KARL N. FLAGG
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

VERNON MYERS
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA
FLORIDA

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

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

April 5, 2010

TO MESSRS: MARY LAWSON BROWN, ALLEGRA KITCHENS, VERNON MYERS, Jr. AND JAMES NORWOOD, Jr.:

You are hereby notified that the place of the regular April 8, 2010 meeting place of the Palatka City Commission is hereby revised and called to be held at the alternate meeting place of the City Commission, the Price-Martin Community Center, 220 N. 11th Street, Palatka, to commence at 6:00 p.m.

Please govern yourselves accordingly.

/s/ Karl N. Flagg
Karl N. Flagg, MAYOR

We hereby acknowledge receipt of a copy of the foregoing notice of a revised meeting place on the 5th day of April, 2010.

/s/ Mary Lawson Brown
COMMISSIONER

/s/ Allegra Kitchens
COMMISSIONER

/s/ Vernon Myers
COMMISSIONER

/s/ James Norwood, Jr.
COMMISSIONER

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

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

KARL N. FLAGG
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
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MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

AGENDA
CITY OF PALATKA
April 8, 2010

CALL TO ORDER:
a. Invocation –
b. Pledge of Allegiance
c. Roll Call

APPROVAL OF MINUTES – 3/25/10 Workshop; 3/25/10 Regular Meeting

1. **PUBLIC RECOGNITION/PRESENTATIONS:**
   a. **PROCLAMATION** – Volunteer Month – April, 2010
   b. **PROCLAMATION** – Safe Digging Month – April, 2010
   c. **FLORIDA TRUST FOR HISTORIC PRESERVATION MERITORIOUS AWARD** – Tilghman House Renovation Project

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

3. **CONSENT AGENDA:**
   *a. **Authorize execution of HUD-EDI Grant #B-010-SP-FL-0128 in the amount of $250,000** for Palatka Riverfront Park Redevelopment
   *b. **Authorize execution of Interlocal Agreement with Putnam County BOCC** for the coordination of CDBG disaster relief funding under the 2008 Disaster Recovery Initiative for Tropical Storm Fay
   *c. **Authorize renewal of Florida Dept. of Corrections Contract No. WS397** for Inmate Work Squad – August 24, 2010 through August 23, 2011 - $56,467.00/yr (Streets – 1st paid squad)
   *d. **Authorize execution of Amendment #4 to FDEP Appropriations Agrmt #LP6771** for the Reuse Project WWTP Improvements by revising the scope of the project work plan
   *e. **Authorize execution of Amendment #2 to Passero Assoc. Work Order #08-13R** in the amount of $9,760.00 for additional services for TW B Pavement Rehabilitation, Airfield Drainage Improvement and AWOS
   *f. **Authorize execution and acceptance of two (2) Drainage Easements from Anastasia Square LLC and Cypress Mills LLC, Grantors,** for Kirby Street Stormwater Drainage Project

** 4. **ACCEPT CRA RECOMMENDATIONS** as follows:
   a. Authorize termination of Main Street Office space/support services agreement between the CRA and the Putnam County Chamber of Commerce dated 9/21/09
   b. Award Building Improvement Grants (BIG Program) per BIG Committee Recommendation
   c. Authorize use of CBD-TIF Funds in an amount not to exceed $9,000.00 to construct an Informational Sign at Third & Reid Streets
   d. Authorize use of CBD-TIF Funds in the amount of $2,825.00 to reimburse Palatka Main Street for the following expenses:
      1. $2,500.00 on the Third Street Sign Project
      2. $ 325.00 to advertise St. Patrick's Day Parade
   e. Authorize use of CBD-TIF Funds in an amount not to exceed $15,000.00 for City of Palatka Fourth of July Fireworks Celebration

* 5. **CODE ENFORCEMENT BOARD RECOMMENDATION** to reduce the daily fine at 1201 Short Street from $24,200 to $5,000 plus cost of prosecution and recording fee if necessary, as property is in compliance

a. Owner's request for further reduction – Michael Scott Meckley

* 6. **PUBLIC HEARING** for comments on transmittal of list of identified major issues to Florida Dept. of Community Affairs for development of Evaluation and Appraisal Report (E.A.R), per F.S. 163.3191 – Guy Parola, NEFRC

* 7. **ORDINANCE** amending the Palatka Municipal Code, Section 94, to add a section and article entitled Planned Industrial Development under M-1 Light Industrial District Conditional Uses, Activities or Structures – 1st Reading (Continued from March 25, 2010)

8. **ADMINISTRATIVE REPORTS**

9. **COMMISSIONER COMMENTS**

10. **ADJOURN**

*Attachment **Separate Cover

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

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

Upcoming Events:

April, 2010 – CENSUS MONTH
April 10, 2010 – MOD March for Babies
May 28 – 31, 2010 – Blue Crab Festival
May 31 – City Offices closed for observation of Memorial Day

Board Openings:

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

WHEREAS, volunteerism strengthens communities, improves vital social concerns and enhances the overall quality of life for all citizens, including children, seniors, those who are disabled, impoverished, imprisoned, homeless, physically or mentally ill, or otherwise in need of assistance; and

WHEREAS, in 1974, the President and Congress designated National Volunteer Week to occur annually in April as the official time to recognize and celebrate the efforts of volunteers at the local, state and national levels, and

WHEREAS, volunteering can provide life-changing experiences and bring about positive inner change such as increased self-confidence, self-satisfaction and physical well being, opportunities to make new friends, and opportunities to gain new skills and abilities, and

WHEREAS, volunteerism is proven to have a positive influence on businesses that are socially responsible by increasing employee morale, loyalty and teamwork, and building goodwill towards the company, and

WHEREAS, volunteer centers, nonprofits, charities, faith-based groups, schools and national service programs in Florida have joined together with state and local governments in celebration and praise of volunteers who have given tirelessly and selflessly to the service of others.

NOW, THEREFORE, I, Karl N. Flagg, Mayor of the City of Palatka, Florida, together with the members of the Palatka City Commission, do hereby endorse the month of April 2010, as

FLORIDA VOLUNTEER MONTH

In the City of Palatka, and I call upon the people of the City of Palatka to promote the spirit of volunteerism, to observe the month with appropriate activities, programs and ceremonies supporting the theme, **"Florida Needs YOU...VOLUNTEER!"**

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Palatka this 8th day of April, in the Year of Our Lord Two Thousand and Ten.

Commissioners:
Mary Lawson Brown
Allegra Kitchens
Vernon Myers
James Norwood, Jr.

PALATKA CITY COMMISSION

_____
By: Karl N. Flagg, MAYOR

WHEREAS, each year, Florida's underground vital utility infrastructure is jeopardized by unintentional damage by those who fail to call 811 to have underground lines located prior to digging. Undesired consequences such as service interruption, damage to the environment, personal injury and even death are the potential results; and

WHEREAS, Sunshine State One-Call of Florida and its 836 members encourage citizens to use the call-before-you-dig number, 811, to help prevent unintentional damages. Designated by the FCC in 2005, the 811 service provides excavators and homeowners a simple, toll-free number to call and request utility line locations at the intended dig site; and

WHEREAS, through education on safe digging practices, excavators and homeowners can save time and money and prevent serious injury to themselves and others by calling 811 before beginning any digging project; waiting two full business days for locate marks; protecting the marks so they remain visible throughout the project; and finally digging with care around the marks; and

WHEREAS, in addition to saving time and money, the one-call system helps excavators comply with the safety rules and regulations of the construction industry; and

WHEREAS, all parties agree that safe digging is a shared responsibility. To know what is below call 811 before you dig.

NOW, THEREFORE, I, Karl N. Flagg, Mayor of the City of Palatka, Florida, together with the members of the Palatka City Commission, do hereby proclaim the month of April, 2010 as

SAFE DIGGING MONTH

in the City of Palatka, and urge all citizens and contractors to use the "Call Sunshine" one-call center to locate underground facilities before beginning excavations or demolitions, in addition to all other appropriate safety precautions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Palatka to be affixed this 8th day of April, in the Year of Our Lord Two Thousand Ten.

Commissioners:
Mary Lawson Brown
Allegra Kitchens
Vernon Myers
James Norwood, Jr.

PALATKA CITY COMMISSION

_____

By: Karl N. Flagg, MAYOR

Betsy Driggers

From: Woody Boynton
Sent: Friday, April 02, 2010 12:48 PM
To: Betsy Driggers
Subject: FW: Tilghman House & Florida Trust for Historic Preservation Award
Attachments: AWARD.pdf; INFO.pdf; "Certification"

Add to Public Recognition and inform Bob Tayor if he would like to speak and introduce award

---

From: Front Office [mailto:taylor@ret-tbd.com]
Sent: Thursday, April 01, 2010 3:28 PM
To: Mayor Karl Flagg; Woody Boynton; Valerie Ingamell; roberta@shna.net; Flint Construction; 'Christy Sanford'; Denise Aiken; Jonathan Griffith
Subject: Tilghman House & Florida Trust for Historic Preservation Award

Ladies and Gentlemen:
We are pleased to inform you that the Project for Renovations to the Tilghman House has been selected by the Florida Trust for Historic Preservation for a Meritorious Award. We are proud of this achievement and thank all who played a part. Attached is a copy of the letter we recently received and an information sheet on tickets to the event. I am interested in attending and would welcome representatives from the City. Please review the attached information and reply to our office so we can coordinate tickets and other necessary arrangements..
Thank you,
Robert E. Taylor, AIA

Robert E Taylor, A. I. A., Architect, P. A.
P O Box 267
Palatka, Fl 32178
386-325-7341 Fax 386-325-0608
Email: taylor@ret-tbd.com

Privileged and Confidential Information

This Electronic Transmission, and any documents attached hereto, may contain confidential and/or legally privileged information. This information is for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

March 29, 2010

Mr. Robert E. Taylor
Robert E. Taylor A.I.A. Architect PA
710 St. Johns Ave.
Palatka, FL 32177

Project: The Tilghman House **Award Category:** Restoration/Rehabilitation Meritorious Achievement

Dear Mr. Taylor:

On behalf of the Board of Trustees of the Florida Trust for Historic Preservation, I am pleased to notify you that your 2010 Preservation Awards Nomination has been selected by the Awards Jury to receive the above referenced award. We are notifying you of this award, because you submitted the nomination. Please note that if you nominated another organization or individual to receive credit for this project, they will be notified, however, they will not receive all of the forms which accompany this packet. ***We ask you, as the nominator, to share the information regarding the tickets with that person or organization and that you serve as the liaison with the Florida Trust in providing us the names and information for the award tickets***. We also ask that you share this information with anyone else you feel played a major part in this project.

