

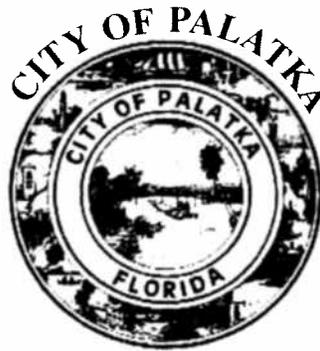
KARL N. FLAGG  
MAYOR - COMMISSIONER

MARY LAWSON BROWN  
VICE MAYOR - COMMISSIONER

WILEGRA KITCHENS  
COMMISSIONER

VERNON MYERS  
COMMISSIONER

JAMES NORWOOD, JR.  
COMMISSIONER



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

BETSY JORDAN DRIGGERS  
CITY CLERK

MATTHEW D. REYNOLDS  
FINANCE DIRECTOR

GARY S. GETCHELL  
CHIEF OF POLICE

MICHAEL LAMBERT  
CHIEF FIRE DEPT.

DONALD E. HOLMES  
CITY ATTORNEY

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

## AGENDA CITY OF PALATKA March 11, 2010

### CALL TO ORDER:

- a. Invocation – The Reverend Ben Tippet, Founding Pastor, Victory Christian Fellowship
- b. Pledge of Allegiance
- c. Roll Call

### APPROVAL OF MINUTES – 2/25/10

#### 1. PUBLIC RECOGNITION:

- a. PROCLAMATION - Women's History Month – March, 2010
- b. PROCLAMATION - Brain Awareness Week – March 15 through 21, 2010

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

#### 3. CONSENT AGENDA:

- \*a. Appoint 2010 Golf Course Advisory Board (six members – club designees) – 1 yr terms exp. 01/2011:
1. Buddy Beasley, PMGA President
  2. Greg Jungenburg, PMGA Club Designee
  3. Joy Langston, PWGA President
  4. Genevieve Alvers, PWGA Club Designee
  5. Ward Bair, PGA Representative
  6. Chuck Horner, PGA Representative

#### \* 4. RESOLUTION urging EPA not to adopt more stringent nutrient discharge regulations in Florida

#### 5. ADMINISTRATIVE REPORTS

#### 6. COMMISSIONER COMMENTS

#### 7. ADJOURN

\*Attachment \*\*Separate Cover

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

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

### Upcoming Events:

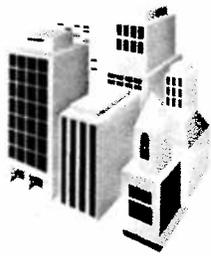
March, 2010 – Women's History Month  
March 24, 2010 – Legislative Action Day, Tallahassee  
March 25, 2010 – Women's History Month Recognitions  
April, 2010 – CENSUS MONTH  
April 10, 2010 – MOD March for Babies

### Board Openings:

Code Enforcement Board: 1 alternate (at large)  
Tree Committee: 1 Vacancy (at large)  
Historic Preservation Board: 1 member with Legal Experience

*Agenda  
Item*

*3a*



CITY OF PALATKA  
Betsy Jordan Driggers  
City Clerk  
201 N. 2<sup>nd</sup> Street  
Palatka FL 32177  
Phone: 386-329-0100  
Fax: 386-329-0199  
e-mail: bdriggers@palatka-fl.gov

# Memorandum

**To:** Mayor & Commissioners  
**From:** Betsy Driggers, City Clerk  
**Date:** 3/4/2010  
**Re:** 2010 Golf Course Advisory Board Appointments

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Per Commission policy, Staff notified each president of the PMGA, PWGA and PSGA asking them to notify my office of the two members designated by their club for appointment to the Golf Course Advisory Board\*. They are as follows:

- a. PMGA President Buddy Beasley and member appointee Greg Jungenberg
- b. PWGA President Joy Langston and member appointee Gen Alvers
- c. PSGA appointees Ward Bair and Chuck Horner

\*A total of six members are appointed by clubs. The Golf Pro is an ex-officio member, for a total of seven members. The Commission Liaison is Commissioner Norwood.

I have attached a copy of the minutes from each club's meeting showing those designations.

Please take action to appoint the members of this Board, per city policy.

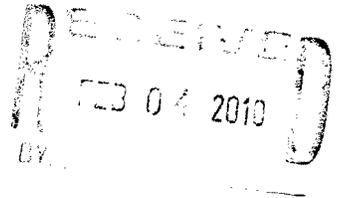
KAREN, IF ANY QUESTIONS PLEASE FEEL FREE TO CALL  
Thanks, Buddy

P. M. G. A.

## Minutes for Feb. 2, 2010 Meeting

Meeting was called to order at 6:15 by President Beasley.

