-2	County Urban Service but Amendment at DCA for review for the Lowe's site	Advantage Auto Rental and Lowe's building

**C. COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES, ANNEXATIONS**

The request is to annex 1.98 acres into the City. The subject property is located on Reid Street (SR 100) adjacent to City property to the west and south which is the Lowe's property. A portion of the western boundary is also County property containing the Advantage Auto Rental store. Directly north of Reid Street and west of the site is County property.

The proposed annexation does not create an enclave and meets the criteria identified in Section 171.043, Florida Statutes. This includes being contiguous to the City's boundaries

at this time, is reasonable compact, is not included within the boundary of another incorporated municipality, and is intended to be developed for urban purposes because of the availability of City sewer and water lines that are contiguous to the property.

Also, this request is a voluntary annexation and meets the criteria identified in Section 171.044, Florida Statutes, as it relates to being contiguous to the City, and reasonably compact. Following a recommendation from the Planning Board, an appropriately prepared ordinance will be considered by the City Commission after the correct advertising and scheduling of public hearings.

**STAFF RECOMMENDATION:** Approval of the annexation request.

#### **D. COMPLIANCE WITH THE CITY OF PALATKA COMPREHENSIVE PLAN**

**The Existing Land Use Designation:** The existing Future Land Use is County Urban Service which allows for a variety of residential, agriculture as a holding use, commercial, industrial and public facilities uses per their Comprehensive Plan.

**The Proposed Land Use Designation:** Policy A.1.9.3.A.2 of the Future Land Use Element states that the land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel. The maximum height should not exceed 40 feet. Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use.

#### **Future Land Use Element**

##### **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.1.6.2 (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.

**Staff Analysis:** This request will allow the in-filling of an area already developed with intensive commercial uses. These include the Sleep Inn Motel, Advantage Auto Rental and Lowe's. Other properties in the area are developed for commercial uses, transitioning to commercial uses or in a County land use designation that allows a variety of intensities of

commercial zoning districts. City commercial land use designations are located east, west, and south of the site. This land use change provides a continuity of commercial land use in a corridor the City has designated for such purposes.

**Policy A.1.7.2 (9J-5.006(3)(c)3)**

Commercial development adjacent to major and minor arterial roads shall provide sufficient depth to allow adequate set back distance and clearance to accommodate FDOT near and long range roadway improvements.

**Staff Analysis:** This request is located adjacent to Reid Street (SR 100) a minor four lane arterial as classified by the FDOT. Any future development will comply with all setback requirements and an FDOT permit will be required.

**Policy A.1.11.4 (9J-5.006(3)(c)6)**

Applications by landowners for a land use amendment to the Comprehensive Plan shall, as part of filing procedures, require the payment of a fee and provisions by the land owner of topographic, soil condition, flood hazard zone and wetland zone and wetland information on all land surveys filed in support of a land use amendment, zoning change or land subdivision. The City on a case-by-case basis may make exceptions for small-scale amendments when the property in question is (1) already developed or (2) is of a size, shape, and location that the normal permitting processes are sufficient.

**Staff Analysis:** This applicant has provided a topographical survey for this site which indicates elevations, contour lines, tree location and type, flood hazard zone (Flood Zone C, area of minimal flood) and wet areas. They have also submitted a draft site plan which indicates a 3 story motel with 75 rooms and 83 parking spaces. It is anticipated that the normal State, Water Management District and City permitting will be sufficient for the site.

**Traffic Circulation Element**

**Objective B.1.1 (9J-5.007(3)(b)1)**

Upon plan adoption, the City shall provide for a safe, convenient and efficient motorized and non motorized transportation system by correcting, to the maximum extent feasible, all existing roadway deficiencies identified in this plan and maintain acceptable operating conditions in the future on a priority basis.

**Policy B.1.1.1 (9J-5.007(3)(01))**

The State-wide minimum acceptable operating Level of Service (LOS) standards for the State Highway System and City Street System shall be the base LOS standards listed herein, except for those conditions provided in Policies 1.1.1.A. and 1.1.1.B.