An information sheet is attached to answer any questions that the award winner may have regarding the Awards program. The Preservation Awards Ceremony and Reception will be held on Friday, May 14, 2010, during the Florida Trust's 2010 Annual Conference in Lee County. The ceremony will begin at 6:00 pm. at the Edison Park Elementary School in Ft. Myers. The reception will be held at the Edison & Ford Winter Estates and will immediately follow the ceremony. Both of these events require tickets. Information regarding the tickets is enclosed in this packet.

Again, congratulations on your award nomination. Please do not hesitate to contact Florida Trust staff at 850-224-8128 if you have any questions. We look forward to celebrating this achievement in Lee County!

Sincerely,

Jodi Rubin
Awards Jury Chair

JR/kf

FLORIDA TRUST FOR HISTORIC PRESERVATION, INC.

Post Office Box 11206, Tallahassee, Florida 32302-3206
Telephone: 850-224-8128 • FAX: 850-224-8159
information@floridatrust.org
www.floridatrust.org

2010 Florida Trust Annual Statewide Preservation Awards Program INFORMATION SHEET

AWARDS CEREMONY & RECEPTION

The 2010 Annual Statewide Preservation Awards Ceremony will be held during the 2010 Florida Trust Annual Conference in Lee County. The Preservation Awards Ceremony will be held at the Edison Park Elementary School Creative and Expressive Arts Auditorium, 2401 Euclid Ave., Fort Myers, from 6:00 – 7:00 pm. on Friday, May 14, 2010. This event is free, but due to limited seating, tickets will be required. Each Award project will receive four tickets for the ceremony. These tickets will include seats for the project representatives accepting the award on stage. If you have additional people involved in the project who would like to attend the ceremony, please indicate their names on the sheet provided and we will provide them with a free ticket if seating permits.

Please fill out the enclosed Awards Ceremony Ticket form and return to the Florida Trust before April 19, 2010. Those accepting the award should plan to arrive at the Edison Park School by 5:30. A bus will depart the Sanibel Harbor Resort & Spa at 5:00 to bring award recipients to the school. If you drive directly to the event, please park in the Edison & Ford Winter Estates parking lot and walk over to the school.

The Board of Trustees of the Florida Trust would like to extend two invitations per project to those representing the award to be our guests at the Awards Reception immediately following the ceremony, 7:00 – 10:00 p.m., located at the Edison & Ford Winter Estates.

Please fill out the enclosed sheet regarding the Awards Reception Tickets. This is a ticketed event for conference attendees, so to receive your two complimentary tickets please complete the attached form and submit to the Florida Trust Office by April 19, 2010. Additional tickets for award representatives can be purchased at this time for $75 each.

AWARDS CERTIFICATES

As an award winner, you will receive one framed award certificate. We would like to encourage you to share this honor with the owners, architects, contractors, and partners that worked with you on the winning project. If you would like extra, unframed copies of your award, they can be purchased for $50 per additional certificate. Additional certificates will be mailed to those individuals/organizations.

To order additional certificates, please complete the attached form and submit, with payment, to the Florida Trust Office. One framed certificate will be presented to the nominee at the ceremony. Extra certificates are not guaranteed to be ready by the Awards Ceremony.

If you are receiving an individual distinguished service award, you will receive a different type of award and will not have a certificate form in this award packet.

PRESS RELEASES

Although we have made media contacts, we would like for you to also inform your local media that your project has won this prestigious award. We will email a copy of our press release to the person who submitted the nomination shortly.

PHOTOGRAPHS

The presentation of the award to project representatives will be photographed. One copy of this photograph will be mailed to the person who submitted the awards nomination.

QUESTIONS

For questions about the awards presentation, tickets for events and extra award certificates, please contact Preservation & Education Coordinator Kim Fairall, in the Florida Trust Office, (850) 224-8128, kimberly@floridatrust.org.

Agenda Item

3a

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

Mr. Elwin Boynton
City Manager
City of Palatka
201 North Second Street
Palatka, FL 32177-3735

Dear Mr. Boynton:

The Consolidated Appropriations Act, 2010 (P.L. 111-117) (the Act), signed into law by President Obama on December 16, 2009, provided the Department of Housing and Urban Development (the Department) with Economic Development Initiative (EDI) funds for certain special projects specified in the Conference Report accompanying the Act (H.R.111-366). The following project was specified in the Conference Report to receive grant funding in the listed amount:

Project Description: City of Palatka, FL, Palatka Riverfront Park Redevelopment

Grant Amount: $250,000

Grant Number: B-10-SP-FL-0128

All materials necessary to apply for the grant listed above are enclosed. In order to access these grant funds, an application must be completed and returned to the Department as explained in the Application Kit. Upon receipt of your completed application, the Department will review it for consistency with the intent of Congress and notify you regarding any questions about the application.

Environmental Review Requirements

Under the environmental review requirements for this grant, you may not take any actions nor commit any HUD or any non-HUD funds that would cause actions that are choice-limiting among reasonable alternatives or would produce an adverse environmental impact before HUD has approved the environmental certification of compliance, and the request for release of funds. Therefore, you are encouraged to commence the environmental review process for your project as soon as possible. Please carefully review the detailed information on these environmental requirements provided in Attachment IV of the Application Kit before proceeding with your application or with any project related activities.

Limitations on Planning, Management and Administrative Expenses

The Act contains the following language with regard to planning, management and administrative costs payable with the grant funds:

> "That unless explicitly provided for under this heading, ...not to exceed 20 percent of any grant made with funds appropriated under this heading...shall be expended for planning and management development and administration."

The 20 percent limitation is applicable to your EDI grant and encompasses general management expenses associated with administration of the grant as well as direct project delivery costs, including, but not limited to:

- Professional services necessary to implement the project (e.g., architectural, engineering, surveying, appraisal, legal, accounting, etc.);
- Development and construction management fees and costs;
- Project financing fees, expenses, taxes, and insurance; and
- On-site services during construction (e.g., security, temporary utilities, etc.)

Limitations on Eligible Activities

The Act contains the following language with regard to the activities that are payable with FY2010 grant funds:

> "...no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment, or construction."

The Conference Report specifies the activities that may be financed with your EDI grant. The language specified by Congress for your grant is provided in the above project description. The Department cannot approve any activities that are not specified in the language for your individual grant, that are not eligible under one of the categories of activity specified above, or that are otherwise not in compliance with other provisions of the Act.

Prohibition on Expenses for Program Operations

In describing the use of EDI funds the Act states that:

> "none of the [EDI] funds provided under this paragraph may be used for program operations."

The intent of Congress expressed by this language is to prohibit the use of grant funds for program operations. The language is intended to ensure that EDI grant recipients use the funds for construction or other "hard cost" activities as specified in the above project description and consistent with the eligible activities described under the previous heading.

The Application Kit directions require that you prepare a simple, line item project budget that identifies only the use of the EDI funds. Please keep the above administrative and operational cost limitations established by Congress in mind as you prepare the project budget.

Limitations on the Use of Funds for Projects Involving Eminent Domain

The Act also provides that no funds made available under the Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use. For purposes of this provision, public use shall not be construed to include economic development that primarily benefits private entities.

Submission of Applications

EDI grant applicants may submit their application electronically, through the federal government's grants.gov website. While applicants will also retain the option of submitting their FY2010 grant application in paper form, the Department strongly encourages applicants to submit their applications electronically.

Instructions for submitting your FY2010 EDI grant application electronically are included in ATTACHMENT I of this Application Kit. All questions regarding the electronic submission of your application should be directed to the Department's Office of Departmental Grants Management and Oversight, at (202) 402-2206. Instructions for submitting a paper application are included in ATTACHMENT II of this Application Kit.

If you or your staff have any questions regarding the Application Kit or your grant in general, please contact, Herbert Mallette, Congressional Grants Division, at (202) 402-4885, or by fax at (202) 708-7543, or by e-mail at Herbert.Mallette@hud.gov.

The Department looks forward to assisting you in the successful implementation of your project.

Sincerely,

Mercedes Márquez
Assistant Secretary for Community
Planning and Development

Enclosure

Agenda Item

3b

PUTNAM COUNTY

P.O. BOX 758
PALATKA, FLORIDA 32178
(386) 329-0212

BOARD OF COUNTY COMMISSIONERS
R. G. Leary
County Administrator

MEMORANDUM

TO: Woody Boynton, Palatka City Manager
Gordon Sands, Mayor of Welaka

FROM: R.G. Leary, County Administrator

DATE: February 24, 2010

SUBJECT: Interlocal Agreement

Attached is a copy of a draft of a proposed Interlocal Agreement between the County and your municipality relating to funding under the CDBG-DR grant. This agreement must be in place before we can proceed any further. I am also attaching a copy of a letter from Mr. Scott Modesitt of Summit Professional Services, Inc. which provides additional information. As you are aware, Summit has been selected by the County to administer the grant.

After your review and concurrence final copies of the Agreement will be provided for execution. Please contact me or Mr. Modesitt if you have any questions or comments.

Thank you for your prompt attention to this matter.

RGL/tl

Cc: Scott Modesitt
Ryan Simpson

SUMMIT PROFESSIONAL SERVICES, INC.

DEDICATED TO THE FUTURE OF YOUR COMMUNITY

February 19, 2010

Mr. Rick Leary, County Administrator
Putnam County
2509 Crill Ave.
Palatka, FL, 32177

RE: Administration and Activity Delivery Service for 2008 CDBG Disaster Recovery Initiative

Dear Mr. Leary:

In regard to Putnam County's 2008 CDBG Disaster Recovery Initiative Program, we understand that the communities of Palatka and Welaka have a professional relationship with Fox Enterprises and wish to incorporate that firm's participation in the projects. Following the Site Visit with the Department of Community Affairs (DCA) last week, we feel it will not be feasible to have a third party administrator involved with activity delivery for these communities. We feel that because the award agreement will be between the County and the funding agency, having separate activity delivery for these projects will complicate administration for the County and may hinder our ability to provide adequate administrative services to the County.