Minutes from the January meeting were read and approved.



### Treasurers Report –

Balance 1/31/10	Reg. Account	\$8,140.25
	Cart Path	\$3154.00
	Total	\$11,294.25

During the treasurer's report there was discussion about the new cart path by #5 tee box not being done to the specifications laid out by the beautification committee. A motion was made and seconded to postpone payment to the city for the work done until all work is completed. Motion passed.

### Tournament Committee –

Super Bowl 3-Man Scramble is this Sunday starting at 9:00.

McNabb 4-Ball is Feb. 13 & 14

On Saturday teams can play anytime between 9 and 1 but must play with another team in the tournament.

Sunday there will be a shotgun start beginning at 8:00 am.

### Membership Committee –

There are currently 170 paid members and 140 inactive members. It was suggested that I attach the inactive list to the next mail out and I have done so.

### Beautification Committee –

Committee wants to say "thanks" for the work that has been done on the cart path at #5 and has asked that the fence that was there be replaced. Spanky said that Ray has the fence and that it would be replaced.

Pro Report -

The Donald Ross Society was here on the 26<sup>th</sup> (about 25 of them) and they had a great experience. Among those attending was Dan Bergman whose foundation, Keepitclassic.org, preserves and restores classic public and municipal golf courses.

A motion was made and seconded to have the tournament committee invite the Society back for a Donald Ross Day event as soon as the course is in better shape. Motion Passed.

Spanky reported that the contract with the Weed Group was not a done deal. Everything should be finalized by the end-of-the-month meeting of the city commission.

Superintendent's Report –

Bunkers have been edged; Greens were lightly top-dressed on Monday (1<sup>st</sup>). Ropes are going up to help guide traffic around the greens.

Wire mesh trash cans have been priced (they are \$40 each) and will be replaced as can be afforded.

Old Business – None

New Business –

A suggestion was made to draw up pin placement sheets for the golf course instead of having multi-colored flags to indicate pin placement.

Greg Jungenberg was nominated to the advisory board for the city.

Next meeting is Mar. 2<sup>nd</sup>. There will be a Glo Ball tournament following the next meeting.

Meeting was adjourned at 7:15.

SARLENE PLACCO  
MAYOR - COMMISSIONER

MARY LAWSON BROWN  
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS  
COMMISSIONER

BERNON MYERS  
COMMISSIONER

JAMES NORWOOD, JR.  
COMMISSIONER



Regular meeting 2nd and 4th Thursdays each month at 8:00 p.m.

THEODORE W. WOODRUFF, JR.  
CITY MANAGER  
JERRY JORDAN, REGIONAL  
CITY CLERK  
RUBY M. WILLIAMS  
FINANCE DIRECTOR  
GARY S. GETCHELL  
CHIEF OF POLICE  
MICHAEL LAMBERT  
CHIEF FIRE DEPT.  
DONALD P. HOTMES  
CITY ATTORNEY

### CITY OF PALATKA ADVISORY BOARD APPLICATION

I wish to apply for appointment to the GOLF COURSE Board.  
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: Buddy Beasley (Must be at least 18 yrs. old)  
Residence 104 Crestwood Ave Phone: 386 937-3820  
(911 Address) 104 Crestwood Ave Fax: \_\_\_\_\_

Business Name & Address Beasley Lawn Care Phone: \_\_\_\_\_  
(City Residents or business/property owners will be given preference when board member residency is not specified by statute or city ordinance) Fax: \_\_\_\_\_

Preferred Mailing Address: Home

E-mail: buddybeasley@yahoo.com Daytime Phone: \_\_\_\_\_

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

PMCA President

OTHER COMMENTS OR INFORMATION:

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

Buddy Beasley

SIGNATURE OF APPLICANT

2-2-10

DATE

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

NAME OF PLACE  
MAYOR - COMMISSIONER

MARY LAWSON BROWN  
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS  
COMMISSIONER

VERNON MYERS  
COMMISSIONER

JAMES NORWOOD, JR.  
COMMISSIONER



Regular meeting 1st and 3rd Thursdays each month at 8:00 p.m.