The City hereby adopts the following LOS standards for each listed facility type:

- \* principal arterials - LOS C
- \* collectors and minor arterials -LOS D

**Staff Analysis:** The property has direct access to Reid Street (SR 100). The Florida Department of Transportation classifies this section of SR 100 as a minor arterial with an adopted Level of Service Standard (LOSS) C. This section of SR 100 is currently operating at a LOSS A.

### **Public Facilities Element**

#### **Objective D.1.1 (9J-5.011(2)(b)2)**

Upon Plan adoption, the City of Palatka shall enforce adopted Concurrency Management System procedures to ensure that at the time a building permit or other development order is issued, infrastructure facility capacity is available to meet the demand of development without lowering adopted Levels of Service Standards (LOSS).

#### **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.

**Staff Analysis:** At the time of building permit review the project will be reviewed for concurrency. The portion of Reid Street (SR 100) adjacent to the site is operating at LOSS A. Sewer and water lines run along the front on the site adjacent to Reid Street. Public Works staff have indicated that the construction of a potential 75 room motel on the site with daily demand of 12,500 gallons per day will not have an adverse affect on the City's ability to supply adequate water to its customers.

#### **Objective D.1.2 (9J-5.011(2)(b)2)**

In order to preserve adopted Level of Service Standards (LOSS), the City of Palatka, upon Plan adoption, shall continue to coordinate the extension of, or increase of, facilities to meet future needs, through implementing the following policies:

##### **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.

**Staff Analysis:** This property is contiguous with the City and the applicant is requesting the provision of sewer and water services from the City for a proposed 75 room motel.

**Objective G.1.5 (9J-5.015(3)(b)3)**

The City shall ensure that public facilities are planned and allocated equitably, through effective coordination with the appropriate Federal, State and Local government departments and regulatory agencies.

**Policy G.1.5.2**

The City 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. Properties serviced by City water shall annex into the City when they become sufficiently contiguous. Properties serviced by septic shall be annexed into the City.

**Staff Analysis:** The City and County are continuing to improve their coordinating relationships as it relates to future development along the existing City boundaries. This includes recent success with School Concurrency.

**STAFF RECOMMENDATION:** Staff recommends approval of this request to amend the future land use map from County Urban Service to City Commercial.

**E. COMPLIANCE WITH THE PALATKA MUNICIPAL CODE, REZONING REQUEST**

**Rezoning requirements**

When pertaining to the rezoning of land, the report and recommendations of the Planning Board to the City Commission shall show that the Planning Board has studied and considered the proposed change in relation to the following, where applicable (from Sec. 94-38(f)(1) of the Palatka Municipal Code):

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

Policy A.1.9.3 of the City of Palatka Comprehensive Plan states:

"Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service."

**Staff Analysis:** The applicant requests rezoning to C-2 (Intensive Commercial) district from Putnam County C-2 (Commercial II). This zoning category is consistent with the requested Commercial Future Land Use Map designation. The current land use designation is Putnam County Urban Service, which anticipates the extension of City utilities to this parcel.

- b. The existing land use pattern.



**Staff Analysis:** This rezoning request to C-2 (Intensive Commercial) is consistent with the existing land use pattern in the area which is commercial development. This request changes the zoning jurisdiction from County to City to accompany the annexation and future land use map amendment request, and then permit connection to City utilities.

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

**Staff Analysis:** This rezoning request will not create an isolated district since the City and County have adjacent parcels with commercial zoning that allow a variety of compatible commercial uses.

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

**Staff Analysis:** Before a building permit is issued for the site a concurrency review will be conducted by staff to determine that there is not an overtaxing of public facilities.

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



**Staff Analysis:** Staff has no information to indicate that existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

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

**Staff Analysis:** The recent development of the Sleep Inn Motel and Lowe's makes this request consistent with a changing commercial development pattern in the area.

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

**Staff Analysis:** This is not applicable since this parcel is not a part of an established neighborhood and is adjacent to a four lane highway.