At the Site Visit, DCA was very clear that all administration and project activities will be the responsibility of Putnam County. Having a separate consultant handling activity delivery for the municipal project can only complicate administration for the County. All files, paperwork, pay requests, bidding and procurement will go through the County to DCA. Any CDBG documentation related to the municipality's projects are required to be maintained at the County level and physically located at the County's CDBG office. The County will be responsible for not just administration; including overseeing procurement, processing requests for funds, submitting quarterly reports, and insuring closeout of the project activities. It will also be the County role to ensure that all project delivery activities meet DCA requirements and to maintain documentation representing this. All contracts, whether they are for engineering or construction will be between the County and the selected firm. Further, CDBG Requests for Funds to DCA must be submitted by the County and all project activities comprehensively reported quarterly by the County.

As the County's procured CDBG consultant, we feel that adequate administration and oversight of the program can only be maintained by having a single firm handle both administration and activity delivery services for all projects under the County's 2008 CDBG-DRI funding agreement.

We would like to set up a meeting with the communities as soon as the award agreement is in place, or sooner if they would like. We recognize the importance of local participation on the projects and feel that project oversight by Palatka and Welaka can best be maintained by having the communities participate in and be responsible for selecting the engineer and contractors for their projects through the CDBG procurement process. Also, we

CENTRAL FLORIDA OFFICE
2614 ALLWOOD AVENUE VALRICO, FL 33596-7396
PHONE (813) 655-1352 FAX (813) 681-9848

will work closely with the communities to insure that their needs are met and the project delivery activities are completed at a level beyond their expectations.

I'm attaching a work flow chart that summarizes how we plan to implement and administer the projects. I am also attaching a draft of two interlocal agreements for your use.

Thank you and please call me if you have any questions.

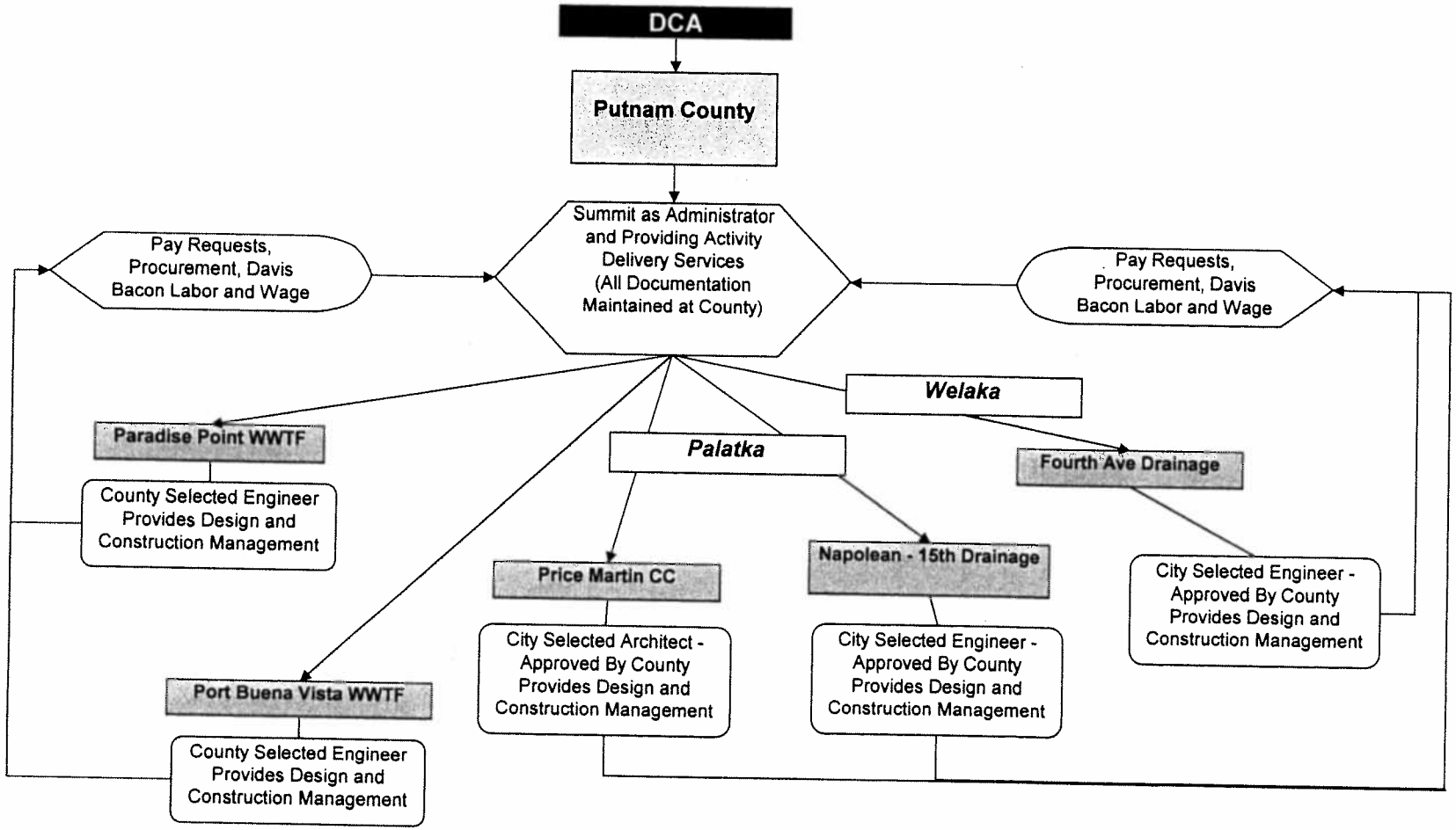
Sincerely,

J. Scott Modesitt

J. Scott Modesitt, AICP, Project Development Director

Enclosure

PUTNAM COUNTY CDBG-DR WORK FLOW PLAN



INTERLOCAL AGREEMENT
BETWEEN
PUTNAM COUNTY, FLORIDA
AND
CITY OF PALATKA, FLORIDA

THIS AGREEMENT, entered into this _____ day of _____, 2010, by and between the CITY OF PALATKA, hereafter referred to as "CITY", and PUTNAM COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY".

WHEREAS, Florida Statute 125.0101 and Florida Statute 180.02 respectively, authorize the COUNTY and CITY to enter into such an interlocal government agreement for provision of the services contemplated by this Agreement; and

WHEREAS, both COUNTY and CITY are authorized by general law to provide for the health, safety, and welfare of citizens within their respective jurisdictions and now desire to make the most efficient use of their powers by entering into this Agreement to serve their mutual best interests and advantage; and

WHEREAS, the COUNTY has applied for CDBG grant funding in the amount of $1,199,185 under the 2008 Disaster Recovery Initiative, 2008 Supplemental CDBG Appropriation [Docket No. FR-5256-N-01] Federal Register / Volume 74, Number 29, dated February 13, 2009 [Docket No. FR-5337-N-01] Federal Register / Volume 74, Number 156, dated August 14, 2009, to provide for recovery efforts in the COUNTY in the most impacted and distressed areas relating to the consequences of Tropical Storm Fay in 2008; and

WHEREAS, the CITY is a municipal corporation organized under the laws of the State of Florida that requires financial assistance in recovering from the effects of Tropical Storm Fay which impacted Putnam County during the 2008 Hurricane Season; and

WHEREAS, the COUNTY intends to make a portion of the funds available for the CITY'S unmet recovery needs; and

WHEREAS, an interlocal agreement is required if a CDBG-funded activity is outside the jurisdiction of the applying local government; and

WHEREAS, the proposed project is not inconsistent with the Comprehensive Land Use Plan of the CITY or the COUNTY.

NOW THEREFORE, in consideration of the mutual covenants and obligations contained herein, the COUNTY and CITY hereby agree as follows:

1. The purpose of this Interlocal Agreement is to coordinate the CDBG disaster relief funds to the benefit of both parties. The Application for HUD Disaster Recovery Funding, including attachments and supplements, will provide funding for eligible projects countywide.
2. The COUNTY will administer the CDBG funds in conformance with all applicable HUD requirements, as administered by DCA, and as delineated more specifically in the Application and in the Grant Award Agreement between COUNTY and DCA. The COUNTY has contracted with an outside firm to perform Administration and Project Delivery Services. The COUNTY shall be the lead agency for this project, and as such shall have responsibility for day to day administrative requirements of the grant, including but not limited to procurement, payment of invoices, and request for funds approval and submission. In all cases, the COUNTY'S policies and procedures shall govern in matters related to this grant.
3. In the event either party hereunder desires or is required to provide any notice to the other party, the party desiring or required to provide such notice shall provide it in writing, send it by certified mail, return receipt requested, postage prepaid, to the other party at the address listed below:

   If to COUNTY: <PROVIDE CONTACT>

   If to CITY: <PROVIDE CONTACT>

4. No modification, amendment, or alteration in the terms or conditions herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.
5. The COUNTY agrees to sign applicable forms, including but not limited to, the letter of commitment, award agreement, environmental review, and closeout package.
6. This Agreement shall be construed solely to benefit the parties hereto and no third person, corporation, or other legal entity shall ever have the right to bring action to enforce the terms hereof.
7. This Agreement can be amended, including but not limited to the layout of proposed CDBG Facilities included in the Application for HUD Disaster Recovery Funding and Award Agreement, by both parties only by a separate writing and no employees or agent has the authority to waive or otherwise amend the terms and conditions of this Agreement without specific written authorization of the parties hereto subject to CDBG conditions.
8. COUNTY, as a state agency or subdivision defined in Section 768.28, Florida Statutes, agrees to be fully responsible to the limits set forth in such statute for its own negligent acts or omissions, or intentional tortuous actions, which result in claims or suits against either COUNTY or CITY, and agrees to be liable to the statutory limits for any damages proximately caused by said acts or omissions, or intentional tortuous acts.

   CITY, as a state agency or subdivision defined in Section 768.28, Florida Statutes, agrees to be fully responsible to the limits set forth in such statute for its o A n negligent acts or omissions, or intentional tortuous acts, which result in claims or suits against either the CITY or COUNTY, and agrees to be liable to the statutory limits for any damages proximately caused by said acts or omissions, or intentional tortuous acts.

own

Nothing contained in this Section shall be construed to be a waiver by either party of any protections under sovereign immunity, Section 768.28 Florida statutes, or any other similar provision of law. Nothing contained herein shall be construed to be; a consent by either party to be sued by third parties in any matter arising out of this or any other Agreement.