THEODORE W. COOPER, JR.  
CITY MANAGER  
TERRY GRADY, DEPUTY  
CITY CLERK  
RUBY METZLER  
FINANCE DIRECTOR  
GARY S. GIBCHILL  
CHIEF OF POLICE  
MICHAEL LAMBERT  
CHIEF FIRE DEPT.  
DONALD B. HOLMES  
CITY ATTORNEY

### CITY OF PALATKA ADVISORY BOARD APPLICATION

I wish to apply for appointment to the golf course Board.  
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: Greg Tunyenberg (Must be at least 18 yrs. old)  
Residence 2101 Oak St Phone: 326 8106  
(911 Address) Fax:

Business Name MEDEX 6500 Crill Ave Phone: 326 05705  
& Address Fax:  
(City Residents or business/property owners will be given preference when board member residency is not specified by statute or city ordinance)

Preferred Mailing Address: Home

E-mail: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

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

Past President PGA

#### OTHER COMMENTS OR INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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SIGNATURE OF APPLICANT [Signature] DATE 2/2/10

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



## **Senior Golf Association**

**March 3, 2010**

**The Palatka Senior Golf Association reappointed Ward Bair and Chuck Horner to the Palatka Golf Club Advisory Board.**



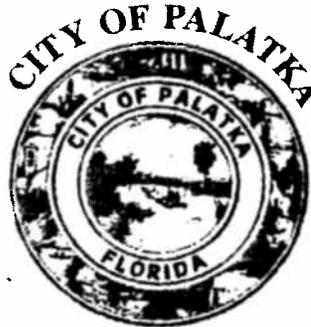
KARL N. FLAGG  
MAYOR-COMMISSIONER

MARY LAWSON BROWN  
VICE MAYOR - COMMISSIONER

GEORGE E. SANDERS  
COMMISSIONER

JAMES NORWOOD, JR.  
COMMISSIONER

ALLEGRA KITCHENS  
COMMISSIONER



ALLEN R. BUSH  
CITY MANAGER  
BETSY JORDAN DRIGGERS  
CITY CLERK  
RUBY M. WILLIAMS  
FINANCE DIRECTOR  
GARY S. GETCHELL  
CHIEF OF POLICE  
KENNETH E. VENABLES  
CHIEF FIRE DEPT.  
DONALD E. HOLMES  
CITY ATTORNEY

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

**CITY OF PALATKA ADVISORY BOARD APPLICATION**

I wish to apply for appointment to the ADVISORY (GOLF COURSE) Board.  
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: WARD BAIR, JR (Must be at least 18 yrs. old)

Residence (911 Address) 128 KAREN CT. Phone: 325-4048  
Fax: \_\_\_\_\_

Business Name & Address PALATKA FLA 32177 Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_

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

Preferred Mailing Address: \_\_\_\_\_

E-mail: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OTHER COMMENTS OR INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Ward J Bair  
SIGNATURE OF APPLICANT

renew 1-14-09  
1-9-08  
DATE renew 2/2010

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

KARL N. FLAGG  
MAYOR-COMMISSIONER

MARY LAWSON BROWN  
VICE MAYOR - COMMISSIONER

GEORGE E. SANDERS  
COMMISSIONER

JAMES MORWOOD, JR.  
COMMISSIONER

ALEGRA KITCHENS  
COMMISSIONER



ALLEN R. BUSH  
CITY MANAGER  
BETSY JORDAN BRUGERS  
CITY CLERK  
RUBY M. WILLIAMS  
FINANCE DIRECTOR  
GARY S. GETCHELL  
CHIEF OF POLICE  
KENNETH E. VENABLES  
CHIEF FIRE DEPT.  
DONALD E. HOLMES  
CITY ATTORNEY

Regular meeting 2nd and 4th Thursdays each month at 6.00 p.m.

### CITY OF PALATKA ADVISORY BOARD APPLICATION

I wish to apply for appointment to the GOLF COURSE ADVISORY Board.  
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: CHARLES F HORNER (Must be at least 18 yrs. old)  
Residence 2019 KATE STREET PALATKA, FL. Phone: 386-325-7842  
(911 Address) 2019 KATE STREET PALATKA, FL. Fax: \_\_\_\_\_  
Business Name Retired US Postal Service Phone: \_\_\_\_\_  
& Address Retired US Postal Service Fax: \_\_\_\_\_

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

Preferred Mailing Address: SAME AS ABOVE

E-mail: CHUCK 635@BellSouth.NET Daytime Phone: 325-7842

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

(HAVE SOME KNOWLEDGE OF GOVT. OPERATIONS, HAVING SERVED ON THE CITY COMMISSION 8 YEARS AND MANY COMMITTEES AT THAT TIME FROM 1972-1980) - SERVED 2 TERMS IN SENIOR GOLF ASSOCIATION  
Respectfully Submitted