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

**STAFF ANALYSIS:** There is no doubt that development of this site will create additional trips on Reid Street and other roads, but this portion of Reid Street is functioning at a LOSS A, which is above the FDOT standard of LOSS C. A traffic

concurrency review will be conducted prior to building permit issuance.

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

**STAFF ANALYSIS:** New development associated with this request will be required to retain all stormwater on site as part of the St. Johns River Water Management District permitting process.

- j. Whether the proposed change will seriously reduce light and air to adjacent areas.

**STAFF ANALYSIS:** During the site plan review process staff will consider the scale of the development as it relates to the reduction of light and air to adjacent areas.

- k. Whether the proposed change will adversely affect property values in the adjacent area.

**STAFF ANALYSIS:** It is not anticipated that this rezoning request will adversely affect property values.

- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

**STAFF ANALYSIS:** Staff does not have any information to indicate that the proposed zoning change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations. Adjacent property owners were notified of this rezoning request and have the opportunity to appear before the Planning Board.

- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

**STAFF ANALYSIS:** This rezoning request does not constitute a grant of special privilege.

- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

**STAFF ANALYSIS:** The existing zoning is County zoning. With the proposed requests for annexation and a City future land use designation, it is appropriate to change the zoning to a consistent City zoning designation.

- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

**Staff Analysis:** This change is not out of scale with the needs of the neighborhood or 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 Analysis:** There may be other sites in the City that could accommodate the projected use.

- 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 Analysis:** This parcel is not located in a Historic District.

**STAFF RECOMMENDATION:** Staff recommends approval of the requested zoning change from County C-2, (Commercial II) to City C-2 (Intensive Commercial). The request complies with the rezoning criteria provided in the Palatka Municipal Code.

G. PHOTOGRAPHS



Facing property



Facing east on Reid St.



Facing west on Reid St.

# Application for Annexation

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$1,000 for Small Scale or \$1,500 for Large Scale (Checks payable to the City of Palatka) to:

Date Received: 12-10-07  
 Hearing date: 11-4-08

City of Palatka Planning & Zoning  
 201 N 2<sup>nd</sup> Street  
 Palatka, FL 32177

FOR INFORMATION REGARDING THIS FORM, CALL (386) 329-0103

TO BE COMPLETED BY APPLICANT		
1. Property Address: <u>3813 REID STREET</u>	2. Parcel Number: <u>0210260000 0380 0000</u>	3. Current Property Use: <u>VACANT</u>
4. Current Land Use Designation: <u>US (COUNTY)</u>	5. Requested Land Use Designation: <u>C2 (CITY)</u>	6. Required Attachments: <input type="checkbox"/> Legal Description <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan***** <input type="checkbox"/> Survey
7. Current Zoning Designation: <u>C2 (COUNTY)</u>	8. Requested Zoning Designation: <u>COMMERCIAL (CITY)</u>	
9. Acreage to be considered for request: <u>1.98</u>	10. Number, types & square footage of structures on property: <u>0</u>	
Reason for annexation request: <u>UTILITY CONNECTION</u>		
Owner Name <u>PALATKA HOSPITALITY, L.L.C.</u>		Agent Name
Owner Address <u>930 N. ATLANTIC AVE.</u>		Agent Address
<u>DAYTONA BEACH, FL. 32118</u>		Phone Number
Phone Number <u>386-677-8882</u>		

- \* Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.
- \*\* Project Narrative: Explain present and future use of the property in detail.
- \*\*\* Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest one-hundredth acre), and Topography: Flood Prone Areas.
- \*\*\*\* Site map for ad to be to be in black & white, no larger than 2 1/2" x 3" with nearest intersecting streets shown and named.
- \*\*\*\*\* Site Plan: Detailed project drawing

# Application for Small-Scale Land Use Amendment to the Future Land Use Map

This application must be typed or printed in black ink and submitted with any required attachments and application fee of \$450 (Checks payable to the City of Palatka) to:

**City of Palatka Planning & Zoning**  
201 N 2<sup>nd</sup> Street  
Palatka, FL 32177

FOR INFORMATION REGARDING THIS FORM, CALL (386)329-0103

Date Received: 12/10/07  
Hearing date: \* Pending Dec 11-4-08

TO BE COMPLETED BY APPLICANT		
1. Property Address: <u>3813 REID STREET</u>	2. Parcel Number: <u>021026000003800000</u>	3. Current Property Use: <u>VACANT</u>
4. Current Land Use Designation: <u>US (COUNTY)</u>	5. Requested Land Use Designation: <u>C2 (CITY)</u>	6. Required Attachments: <input type="checkbox"/> Letter of Authorization* <input type="checkbox"/> Legal Description <input type="checkbox"/> Copy of Recorded Deed <input type="checkbox"/> Fees <input type="checkbox"/> Project Narrative** <input type="checkbox"/> Supplementary Information*** <input type="checkbox"/> Site Map for display ad**** <input type="checkbox"/> Site Plan*****
7. Current Zoning Designation: <u>C2 (COUNTY)</u>	8. Requested Zoning Designation: <u>COMMERCIAL (CITY)</u>	
9. Lot size/acreage: <u>1.98</u>	10. Number, types & square footage of structures on property:	
11. Proposed Number, types & square footage of structures on property: Attach plan		
8. Owner Name: <u>PALATKA HOSPITALITY, L.L.C.</u>		
Owner Address: <u>930 N. ATLANTIC AVE.</u>		
<u>DAYTONA BEACH, FL. 32118</u>		
Phone Number: <u>386-677-8882</u>		
9. Agent Name: <u>EDG of FL Greg Crawford</u>		
Agent Address: <u>P.O. Box 623471</u>		
<u>Oviedo, FL 32762-3471</u>		
Phone Number: <u>407-701-5426 C</u> <u>407 971-0856</u>		

\* Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.  
 \*\*Project Narrative: Explain present and future use of the property in detail.  
 \*\*\*Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife, Wetlands (type, location and amount of acreage to the nearest one-hundredth acre), and Topography/Flood Prone Areas.  
 \*\*\*\*Site map for ad to be in black & white, no larger than 24" x 36" with nearest intersecting streets shown and named.  
 \*\*\*\*\*Site Plan: Detailed project drawing



EDG #06-098.00  
File: 9.1

December 10, 2007

Jim Lee  
Planning Director  
City of Palatka  
201 N. 2<sup>nd</sup> Street  
Palatka, Florida 32177

**Subject:     Annexation to City  
              Palatka Hospitality, L.L.C.  
              Holiday Inn Express**

Dear Mr. Lee:

Palatka Hospitality, L.L.C. is requesting to annex the property located at 3813 Reid Street to the City of Palatka in order to connect to existing city owned utilities adjacent to the property. The utility connections are required for the proposed improvements of the vacant site which will consist of a Holiday Inn Express hotel. The proposed hotel will contain seventy-five rooms on three floors with a base foot print of 11,675 square feet.

Presently the site is vacant and heavily wooded. An abandoned and partially collapsed residential dwelling located on the property will be removed. Clearing of the site and importing of fill to bring the site up to design grade will be required.

Ingress and egress will be provided on the north end of the property and will be designed meeting the requirements of the Florida Department of Transportation for connection to State Road No. 100.

On site design will be in accordance with the City of Palatka's C2 requirement for water, sewer, stormwater management and all other facilities related to the proposed improvements.

EDG trusts that this narrative is sufficient for the County's use. Please call if you have any questions or comments regarding this matter.

Sincerely,

EDG of Florida, L.L.C.