9. This Agreement shall become effective when executed both by the CITY and COUNTY and shall run until such time as the grant close-out is submitted and approved by the Department of Community Affairs. Upon the expiration of the term of this Agreement or upon this Agreement being declared void or unenforceable, any service being previously provided pursuant to the terms of this Agreement shall continue unless otherwise mutually agreed between the parties.

10. CITY and COUNTY mutually represent that they have the respective authority to enter into this Agreement,

In **WITNESS WHEREOF** the parties have hereunto set their hands and seals this date above written.

"CITY"

Attest:

CITY OF PALATKA, FLORIDA
A Municipal Corporation

_____

By:_____

CITY CLERK

MAYOR

"COUNTY"

Attest:

PUTNAM COUNTY, A Political Subdivision of the State of Florida

_____

By:_____

CLERK OF COURT

CHAIRMAN

Agenda Item

3c

FLORIDA
DEPARTMENT of
CORRECTIONS

Governor
CHARLIE CRIST

Secretary
WALTER A. MCNEIL

An Equal Opportunity Employer

2601 Blair Stone Road • Tallahassee, FL 32399-2500

http://www.dc.state.fl.us

March 22, 2010

Mr. Elwin (Woody) Boynton, City Manager
City of Palatka
201 North 2nd Street
Palatka, Florida 32177

Agenda

Subject: Contract WS526 – City of Palatka

Dear Mr. Boynton:

Contract WS526 between the Department of Corrections and the City of Palatka will expire on August 23, 2010. Accordingly, I am enclosing a draft renewal Amendment and a draft Addendum A for your review and a Contract Expiration Notification (CEN) Form.

Please complete the Contract Expiration Notification Form indicating your desire to either renew or allow the contract to expire and mail it back to me by Friday, ~~April 9~~, 2010.
April 16, 2010 —

Once the completed CEN is received from both you and Putnam CI, a final contract will be forwarded for signature.

If you have any questions, please feel free to contact me at (850) 410-4573.

Sincerely,

Emily M. Phelps
Correctional Services Consultant

/emp
Enclosures

DEPARTMENT OF CORRECTIONS
BUREAU OF PROCUREMENT & SUPPLY
CONTRACT EXPIRATION NOTIFICATION

DATE: March 22, 2010

TO: **Elwin (Woody) Boynton, City Manager**

FROM: Emily M. Phelps, Correctional Services Consultant

RE: **Contract WS526: Putnam CI – City of Palatka**
Work Squad: 1 Correctional Officers, 5 Inmates per squad
Expires: August 23, 2010

NOTE: The above-referenced contract will expire on the above listed date.

Please advise as to your preference:
☐ Do not renew. **Note**: Contract will expire on date specified.
☐ Process renewal of contract.

1. Did the Work Squad provide services (according to the scope of service) outlined in the above-referenced contract:
   a. were necessary reports provided in the required timeframe? ☐ Yes ☐ No ☐ N/A
   b. were invoices submitted in the required timeframe? ☐ Yes ☐ No ☐ N/A
   c. were services delivered in accordance with the terms & conditions? ☐ Yes ☐ No

2. Please explain any "negative" responses and attach documentation, if applicable.

3. Rate the overall performance of service as outlined in the Scope of Service under the contract identified above:

_____ Excellent	_____ Good	_____ Satisfactory	_____ Unacceptable
90% or better compliance	89%-75% compliance	74%-60% compliance	59% or below

If Unacceptable is checked, you are requested to provide an explanation.

SIGNED:_____ (Date)_____
Agency Representative

If you have any questions, please contact Emily Phelps at (850) 410-4573.

PLEASE RETURN THIS FORM AS SOON AS POSSIBLE TO:
Emily Phelps, Bureau of Institutional Support Services
2601 Blair Stone Road
Tallahassee, Florida 32399-2500

DRAFT

CONTRACT AMENDMENT BETWEEN

THE DEPARTMENT OF CORRECTIONS

AND

CITY OF PALATKA

This is an Amendment to the Contract between the Florida Department of Corrections ("Department") and City of Palatka ("Agency") to provide for the use of inmate labor in work programs.

This Amendment:

- renews the Contract for one (1) year pursuant to **Section I.**, B., Contract Renewal;
- revises the end date of the Contract referenced in **Section I.**, A., Contract Term; and
- replaces Addendum A with Revised Addendum A, effective August 24, 2010.

Original contract period: August 24, 2009 through August 23, 2010

In accordance with **Section V., CONTRACT MODIFICATIONS**, the following changes are hereby made:

1. **Section I.**, A., Contract Term, is hereby revised to read:

   A. This Contract began August 24, 2009 and shall end at midnight on August 23, 2011.

   This Contract is in its final renewal year.

2. Pursuant to **Section III.**, Compensation, A., 5, the rate of compensation is amended to reflect the rates indicated in Revised Addendum A. Addendum A is hereby replaced with Revised Addendum A, effective August 24, 2010.

All other terms and conditions of the original Contract remain in full force and effect.

This Amendment shall begin on the date on which it is signed by both parties.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS THEREOF, the parties hereto have caused this Amendment to be executed by their undersigned officials as duly authorized.

AGENCY: CITY OF PALATKA

SIGNED BY: [redacted] _____

NAME: _____

TITLE: _____

DATE: _____

FEID #: _____

DEPARTMENT OF CORRECTIONS

SIGNED BY: _____

NAME: **Richard D. Davison**

TITLE: **Deputy Secretary**
Department of Corrections

DATE: _____

Approved as to form and legality, subject to execution.

SIGNED BY: _____

NAME: **Kathleen Von Hoene**

TITLE: **General Counsel**
Department of Corrections

DATE: _____

Revised Addendum A
Inmate Work Squad Detail of Costs for the City of Palatka
Interagency Contract Number WS526 Effective August 24, 2010

ENTER MULTIPLIERS IN SHADED BOXES ONLY IF TO BE INVOICED TO AGENCY

I. CORRECTIONAL WORK SQUAD OFFICER SALARIES AND POSITION RELATED-EXPENSES TO BE REIMBURSED BY THE AGENCY:

			Per Officer Annual Cost	Total Annual Cost
Officers Salary	# Officers Multiplier	1	$ 52,729.00 **	$ 52,729.00
Salary Incentive Payment			$ 1,128.00	$ 1,128.00
Repair and Maintenance			$ 121.00	$ 121.00
State Personnel Assessment			$ 398.00	$ 398.00
Training/Criminal Justice Standards			$ 200.00	$ 200.00
Uniform Purchase			$ 400.00	$ 400.00
Uniform Maintenance			$ 350.00	$ 350.00
Training/Criminal Justice Standards *			$ 1,500.00	
Technology Fee			$ 391.00	$ 391.00
TOTAL - To Be Billed By Contract To Agency			$ 57,217.00	$ 55,717.00

*Cost limited to first year of contract as this is not a recurring personnel/position cost.
** Annual cost does not include overtime pay.

IA. **The Overtime Hourly Rate of Compensation for this Contract is $32.51, if applicable.** (The Overtime Hourly Rate of Compensation shall include the average hourly rate of pay for a Correctional Officer and the average benefit package provided by the department, represented as time and one half for purposes of this Contract.)

II. ADMINISTRATIVE COSTS TO BE REIMBURSED BY THE AGENCY:

	Number Squads	Total Annual Cost
Costs include but may not be limited to the following: Rain coats, staff high visibility safety vest, inmate high visibility safety vest, fire extinguisher, first aid kit, personal protection kit, flex cuffs, warning signs, handcuffs, Igloo coolers, portable toilets, insect repellants, masks, vaccinations, and other administrative expenses.	1	$ 750.00
TOTAL - To Be Billed By Contract To Agency		$ 750.00

III. ADDITIONAL AGENCY EXPENSES:

Tools, equipment, materials and supplies not listed in Section II above are to be provided by the Agency.

CELLULAR PHONE WITH SERVICE REQUIRED: YES ☐ NO ☒
ENCLOSED TRAILER REQUIRED: YES ☐ NO ☒

Revised Addendum A
Inmate Work Squad Detail of Costs for the City of Palatka
Interagency Contract Number WS526 Effective August 24, 2010

IV. OPERATING CAPITAL TO BE ADVANCED BY AGENCY:

			Per Unit Cost	Number of Units	Total Cost	Bill To Agency	Provided By Agency	Already Exists
Hand Held Radio	MACOM	$4,318.00		1	$ -			X
Vehicle Mounted Radio	MACOM	$4,414.00			$ -			
TOTAL Operating Capital To Be Advanced By Agency					$ -			

V. TOTAL COSTS TO BE ADVANCED BY AGENCY:

	Total Cost
1. Operating Capital - from Section IV.	$0.00
2. Grand Total - To Be Advanced By Agency At Contract Signing:	$0.00

VI. TOTAL COSTS TO BE BILLED TO AGENCY BY CONTRACT:

	Total Cost
1. Correctional Officer Salaries and Position-Related Expenses - from Section I.	$55,717.00
2. Other Related Expenses and Security Supplies - from Section II.	$750.00
3. Grand Total - To Be Billed To Agency By Contract:	$56,467.00

VII. TOTAL OF ALL COSTS ASSOCIATED WITH CONTRACT:
(Total of Sections V. and VI.) $56,467.00

VIII. OVERTIME COSTS:
If the contracting Agency requests overtime for the work squad which is approved by the Department, the contracting Agency agrees to pay such costs and will be billed separately by the Department for the cost of overtime.

Addendum A - INSTRUCTIONS
Inmate Work Squad Detail of Costs for the City of Palatka
Interagency Contract Number WS526 Effective August 24, 2010

Section I. Costs in this section are determined each fiscal year by the Budget and Management Evaluation Bureau and are fixed. By entering the number of Officers required for this contract, the spreadsheet will automatically calculate the "Total Annual Cost" column. If this Work Squad is beyond the first year of existence, enter a zero (0) in the "Total Annual Cost" column for "Training/Criminal Justice Standards" **after** you have entered the "# Officers Multiplier".