#### OTHER COMMENTS OR INFORMATION:

I HAVE ENJOYED PLAYING GOLF HERE IN PALATKA SINCE 35 YEARS  
I DEFINITELY FEEL A GOLF COURSE IS AN ASSET TO ANY COMMUNITY AND SHOULD BE PROMOTED

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

Charles Horner  
SIGNATURE OF APPLICANT

1-14-09 renew 2/2010  
DATE

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



## **Palatka Women's Golf Association**

**February Meeting 2010**

**The Palatka Women's Golf Association reappointed Gen Alvers and Joy Langston to the Palatka Golf Club Advisory Board.**



KARL N. FLAGG  
MAYOR-COMMISSIONER

MARY LAWSON BROWN  
VICE MAYOR - COMMISSIONER

GEORGE E. SANDERS  
COMMISSIONER

JAMES NORWOOD, JR.  
COMMISSIONER

ALLEGRA KITCHENS  
COMMISSIONER



ALLEN R. BUSH  
CITY MANAGER  
BETSY JORDAN DRIGGE  
CITY CLERK  
RUBY M. WILLIAMS  
FINANCE DIRECTOR  
GARY S. GETCHELL  
CHIEF OF POLICE  
KENNETH E. VENABLES  
CHIEF FIRE DEPT.  
DONALD E. HOLMES  
CITY ATTORNEY

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

### CITY OF PALATKA ADVISORY BOARD APPLICATION

I wish to apply for appointment to the GOLF COURSE ADVISORY Board.  
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: Joy Langston (Must be at least 18 yrs. old)  
Residence \_\_\_\_\_ Phone: 386 325 2169  
(911 Address) 120 Caca Rd E. Palatka Fax: \_\_\_\_\_  
Business Name \_\_\_\_\_ Phone: \_\_\_\_\_  
& Address none Fax: \_\_\_\_\_

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

Preferred Mailing Address: 120 Caca Rd E. Palatka, FL 32131

E-mail: jrlangston@bellsouth.net Daytime Phone: 386 325 2169

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

retired Teacher  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OTHER COMMENTS OR INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Joy Langston  
SIGNATURE OF APPLICANT DATE 1/03/08 renew 1-14-09  
renew 2/2010  
Applicants will be interviewed by the Palatka City Commission during regular public meetings.

KARL N. FLAGG  
MAYOR-COMMISSIONER

MARY LAWSON BROWN  
VICE MAYOR - COMMISSIONER

GEORGE E. SANDERS  
COMMISSIONER

JAMES NORWOOD, JR.  
COMMISSIONER

ALLEGRA KITCHENS  
COMMISSIONER



ALLEN R. BUSH  
CITY MANAGER  
BETSY JORDAN DRIGGERS  
CITY CLERK  
RUBY M. WILLIAMS  
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GARY S. GETCHELL  
CHIEF OF POLICE  
KENNETH E. VENABLES  
CHIEF FIRE DEPT.  
DONALD E. HOLMES  
CITY ATTORNEY

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

### CITY OF PALATKA ADVISORY BOARD APPLICATION

I wish to apply for appointment to the Golf Course Advisory Board.  
I understand that, if appointed, I will serve in a volunteer capacity on this advisory board.

APPLICANT: Genevieve Alvers (Must be at least 18 yrs. old)  
Residence Phone: (386) 325-5006  
(911 Address) 139 Elsie Dr., E. Palatka, 32131 Fax: \_\_\_\_\_  
Business Name \_\_\_\_\_ Phone: \_\_\_\_\_  
& Address \_\_\_\_\_ Fax: \_\_\_\_\_

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

Preferred Mailing Address: \_\_\_\_\_

E-mail: \_\_\_\_\_ Daytime Phone: (386) 325-5006

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

Retired legal secretary - President PEWSA - Member of golf course 50 yrs.

OTHER COMMENTS OR INFORMATION:

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Genevieve Alvers  
SIGNATURE OF APPLICANT

Jun 04, 2008 (renew 1-14-08)  
DATE renew 2/2010

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

# *Agenda Item*

**4**

KARL N. FLAGG  
MAYOR - COMMISSIONER

MARY LAWSON BROWN  
VICE MAYOR - COMMISSIONER

LEGRA KITCHENS  
COMMISSIONER

VERNON MYERS  
COMMISSIONER

JAMES NORWOOD, JR.  
COMMISSIONER



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

BETSY JORDAN DRIGGERS  
CITY CLERK

MATTHEW D. REYNOLDS  
FINANCE DIRECTOR

GARY S. GETCHELL  
CHIEF OF POLICE

MICHAEL LAMBERT  
CHIEF FIRE DEPT.