  
Chris P. Nugent, CDT  
Senior Project Manager





*Building & Zoning  
201 N. 2<sup>nd</sup> Street  
Palatka, Florida 32177  
386-329-0103 • Fax 386-329-0172*



As an owner of adjacent property, you are hereby notified of a pending action before the Planning Board that may be of concern to you:

### **PUBLIC NOTICE**

Notice is hereby given that the PLANNING BOARD will hold a public hearing at their regular meeting on Tuesday, November 4, 2008 at 4:00PM at City Hall, 201 North 2<sup>nd</sup> Street, for the purpose of hearing a request for:

Annexation, Amending the Future Land Use Map from County Urban Service to City Commercial, and Rezoning from County C-2 to City C-2 (intensive commercial)

**Location:** 3813 Reid St.  
**Parcel #:** 02-10-26-0000-0380-0000  
**Owner:** Palatka Hospitality, LLC

All interested parties are invited to attend this public hearing.

Debbie Banks  
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THE CITY COMMISSION WILL REQUIRE A VERBATIM TRANSCRIPT BE MADE AT THE EXPENSE OF THE APPELLANT THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED F.S. 286.0105.

PERSONS WITH DISABILITIES INTERESTED IN ATTENDING THIS MEETING AND REQUIRING ACCOMMODATIONS, SHOULD CONTACT THE BUILDING DEPARTMENT AT (386)329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.



THE PANTRY INC  
10 WESTERN WAY SUITE 14  
JACKSONVILLE FL 32256

PB 07-50

WYSTAR CREDIT UNION  
4349 BLANDING BLVD  
JACKSONVILLE FL 32210

LOWE'S HOME CENTERS INC  
HIGHWAY 268 EAST (EAST DOCK)  
NORTH WILKESBORO NC 28659

PB 07-50

JACK DEPRIEST M + BARRY J DEPRIEST  
340 HIGHWAY 17 S  
E PALATKA FL 32131

PB 07-50

LARRY J JACKINS ENTERPRISES INC  
PO BOX 686  
PALATKA FL 32178

PB 07-50

GEORGIA SOUTHERN + FLORIDA RAILROAD  
110 FRANKLIN RD SE  
ROANOKE VA 24042

PB 07-50



STATE OF FLORIDA

County of Putnam

The undersigned personally appeared before me, a Notary Public for the State of Florida, and deposes that the Palatka Daily News is a daily newspaper of general circulation, printed in the English language and published in the City of Palatka in said County and State; and that the attached order, notice, publication and/or advertisement:

Notice is hereby given that

Was published in said newspaper 1 time(s) with said being made on the following dates:

10/17/2008

The Palatka Daily News has been continuously published as a daily newspaper, and has been entered as second class matter at the post office at the City of Palatka, Putnam County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice and/or advertisement.

*Jeannette Eveland*

Sworn to and subscribed to before me this 17th day of October, 2008 by Jeannette Eveland, Administrative Assistant, of the Palatka Daily News, a Florida corporation, on behalf of the corporation.

*Mary Kaye Wells*

Mary Kaye Wells, Notary Public  
My commission expires July 22, 2011

Notary Seal  
Seal of Office:

- Personally known to me, or
- Produced identification:
- Did take an oath

PUBLIC NOTICE

Notice is hereby given that the City of Palatka Planning Board will hold a public hearing at their regular meeting on Tuesday, November 4, 2008 at 4:00PM at City Hall, 201 North 2nd Street, Palatka, FL for the purpose of hearing a request for:

Annexation, Amending the Future Land Use Map from County Urban Service to City Commercial, and Rezoning from County C-2 to City C-2 (Intensive commercial) Case PB 07-50

Location: 3813 Reid St.  
Parcel #: 02-10-26-0000-0380-0000  
Owner: Palatka Hospitality, LLC  
Agent: EDG of FL/Greg Crawford

All interested parties are invited to attend this public hearing.

Debbie Banks  
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THE CITY COMMISSION WILL REQUIRE A VERBATIM TRANSCRIPT BE MADE AT THE EXPENSE OF THE APPELLANT THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED F.S. 286.0109.

PERSONS WITH DISABILITIES INTERESTED IN ATTENDING THIS MEETING AND REQUIRING ACCOMMODATIONS SHOULD CONTACT THE BUILDING DEPARTMENT AT (386)328-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

Legal No. 04342211  
10/17/2008





























