Section II. Safety and environmental health procedures require safety measures such as the use of safety signs, vests, and clothing. The Department's procedure for Outside Work Squads requires that all Work Squad Officers be responsible for ensuring their squad is equipped with a first aid kit and a personal protection equipment (PPE) kit. Section II identifies such required equipment. A new squad must be sufficiently equipped and an on-going squad must be re-supplied when needed. Type in the number of squads used for this contract and the spreadsheet will automatically calculate the fixed annual expense of $750.00 per squad and place the total in Section VI.

Section III. Check "Yes" or "No" to indicate whether a Cellular Phone with Service and/or an Enclosed Trailer is required by the Contract Manager.

Section IV. The Department's procedure for Outside Work Squads requires that they have at least one (1) primary means of direct communication with the Institution's Control Room. Communication via radio and/or cellular phone is appropriate. It is preferred that a backup, secondary means of communication also be available. It is the Agency's responsibility to provide them. If the Department purchases a radio(s), the Agency must fund the purchase at the time the Contract is signed. Check the box for the type of radio and fill in the Per Unit Cost for the type of radio, Number of Units, and Total Cost columns. Leave the Total Cost column blank if a radio(s) is not being purchased at this time. Check applicable boxes ("Bill to Agency", "Provided by Agency" and "Already Exists") for each radio.
NOTE: All radio communication equipment owned or purchased by the Agency that is programmed to the Department's radio frequency and used by the work squad(s), whether purchased by the Department or the Agency, shall be IMMEDIATELY deprogrammed by the Department at no cost to the Agency upon the end or termination of this Contract.

Section V. The total funds the Agency must provide at the time the contract is signed will be displayed here when the form is properly filled out.

Section VI. The total funds the Agency will owe contractually, and pay in equal quarterly payments, will be displayed here.

Section VII. The total funds associated with the Contract, to be paid by the Agency as indicated in Sections V. and VI., will be displayed here.

Section VIII. Any agreement in this area will be billed separately as charges are incurred.

Agenda Item

3d

Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 30, 2010

Mr. Woody Boynton
City Manager
City of Palatka
201 North 2nd Street
Palatka, Florida 32177

Re: LP6771 – City of Palatka
Palatka Wastewater Plant

Dear Mr. Boynton:

Enclosed are two original copies of the proposed Legislative Project grant Amendment 4 for the City's wastewater improvement project. The amendment revises the scope of the project work plan.

Please have the City Manager sign on page 2 of the enclosed two copies. Return both copies to us within three weeks at 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida, 32399-2400. We will arrange for the Deputy Division Director to sign the document and mail a fully executed original to the City.

If you have any questions about the amendment, please call Lekenyia Beal at 850/245-8358.

Sincerely,

Robert E. Holmden

Robert E. Holmden, P.E., Chief
Bureau of Water Facilities Funding

RH/lb

Enclosures

STATE FINANCIAL ASSISTANCE AGREEMENT
DEP AGREEMENT NO. LP6771
CITY OF PALATKA
AMENDMENT NO. 4
PURSUANT TO LINE ITEM 1821 OF THE 2006-2007 GENERAL APPROPRIATIONS ACT,
AND
LINE ITEM 1859 OF THE 2007-2008 GENERAL APPROPRIATIONS ACT

THIS AGREEMENT as entered into on the 20th day of December, 2006, and amended on the 14th day of August, 2007, the 15th day of September, 2008, and the 16th day of October, 2009, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the CITY OF PALATKA (hereinafter referred to as the "Grantee" or "Recipient") is hereby amended.

WHEREAS, due to revision in the scope of the work plan; and,

WHEREAS, additional changes to the Agreement are necessary.

NOW, THEREFORE, the parties hereto agree as follows:

1. **Attachment A**, Project Work Plan, is hereby amended to include **Attachment A-4**, Revised Project Work Plan, attached hereto and made a part of the Agreement. All references in the Agreement to **Attachment A**, Project Work Plan, shall hereinafter refer to **Attachment A**, Project Work Plan, **Attachment A-1**, Revised Project Work Plan, **Attachment A-2**, Revised Project Work Plan, **Attachment A-3**, Revised Project Work Plan, and **Attachment A-4**, Revised Project Work Plan.

In all other respects, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 4 to State Financial Assistance Agreement LP6771 shall be executed in two or more counterparts, either of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the State Financial Assistance Agreement to be executed on its behalf by the Deputy Director of the Department and the Grantee has caused this amendment to be executed on its behalf by its Authorized Representative. The effective date of this amendment shall be as set forth below by the Deputy Director of the Department of Environmental Protection, Division of Water Resource Management.

CITY OF PALATKA

By:_____
City Manager

Date:_____

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:_____
Deputy Director
Division of Water Resource Management

Date:_____

_____
Tommy Williams, DEP Grant Manager

*For Agreements with governmental boards/commissions: If someone other than the Chairman signs this Amendment, a resolution, statement or other document authorizing that person to sign the Amendment on behalf of the Grantee must accompany the Amendment.

List of attachments/exhibits included as part of this Amendment:

Specify Type	Letter/Number	Description (include number of pages)
Attachment	A-4	Revised Project Work Plan (3 pages)

STATE FINANCIAL ASSISTANCE AGREEMENT
DEP AGREEMENT NO. LP6771
CITY OF PALATKA
AMENDMENT NO. 4
PURSUANT TO LINE ITEM 1821 OF THE 2006-2007 GENERAL APPROPRIATIONS ACT,
AND
LINE ITEM 1859 OF THE 2007-2008 GENERAL APPROPRIATIONS ACT

THIS AGREEMENT as entered into on the 20th day of December, 2006, and amended on the 14th day of August, 2007, the 15th day of September, 2008, and the 16th day of October, 2009, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the CITY OF PALATKA (hereinafter referred to as the "Grantee" or "Recipient") is hereby amended.

WHEREAS, due to revision in the scope of the work plan; and,

WHEREAS, additional changes to the Agreement are necessary.

NOW, THEREFORE, the parties hereto agree as follows:

1. **Attachment A**, Project Work Plan, is hereby amended to include **Attachment A-4**, Revised Project Work Plan, attached hereto and made a part of the Agreement. All references in the Agreement to **Attachment A**, Project Work Plan, shall hereinafter refer to **Attachment A**, Project Work Plan, **Attachment A-1**, Revised Project Work Plan, **Attachment A-2**, Revised Project Work Plan, **Attachment A-3**, Revised Project Work Plan, and **Attachment A-4**, Revised Project Work Plan.

In all other respects, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 4 to State Financial Assistance Agreement LP6771 shall be executed in two or more counterparts, either of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the State Financial Assistance Agreement to be executed on its behalf by the Deputy Director of the Department and the Grantee has caused this amendment to be executed on its behalf by its Authorized Representative. The effective date of this amendment shall be as set forth below by the Deputy Director of the Department of Environmental Protection, Division of Water Resource Management.

CITY OF PALATKA

By:_____
City Manager

Date:_____

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By:_____
Deputy Director
Division of Water Resource Management

Date:_____

_____
Tommy Williams, DEP Grant Manager

*For Agreements with governmental boards/commissions: If someone other than the Chairman signs this Amendment, a resolution, statement or other document authorizing that person to sign the Amendment on behalf of the Grantee must accompany the Amendment.

List of attachments/exhibits included as part of this Amendment:

Specify Type	Letter/Number	Description (include number of pages)
Attachment	A-4	Revised Project Work Plan (3 pages)

Agenda Item

3e

Betsy Driggers

From: Woody Boynton
Sent: Friday, April 02, 2010 12:44 PM
To: Betsy Driggers
Subject: FW: Passero Associates (Amendment 2)
Attachments: DOC040210.pdf

Please include with the consent agenda

From: Andrew Holesko [mailto:AHolesko@passero.com]
Sent: Friday, April 02, 2010 12:18 PM
To: Woody Boynton; Betsy Driggers
Subject: Passero Associates (Amendment 2)

As discussed, attached please find amendment 2 to work order 08-13R, for additional services during the design and installation of the AWOS antenna relocation.

This item is submitted for consideration on the April 8th commission agenda.

Any questions, please contact me.

Andrew Holesko, C.M.
Passero Associates, LLC
Designing Your Future...

Zweig Hot 200 Firm | CE News Top Performer
Jacksonville, FL Top 50 | Rochester, NY Top 100
www.passero.com
This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Passero Associates. The recipient should check this email and any attachments for the presence of viruses. Passero Associates accepts no liability for any damage caused by any virus transmitted by this email.

City of Palatka – Palatka Municipal Airport

Work Order 08-13R:
Amendment (#2) for Additional Services
(During Resident Engineering and Inspection)

Taxiway B Pavement Rehabilitation, Airfield Drainage Improvement, AWOS

PASSERO-WO NO. 08 – 13R
P.A. Project No. 24010.13R

Amendment (#2) for Additional Services (During Resident Engineering and Inspection) Taxiway B Pavement Rehabilitation, Airfield Drainage Improvement, AWOS

PASSERO ASSOCIATES (PA) agrees to perform the following services, in accordance with the terms and conditions of this Work Order and the Master Consulting Services Agreement with the City of Palatka (dated February 26, 2004), all of which terms and conditions are incorporated herein by reference:

Project Location: Palatka Municipal Airport (Kay Larkin Field), Palatka, Florida.

Project Description: The City has an existing agreement with Passero Associates (Work Order 08-13R) for support during the construction phase of the Taxiway B Pavement Rehabilitation, Airfield Drainage Improvement and AWOS project. This amendment provides additional services for specific project completion tasks for the City.

Scope of Basic Services: Provide for continuing management, coordination and completion of the project, to include additional support for electrical system improvements related to the design, siting and relocation of the AWOS antenna and installation of AWOS display structures.

Scope of Special Services: None.

Client Manager: Mr. Woody Boynton, City Manager.

PA Program Manager: Mr. Andrew Holesko, CM, Program Manager.

Basic Services Compensation and Method of Payment:	Not-to-Exceed	$ 9,760.00
Special Services Compensation and Method of Payment:	Not-to-Exceed	$ 0.00
Total Project Cost:	Not-to-Exceed	$ 9,760.00

Schedule: To be determined as soon as Notice-to-Proceed is issued.

Meetings: As needed and directed by the City.