DONALD E. HOLMES  
CITY ATTORNEY

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

March 3, 2010

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

Re: Proposed Numeric Nutrient Criteria

Dear Woody:

I would like to express my concern over the Environmental Protection Agency's recent actions regarding the proposed numeric nutrient criteria for Florida. After reviewing the proposed rule it appears that this is a ridiculously inane idea and did not fully consider numerous factors and consequences to the citizens of this state and our community.

The Florida Department of Environmental Protection (FDEP) spent the better part of ten years in developing the Total Maximum Daily Loads (TMDL) that are now adopted in the Lower St. Johns River Basin Management Action Plan (BMAP). The purpose of the BMAP was to implement load reductions to achieve the nutrient (nitrogen and phosphorous) TMDLs developed for the basin that the City of Palatka's wastewater treatment plant discharges to through our FDEP operating permit. The BMAP process was structured to achieve cooperation and consensus among a broad range of Stakeholders resulting in an overall benefit to the basin without causing unnecessary hardship on individuals throughout the basin.

We have invested approximately \$8 million as of 2009 to meet our portion of the TMDL for the Lower St. Johns River Basin. That cost does not include our time spent at the numerous Stakeholder meetings during the development of the TMDL. Our early estimations are indicating that we would have to invest another \$29 million to reach the EPA's numeric nutrient criteria for Florida. As you are well aware the unemployment rate in our community is near record highs of approximately 12% and this proposed rule would cause additional hardships on our citizens through rate increases.

The City has been involved as a Stakeholder in developing the TMDL and have seen the science that went into its development and ultimate implementation. I feel that the EPA's ill-conceived proposed regulations would put all of that effort into jeopardy and on behalf of the rate payers of the City of Palatka would like to voice my strong opposition to this federal regulation.

Sincerely,  
  
C. Platt Drew  
Wastewater Superintendent

## RESOLUTION 8-68

**A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, REGARDING THE POTENTIAL ADOPTION OF NUMERIC NUTRIENT CRITERIA BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; LITIGATION COMPELLING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO ESTABLISH NUMERIC NUTRIENT CRITERIA; AND OPPOSING THE PROPOSED CONSENT DECREE BETWEEN THE PLAINTIFFS AND DEFENDANTS IN FEDERAL CASE NO. 4:08-CV-00324-RH-WCS, CURRENTLY BEING LITIGATED IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA.**

**WHEREAS**, since its inception, the City's Water Department has had a goal of providing the highest quality service at the best value for its customers; and

**WHEREAS**, the City recognizes the value of producing highly treated wastewater effluent and the need to protect the environment, in the City's case, the Lower St. Johns River; and

**WHEREAS**, at the time most of the City's facilities were built, secondary treatment standards were the accepted practice in Northeast Florida, and the City was told by the regulatory community that Advanced Wastewater Treatment, as that term is defined in Section 403.086(4), Florida Statutes, was the highest level that the City would be expected to achieve, so the City invested in that technology; and

**WHEREAS**, the City engaged in the Florida Department of Environmental Protection's Total Maximum Daily Load ("TMDL") process for the Lower St. Johns River; and

**WHEREAS**, there was a great deal of scientific research and detailed computer modeling conducted by the Florida Department of Environmental Protection ("FDEP") and the St. Johns River Water Management District ("SJRWMD") to determine the final nutrient TMDLs for the Lower St. Johns River; and

**WHEREAS**, there was a general consensus among most of the stakeholders that the limits established during the TMDL process were based on sound science and most stakeholders were very satisfied that the final analysis and nutrient limits are protective of the fresh and marine sections of the Lower St. Johns River; and

**WHEREAS**, total nitrogen was a constituent for which a TMDL was determined for the Lower St. Johns River during the TMDL process; and

**WHEREAS**, total phosphorous was a constituent for which a TMDL was determined for the Lower St. Johns River during the TMDL process; and

**WHEREAS**, the City is investing in biological nutrient removal above and beyond secondary standards in an effort to save the citizens of Green Cove Springs millions of dollars in stormwater management costs; and

**WHEREAS**, the United States Environmental Protection Agency ("USEPA") recommended Numeric Nutrient Criteria for Ecoregion XII, the Ecoregion that includes the City; and