Deliverables: 1. Project completion tasks, management and coordination of the installation.

"CONSULTANT" – PASSERO ASSOCIATES, LLC

BY: _____
Andrew M. Holesko, (Program Manager)
Typed Name, (Title)

ATTEST BY: _____

"CLIENT" - CITY OF PALATKA

BY: _____
Woody Boynton, (City Manager)
Typed Name, (Title)

BY: _____

Karl Flagg, (Mayor)
Typed Name, (Title)

ATTEST BY: _____

Agenda Item

3f

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

City of Palatka

Office of the City Manager

To: **Mayor Flagg, City Commissioners**

From: Woody Boynton, City Manager

Date: April 2, 2010

RE: Acceptance of Easements

Attached are two easements from Anastasia Square, LLC and Cypress Mills, LLC. These easements were required by the city to construct and maintain the stormwater system being constructed from Kirby Street to River Street. Mr. Don Holmes has reviewed the easements and has indicated his acceptance of the easements.

The system being constructed will provide nutrient treatment of stormwater runoff prior to discharging to the St. Johns River. It is also expected to minimize flooding on SR-20 near the overpass. This project is being funded by grants from the SJRWMD and the FDEP.

I am requesting and recommend that the Mayor be authorized to sign the easements.

Should you have any questions please call.

This Instrument Prepared By:
W. Steve Sykes
Law Office of W. Steve Sykes, PL
P.O. Box 840140
St. Augustine, Florida 32080

Parcel I.D. Nos: 42-10-27-6850-0500-0021

EASEMENT

THIS EASEMENT ("Easement"), made by **ANASTASIA SQUARE, LLC,** whose post office address is, PO Box 1508, Seabrook, NH, 03874 ("Grantor"), to the **CITY OF PALATKA, FLORIDA,** a municipal corporation, whose address is 201 N. 2nd. Street, Palatka, Florida, 32177 ("Grantee").

The Grantor for and in consideration of the sum of Ten and 00/100th Dollars ($10.00) and other good and valuable consideration in hand paid by Grantee, its successors, legal representatives and assigns forever, hereby grants a non-exclusive easement for the construction, installation and maintenance of a storm water drainage system on, over, and underneath the following described real property situated in Putnam County, Florida, together with the right of ingress and egress over said property for the purpose of maintaining said storm water system, to-wit:

PROPERTY DESCRIBED IN EXHIBIT A ATTACHED HERETO

The undersigned Grantor hereby reserves the right to use the real property described herein for all purposes which will not interfere with the non-exclusive easement granted herein and further reserves the right to grant easements to other parties on, over and under said real property; provided, however, that any additional systems, utilities or the like installed therein be installed in accordance with federal, state, and local regulations and shall not interfere with the Grantee's storm water system or use of the subject property for such purposes. The Grantor further reserves the sole right to modify this Easement to provide a more detailed description of the easement boundaries upon the completion of said storm water system by Grantee.

(Signatures Next Page)

EXHIBIT A

"EASEMENT PROPERTY"

DS ST DEED .70 : 0.00 BK 1023 PG 1675

DESCRIPTION: # 1

A tract of land situated in Blocks 50, 51, and 144 of the City of Palatka together with that part of Emmett, Osceola and Tecumseh Streets (closed) lying adjacent to said Blocks, being more particularly described as follows:

Commencing at a concrete monument at the most Easterly corner of Block 50 of the City of Palatka and run thence Southwesterly, along the Northwesterly right-of-way of River Street of said City, a distance of 150.0 feet to a concrete monument and the point of beginning of this description. From point of beginning (1) continue Southwesterly, along said Northwesterly right-of-way, a distance of 300.0 feet to the most Easterly corner of Block 141 of the City of Palatka. (2) Thence Northwesterly, along the Northeasterly line of Block 141, a distance of 404.0 feet to the most Northerly corner of Block 141. (3) Thence Southwesterly, along the Northwesterly line of Block 141 of the City of Palatka and on a Southwesterly projection thereof, a distance of 425.0 feet to intersect with the Northeasterly line of Lot C of WILSON CYPRESS COMPANY'S SUBDIVISION, according to plat thereof, recorded in Map Book 3, page 194 of the public records of Putnam County, Florida. (4) Thence Northwesterly, along the Northeasterly line of Lots C and 1 of said Subdivision, a distance of 360.0 feet to a nail and cap set in pavement at the most Northerly corner of Lot 1 on the Southeasterly right-of-way of Kirby Street of the City of Palatka. (5) Thence Northeasterly, along said Southeasterly right-of-way, a distance of 875.0 feet to a concrete monument at the most Northerly corner of Block 51 of the City of Palatka. (6) Thence Southeasterly, along the Northeasterly line of Block 51, being the Southwesterly right-of-way of Morris Street of the City of Palatka, a distance of 300.0 feet to the most Easterly corner of Block 51.. (7) Thence Southwesterly, along the Southeasterly line of Block 51, being the Northwesterly right-of-way of Emmett Street of the City of Palatka, a distance of 150.0 feet to a concrete monument. (8) Thence Southeasterly, parallel with the Southwesterly right-of-way of Morris Street, across Emmett Street, a distance of 464.0 feet to the point of beginning and to close.

SUBJECT TO Easements of record.

Containing 9.80 acres, more or less, inclusive of Easements.

IN WITNESS WHEREOF, the undersigned has caused this Easement Agreement to be executed on this _____ day of _____, the year 2010.

"GRANTOR"

Signed, sealed, and delivered in the

ANASTASIA SQUARE, LLC

By:_____

By: J. Normand Jutras Mgr
J. Normand Jutras, Member-Manager

_____
(Print Name)

By:_____

_____
(Print Name)

STATE OF FLORIDA
COUNTY OF ST. JOHNS

THE FOREGOING instrument was acknowledged before me this 17th day of March, 2010 ~~2008~~ by Normand Jutras, Member-Manager of Anastasia Square, LLC, a Florida limited liability company, who is (__) personally known to me, or (✓) who has produced a Drivers License as identification.

Sara E Wormald
Notary Public

My Commission expires: 4-8-16

SARA E. WORMALD
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
April 8, 2016

This Instrument Prepared By:
W. Steve Sykes
Law Office of W. Steve Sykes, PL
P.O. Box 840140
St. Augustine, Florida 32080

Parcel I.D. Nos: 42-10-27-6850-0500-0020

EASEMENT

THIS EASEMENT ("Easement"), made by **CYPRESS MILLS, LLC,** whose post office address is, PO Box 1508, Seabrook, NH, 03874 ("Grantor"), to the **CITY OF PALATKA, FLORIDA**, a municipal corporation, whose address is 201 N. 2nd. Street, Palatka, Florida, 32177 ("Grantee").

The Grantor for and in consideration of the sum of Ten and 00/100th Dollars ($10.00) and other good and valuable consideration in hand paid by Grantee, its successors, legal representatives and assigns forever, hereby grants a non-exclusive easement for the construction, installation and maintenance of a storm water drainage system on, over, and underneath the following described real property situated in Putnam County, Florida, together with the right of ingress and egress over said property for the purpose of maintaining said storm water system, to-wit:

PROPERTY DESCRIBED IN EXHIBIT A ATTACHED HERETO

The undersigned Grantor hereby reserves the right to use the real property described herein for all purposes which will not interfere with the non-exclusive easement granted herein and further reserves the right to grant easements to other parties on, over and under said real property; provided, however, that any additional systems, utilities or the like installed therein be installed in accordance with federal, state, and local regulations and shall not interfere with the Grantee's storm water system or use of the subject property for such purposes. The Grantor further reserves the sole right to modify this Easement to provide a more detailed description of the easement boundaries upon the completion of said storm water system by Grantee.

(Signatures Next Page)

EXHIBIT A

"EASEMENT PROPERTY"

Exhibit A

DESCRIPTION: Phase II

PARCEL #1:
Lot A (also referred to as Tract A) and Lots 7, 15 and 16 of WILSON CYPRESS COMPANY'S SUBDIVISION, according to plat thereof recorded in Map Book 3, page 194 of the public records of Putnam County, Florida.

PARCEL #2:
A tract of land situated in Block 141 of the City of Palatka together with that part of Tecumseh Street (closed), lying adjacent to said Block; and, Lots B and D and a part of Lot C of WILSON CYPRESS COMPANY'S SUBDIVISION, according to plat recorded in Map Book 3, page 194 of the public records of Putnam County, Florida, being more particularly described as follows:

Commencing at a concrete monument at the most Easterly corner of Block 50 of the City of Palatka and run thence Southwesterly, along the Northwesterly right-of-way of River Street of said City, a distance of 750.0 feet to the point of beginning of this description. From point of beginning (1) continue Southwesterly, along said Northwesterly right-of-way, a distance of 124.32 feet to a cross cut in concrete at the most Easterly corner of Lot 18 of WILSON CYPRESS COMPANY'S SUBDIVISION, according to plat thereof recorded in Map Book 3, page 194 of the public records of Putnam County, Florida. (2) Thence Northwesterly, along the Northeasterly line of Lot 18, a distance of 200.0 feet to a concrete monument at the most Northerly corner of Lot 18. (3) Thence Southwesterly, along the Northwesterly line of Lots 18 and 17 of said Subdivision, a distance of 174.1 feet to the most Southerly corner of Lot D of said Subdivision. (4) Thence Northwesterly, along the Southwesterly line of Lot D, a distance of 131.20 feet to the most Westerly corner of Lot D on the Southwesterly line of Lot B of said Subdivision. (5) Thence Northwesterly, along said Southwesterly line, a distance of 442.2 feet to a concrete monument at a bend in said Southwesterly line. (6) Continue Northwesterly, along the Southwesterly line of Lot B, a distance of 73.5 feet to a concrete monument at the most Westerly corner of Lot B on the Southeasterly right-of-way of Kirby Street of the City of Palatka. (7) Thence Northeasterly, along the Northwesterly line of Lot B, being the Southeasterly right-of-way of Kirby Street, a distance of 41.8 feet to a concrete monument at the most Northerly corner of Lot B of said Subdivision. (8) Thence Southeasterly, along the Northeasterly line of Lot B, a distance of 73.6 feet to a concrete monument at a bend in said Northeasterly line. (9) Continue Southeasterly, along the Northeasterly line of Lot B, a distance of 99.6 feet to a concrete monument at the most Westerly corner of Lot C of said Subdivision. (10) Thence Northeasterly, along the Northwesterly line of Lot C, a distance of 132.555 feet to a concrete monument on the Southwesterly line of lands described in Official Records Book 979, page 550 of said public records. (11) Thence Southeasterly, along said Southwesterly line, a distance of 90.10 feet to a concrete monument at the most Southerly corner of lands described in Official Records Book 979, page 550. (12) Thence Northeasterly, along the Southeasterly line of said lands, a distance of 190.0 feet to a concrete monument at the most Easterly corner of lands described in Official Records Book 979, page 550 on the Northeasterly line of Lot C of said Subdivision. Return to the point of beginning and (13) run Northwesterly, parallel with the Northeasterly line of Block 141 of the City of Palatka, a distance of 90.0 feet. (14) Thence Northerly, a distance of 424.0 feet, more or less, to intersect with the Northeasterly line of Block 141, at a distance of 390.0 feet Northwesterly, as measured along said Northeasterly line, from the most Easterly corner of Block 141 of the City of Palatka. (15) Thence Northwesterly, along the Northeasterly line of Block 141, a distance of 14.0 feet to the most Northerly corner of Block 141. (16) Thence Southwesterly, along the Northwesterly line of Block 141 of the City of Palatka, all or a Southwesterly projection thereof, a distance of [illegible] feet to intersect with the Northeasterly line of Lot C of WILSON CYPRESS COMPANY'S SUBDIVISION. (17) Thence Northwesterly, along the Northeasterly line of Lot C of said Subdivision, a distance of 120.0 feet to the Northeasterly end of call (12) and to close.

SUBJECT TO Easements of record.

Containing 9.78 acres, more or less, inclusive of Easements.

IN WITNESS WHEREOF, the undersigned has caused this Easement Agreement to be executed on this _____ day of _____, the year 2010.

"GRANTOR"

CYPRESS MILLS, LLC

By: _____

J. Normand Jutras, Member-Manager

Signed, sealed, and delivered in the

By: _____

_____

(Print Name)

By: _____

_____

(Print Name)

STATE OF FLORIDA
COUNTY OF ST. JOHNS

THE FOREGOING instrument was acknowledged before me this 17th day of March, 2010 ~~2008~~ by J. Normand Jutras, Member-Manager of Cypress Mills, LLC, a Florida limited liability company, who is (__) personally known to me, or (✓) who has produced a Drivers License as identification.

Sara E. Wormald

Notary Public

My Commission expires: 4-8-16

SARA E. WORMALD
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
April 8, 2016

Agenda Item

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CRA Agenda

Agenda Item

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CITY OF PALATKA CITY COMMISSION
AGENDA ITEM

ITEM: 1201 Short Street code enforcement fine reduction recommendation from CEB

DEPARTMENT: Building & Zoning

AGENDA SECTION: Consent Agenda

ATTACHMENTS:

1. March 24, 2010 CEB minutes
2. Letter of request from owner
3. Costs of Prosecution Assessment
4. Finding of Fact, Conclusions of Law, and Order

DATE: April 8, 2010

SUMMARY HIGHLIGHTS:

On March 24, 2010 the Code Enforcement Board voted to recommend a reduction of the $24,200 accrued $25 per day fine down to $5,000 plus costs of prosecution. The fine has been running since June 27, 2007. The property is in compliance at this time. Costs of prosecution are $434.28 if recording is not required or $485.36 if recording is required.

RECOMMENDED ACTION:

Approval of the Code Enforcement Board's recommendation to reduce the daily fine to $5,000 plus costs of prosecution.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

Meeting called to order at 4:00 p.m. by Chairman Kenny Downs. **Members present**: LaSandra Williams, Pat Wilson, Douglas Webb, Terrill Hill, Elizabeth Van Rensberg and Michael Gagnon. **Members absent:** John Lyon. **Also present:** Building and Zoning Department Director and Code Enforcement Supervisor, Debbie Banks; Code Enforcement Officer, Elizabeth Hearn; Recording Secretary, Pam Sprouse and City Attorney, Don Holmes.

Motion made by Pat Wilson and seconded by Michael Gagnon to approve the minutes of the February 24, 2010 meeting. All voting members were in favor. Motion carried.

Kenny Downs read "To Appeal Any Decision" and swore in all City staff testifying at the hearing.

OLD BUSINESS

Case 06-28 **1201 Short Street**
Owner: 1201 Short Street LLC
Section 30-166 Minimum Maintenance Standards
Section 30-32 Weeds, Debris, Prohibited Conditions

Ms. Hearn testified as to actions and dates and photo evidence on this case. She explained that as this is an old case, it has been handled by several code enforcement hands, as well as the ownership has changed multiple times. She advised that there was a daily fine that totaled $24,200.00. She stated that the property is now in compliance and recommended assessing costs of prosecution in the amount of $434.28 or if it has to be recorded as a lien $485.36.

Michael Scott Meckley, 2517 W. Jatan Ave, Tampa FL 33629, explained that he believed that this was an honest case of miscommunication over an extended period of time. He explained that there have been four changes of ownership and during the past two and one half years they had two communications with Codes Enforcement and both times they took action through a local property manager and thought they had done what they needed to do to solve the problems and did not know there was a daily fine running. They received this property through mortgage foreclosure process.

Discussion took place regarding title searches and foreclosure proceedings.

Motion made by Terrill Hill and seconded by Pat Wilson to make recommendation to the City Commission to reduce the amount of fine to $5,000.00 and assess costs of prosecution in the amount of $434.28 or $485.36 if it has to be recorded as a lien. Terrill Hill expressed that his recommendation of reduction is based on the fact that there was some level of compliance but there is a certain level of responsibility for the owner to do diligence in taking the property back over as the lien is public record. All present voted affirmative. Motion carried.

Ms. Banks advised that she would be forwarding this recommendation to the City Commission for their April 8, 2010 meeting.

1201 Short Street LLC
5100 W Kennedy Blvd, Suite 225
Tampa, Florida 33609

February 26, 2010

Elizabeth Hearn
Code Enforcement Officer
City of Palatka
201 N 2nd Street
Palatka, Florida 32177

Dear Elizabeth,

In accordance with our phone conversation I am writing to request an appearance before the Code Enforcement Board to explain why I believe the fines accrued on case number 06-28 should be reduced. Please let me know the date I need to appear. You may reach me at 813-739-3099 if you have any questions. Thank you for your assistance with this matter.

Best Regards,
1201 Short Street LLC

M. Scott Meckley
Chief Financial Officer

COSTS OF PROSECUTION ASSESSMENT

Case 06-28

Location: 1201 Short Street (07-10-27-3550-0120-0014)

Owner: 1201 Short Street LLC

Daily Fine of $25.00 per day for 968 days: $24,200.00 (as of 2/18/10)

13 inspections; 2 warning notice; 1 posting; Board preparation & administrative time

Costs of Prosecution - $434.28 - if a recorded lien order is not required

$485.36 - if not paid within 30 days and a recorded lien order is required

EHearn

CODE ENFORCEMENT BOARD OF THE CITY OF PALATKA, FLORIDA

CITY OF PALATKA, Petitioner,

vs.

John LeBoeuf, Respondent(s)

COMPLAINT NO. 06-28

* OFFICIAL RECORDS *
BK 1156 PG 1206

FINDING OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came before the Board for public hearing on May 23, 2007 after due notice to the Respondent, and the Board having heard testimony under oath, received evidence, and heard argument of counsel (if any) thereupon issues its Findings of Fact, Conclusions of Law and Order as follows:

I. FINDINGS OF FACT:

1. The Respondent is the owner of property described as 1201 Short Street, parcel number 07-10-27-3550-0120-0014 of the City of Palatka, Putnam County, Florida.

2. The Respondent was properly notified (property posted) that the above-described property needed to be brought into compliance within a given time, and has failed to comply.

II. CONCLUSIONS OF LAW:

1. The Respondent is in violation of Section 30-166 Minimum Maintenance Standards.

III. ORDER

1. A $25.00 per day fine is hereby levied on the above-described property effective June 27, 2007 and shall continue until the violation is remedied.

2. Administrative costs will be assessed against the property at a later date.

DONE AND ORDERED this 23rd day of May 2007, at Palatka, Putnam County, Florida.

CODE ENFORCEMENT BOARD OF THE CITY OF PALATKA
FLORIDA

BY Kenneth Downs
Kenneth Downs, Its Chairman

CLERK OF COURTS PUTNAM COUNTY, FLORIDA

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law and Order has been furnished by Certified mail to the Respondent and/or authorized counsel, John LeBoeuf, 5100 W. Kennedy Boulevard; Suite 225; Tampa, FL 33609, this 2nd day of July, 2007.

Deborah J. Banks
Deborah J. Banks, Code Enforcement Supervisor

Prepared by:
Deborah J. Banks
City of Palatka
201 N 2nd Street
Palatka, FL 32177

TIM SMITH, PUTNAM CO. CLERK OF COURT
RCD: 07/02/2007 @ 10:50

FILE #: 0000624138

Betsy Driggers

From: Betsy Driggers
Sent: Friday, April 02, 2010 8:55 AM
To: 'SMeckley@huntresco.com'
Cc: Debbie Banks
Subject: RE: 1201 Short Street LLC - Code Violation Fines
Attachments: CodeViolation Timeline.doc

Confirmed that you are on the 4/8/10 Palatka City Commission agenda. Meeting will be held at City Hall, 201 N. 2nd Street, Palatka FL 32177.

Betsy Jordan Driggers, CMC
City Clerk
City of Palatka
201 N. 2nd Street
Palatka FL 32177
Ph. 386-329-0100 ext 211
Fax 386-329-0199
bdriggers@palatka-fl.gov

PUBLIC RECORDS NOTICE: Under Florida law, e-mail addresses are public record. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this public entity. Instead, contact this office by phone or in person. Section 668.6076, Florida Statutes.

This e-mail and any files transmitted with it are intended solely for the recipient(s) to whom it is addressed.

From: Scott Meckley [mailto:SMeckley@huntresco.com]
Sent: Thursday, April 01, 2010 5:25 PM
To: Betsy Driggers
Subject: 1201 Short Street LLC - Code Violation Fines

Betsy,

I would request an appearance with the City Commission at their next meeting on April 8, 2010 to further discuss this matter. As I proposed at the Code Hearing I believe a fine of $1,500 to $2,000 would be fair given the circumstances of this case. For your reference I have attached the timeline showing the history of the case.