**WHEREAS**, the USEPA recommended Numeric Nutrient Criteria for total phosphorous was 0.04 mg/L and the recommended Numeric Nutrient Criteria for total phosphorous was 0.09 mg/L; and

**WHEREAS**, the USEPA's recommended Numeric Nutrient Criteria are not the result of an established dose-response relationship, a method for indentifying a cause/effect relationship for nutrients in subject waters through monitored, scientific analysis; and

**WHEREAS**, these recommended Numeric Nutrient Criteria are significantly lower than the standards for Advanced Wastewater Treatment; and

**WHEREAS**, to attain the level of treatment required to meet the recommended Numeric Nutrient Criteria would require the City to build a micro-filtration plus reverse osmosis facility at each of its wastewater treatment facilities with concentrate discharge through deep well injection; and

**WHEREAS**, the City has estimated that it would cost approximately twelve million dollars (\$28,800,000) to construct the facilities in an attempt at complying with the USEPA's recommended Numeric Nutrient Criteria; and

**WHEREAS**, the City maintains that the USEPA's recommended criteria for Ecoregion XII, as they are applied to the City, are not scientifically defensible in that they are not the result of the type of scientific analysis necessary to establish a dose-response relationship; and

**WHEREAS**, the City is aware of a proposed Consent Decree in Case No. 4:08-cv-00324-RH-WCS, a copy of which is attached as Exhibit "A", which would require the USEPA to propose and adopt Numeric Nutrient Criteria for the State of Florida; and

**WHEREAS**, papers from, and related to Case No. 4:08-cv-00324-RH-WCS make clear that the EPA is pursuing this Consent Decree as a litigation strategy and not based upon any scientific data specific to the region that surrounds the City; and

**WHEREAS**, the City estimates that if the Consent Decree is approved and the City is required to fund capital improvements in the amount of one hundred twelve million dollars (\$28,800,000), the City's rates could increase as much as fifty percent (50%), which could cause significant harm to the City's customers; and

**WHEREAS**, the rules for Numeric Nutrient Criteria proposed by the USEPA apply only to waters in the State of Florida; and

**WHEREAS**, the USEPA has, by their own admission, understated the incremental costs of implementing the Numeric Nutrient Criteria rules in the State of Florida; and

**WHEREAS**, the benefits of adopting the Numeric Nutrient Criteria are overstated due to skewing of baseline data by using "Concentrated Animal Feeding Operation" 2002 water quality data; and

**WHEREAS**, Florida businesses will be placed in a position of competitive disadvantage with businesses in other states as a result of higher wastewater costs; and

**WHEREAS**, Assistant USEPA Administrator Benjamin Grumbles submitted on January 14, 2009 a determination letter stating that Florida's TMDL rules will not work; and

**WHEREAS**, less than 90 days prior to the submittal of the determination letter, the City of Green Cove Springs and other stakeholders in the Lower St. Johns River Basin began the implementation phase of the Main Stem TMDL, spending collectively hundreds of thousands of dollars to design, permit, and construct improvements that will lead to water quality improvements in Florida's waters; and

**WHEREAS**, Assistant Administrator Benjamin Grumbles had no basis in fact to state that the TMDL program wasn't working without allowing the stakeholders the opportunity to fully implement the program.

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

**SECTION 1.** The City Commission opposes the Consent Decree in Case No. 4:08-cv-00324-RH-WCS.

**SECTION 2.** The City Commission opposes the USEPA promulgating Numeric Nutrient Criteria for Ecoregion XII that are not scientifically defensible and/or are the result of a litigation strategy.

**SECTION 3.** The City Commission urges the USEPA to consider the economic impact of its actions should it go forward with promulgating Numeric Nutrient Criteria for Ecoregion XII.

**SECTION 4.** The City Commission urges the Congressional Delegation to take the necessary steps to delay promulgation of the Numeric Nutrient Criteria until the completion of the implementation of the current TMDL efforts by Group 2.

**SECTION 5.** The City Commission urges Assistant Administrator Benjamin Grumbles to tract the letter of determination submitted to the FDEP on January 14, 2009.

**SECTION 6.** Effective Date. This Resolution shall take effect immediately upon passage.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA, IN REGULAR SESSION THIS 11<sup>th</sup> DAY OF MARCH, 2010.**

**CITY OF PALATKA, FLORIDA**

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**BY: Its MAYOR**

**ATTEST:**

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**CITY CLERK**