My understanding is this meeting will be held at 201 N 2nd St at 6pm. Please confirm I have been added to the agenda and I will see you on the 8th.

Thank you.

Scott

M. Scott Meckley | Chief Financial Officer | Hunt Real Estate
5100 W Kennedy Blvd, Ste 225 | Tampa FL 33609 | ☎ 813 739 3099 | 813 289 4800 | smeckley@huntresco.com

1201 Short St.
Code Violation Timeline – Case #06-28

OWNER: SW125 Unlimited, Inc. October 4, 2005

OWNER: Edward & Dawn Marquez October 28, 2005

February 1, 2006 – code violation issued

March 9, 2006 – letter indicating problems and need to comply by 4/26/2006

OWNER: MH Lending LLC June 2, 2006

July 24, 2006 – notice of need to comply by 8/15/2006

OWNER: John Lebouef September 19, 2006

February 14, 2007 – reinspection letter (letter unclaimed)

March 26, 2007 – additional violations letter (returned to sender)

April 17, 2007 – internal memo recommending case go to code enforcement board

May 23, 2007 – case on code enforcement agenda

June 27, 2007 – date set for fines to start

June 27, 2007 – internal memo noting no change in property and no contact from owner

July 2, 2007 – letter regarding fines

OWNER: 1201 Short St LLC December 11, 2007

April 1, 2008 – letter indicating problems still exist and 4/11/08 deadline for correcting

April & May 2008 – our property manager, Tom Trotter, discussed situation with City, took corrective action and confirmed with City action was acceptable. At this point we believed the case was in compliance and received no communication from the City to the contrary.

February & March 2009 – our property manager, Dennis Valenti, visited house and secured house. City contacted us in March saying house was unsecured. Corrected problem and requested inspection by City and compliance letter. Several follow up calls were made to the City without response and once again we assumed the case was in compliance due to no communication from the City to the contrary.

December 28, 2009 – new violation issued (case 09-143).

1201 Short St.
Code Violation Timeline – Case #06-28

January & February 2010 – when we inquired about the new violation we learned the old case was never closed and a daily fine has been accruing. Confirmed what needed to be done to comply and completed work as soon as we could.

February 18, 2010 – compliance letter issued

RETURN CIRCUIT CIVIL

Inst:200854644916 Date:3/18/2008 Time:9:45 AM
Doc Stamp-Deed:0.00
DC,Tim Smith,Putnam County Page 1 of 3

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA
CIVIL DIVISION

MH LENDING LLC, a Florida limited liability company,

Plaintiff,

vs.

JOHN R. LEBOEUF;
PAINT CREEK PARTNERS, INC., a Florida corporation;
GLOVER BUILDERS INC., a Florida corporation;
FLORIDA PEST CONTROL AND CHEMICAL CO., a Florida corporation; TERWIN ADVISORS LLC, a Florida limited liability company; and
UNKNOWN TENANT(S) IN POSSESSION;

Defendants,

Case No. 07-1626-CAG
Div. G

FILED
CIRCUIT CIVIL
08 FEB -4 PM 3:11
DAVID R. ELLSPERMANN
CLERK CIRCUIT COURT
MARION COUNTY, FL

DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY
DATE: 02/04/2008 03:18:11 PM
FILE #: 2008011599 OR BK 04975 PGS 1108-1110
RECORDING FEES 0.00

Certificate of Title

The undersigned Clerk of the Circuit Court certifies that he/she executed and filed a Certificate of Sale in this multi-county foreclosure action on December 11, 2007, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following Parcel 1 and Parcel 2 property located in Marion County, Florida:

Parcel 1:

The South 80 feet of the North 488.5 feet of the East 112.5 feet of the West 2047.5 feet of the North ½ of the Southwest ¼ of Section 35, Township 14 South, Range 24 East, Marion County, Florida; being Lot 485 of an unrecorded subdivision.

All fixtures, machinery, equipment, appliances and personal property of every nature whatsoever now or hereafter owned by the Mortgagor and located in or on, or used or installed on or intended to be used or installed on such real property.

Marion County Parcel #: R [redacted]

Parcel 2:

The South 80 feet of the North 568.5 feet of the East 112.5 feet of the West 2047.5 feet of the North ½ of the Southwest ¼ of Section 35, Township 14 South, Range 24 East, Marion County, Florida; being Lot 486 of an unrecorded subdivision.

All fixtures, machinery, equipment, appliances and personal property of every nature whatsoever now or hereafter owned by the Mortgagor and located in or on, or used or installed on or intended to be used or installed on such real property.

Marion County Parcel #: R [redacted]

DEED DOC TAX 0.70

Parcel 1 and Parcel 2 were sold to: MH LENDING LLC, a Florida limited liability company, and assigned by assignment of bid and Certificate of Sale, and therefore title is hereby issued to **MH PROPERTIES 1, LLC**, a Florida limited liability company, whose address is 5100 W. Kennedy Blvd., Suite 225, Tampa, Florida 33609; and

The following Parcel 3 property located in Putnam County, Florida:

Parcel 3:

Beginning at the intersection of Short and Butler Streets and running 60 feet West on Short Street; thence South 127 feet to the line of land owned by E.M. Smith; thence East 60 feet to Butler Street; thence on the West line of Butler Street 127 feet to the point of beginning. Being a Lot in the subdivision of Lot 1, Block 12, according to the plan of Palatka Heights on record in the Registry for Deeds of Putnam County, Florida and known as Harts addition, and this being a portion of the lands conveyed by S. L. Cook and wife to George Cook by Deed of Record Book 30, Page 532, records of said Putnam County, Florida. LESS and EXCEPT those lands as described in Warranty Deed dated November 29, 1984, and recorded in Official Records Book 473, Page 1443, Public Records of Putnam County, Florida.

All fixtures, machinery, equipment, appliances and personal property of every nature whatsoever now or hereafter owned by the Mortgagor and located in or on, or used or installed on or intended to be used or installed on such real property.

Putnam County Parcel #:07-10-27-3550-0120-0014

Parcel 3 was sold to: MH LENDING LLC, a Florida limited liability company, and assigned by assignment of bid and Certificate of Sale, and therefore title is hereby issued to **1201 SHORT ST LLC**, a Florida limited liability company, whose address is 5100 W. Kennedy Blvd., Suite 225, Tampa, Florida 33609.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to all parties on the attached service list.

WITNESS my hand and seal of this court on this February 4th, 2008 as Clerk of Circuit Court.

DAVID R. ELLSPERMANN
Clerk of Circuit Court

By: B Butler
Deputy Clerk

Copies furnished to:
Pamela Herman Jeeves, PL
All parties on attached service list

Service List

Pamela Herman Jeeves, PL
P.O. Box 1529
Tampa, FL 33601

JOHN R. LEBOEUF
2035 SE 11th St.
Ocala, FL 34471

PAINT CREEK PARTNERS, INC.
10020 SW 125th Court Road
Dunnellon, FL 34432

GLOVER BUILDERS INC.
2053 Ryan Way
Winter Haven, FL 33884

FLORIDA PEST CONTROL AND CHEMICAL CO.
116 NW 16th Ave.
Gainesville, FL 32601

TERWIN ADVISORS LLC
155 Office Plaza Drive, Suite A
Tallahassee, FL 32301

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by U.S. Mail to the above listed parties this 4th day of February, 2008.

DAVID R. ELLSPERMANN
CLERK OF CIRCUIT COURT

CLERK OF COURTS PUTNAM COUNTY, FLORIDA

By: B Butler
Deputy Clerk

Certified A True Copy
of 3 page document
this 10 day of Mar 2008
DAVID R. ELLSPERMANN
Clerk of Court
BY Delina Powers D.C.

Agenda Item

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City of Palatka Building & Zoning Department
201 N 2nd Street
Palatka, FL 32177

386.329.0103

March 31, 2010

TO: Mayor Flagg, Vice Mayor Brown, Commissioners Kitchens, Norwood and Myers

FROM: Debbie Banks, Building & Zoning

RE: Evaluation and Appraisal Report (E.A.R.)

The City of Palatka has contracted with the Northeast Florida Regional Council (NEFRC) for the preparation of the Evaluation and Appraisal Report (EAR) of its comprehensive plan. As required by Chapter 163.3191, F.S, the City will be developing a list of major issues as the first step in the EAR process.

There will be public hearings held in conjunction with the April 6th Planning Board meeting and the April 8th City Commission meeting. Attached are several of the issues already identified based on public hearings held a couple of years ago.

Below are some of the "broad" issues already identified that will need a specific plan or "concept" attached to them:

Issue 1: Historic Preservation

The City of Palatka has two distinct historically significant areas, divided into "north" and "south" districts. The north district is primarily single-family, while the south district is both single-family as well as urban (i.e. downtown) Palatka. Currently, protection of these areas is done through the land development regulations, but not in the Comprehensive Plan.

Issue 2: Economic Development

Although Palatka is the economic hub of Putnam County, the City faces several obstacles for economic vitality:

Downtown Palatka

Many of the buildings in downtown Palatka were constructed prior to the new building codes and ADA requirements. The economic reality in many situations is that the retrofitting of these buildings is cost prohibitive.

The Comprehensive Plan does not have a true mixed-use category. Therefore, making a true "downtown" is effectively not possible within the Comprehensive Plan.

Income

Much of the workforce leaves the county for employment because of the low wages in Putnam County. Additionally, Putnam County has a low median income, and an increasing unemployment rate.

Approximately 35% of Putnam County's workforce is employed outside of the county (source: American Community Survey, 2006-2008 American Community Survey 3-Year Estimates). Per capita personal income in Putnam County is among the relatively low at $21,755; statewide, per capita personal income is $36,720 (source: 2008 Florida Statistical Abstract).

Housing

In 2007, new housing (based on building permit activity) in Palatka was valued at $1,438,000. In 2007, there were 15 new single-family homes constructed in Palatka, averaging just over $95,000 per unit. New housing value based on building permit activity in Putnam County was valued at $6,399,000. In 2007, there were 54 new single-family homes constructed in the County, for an average value of $118,500. (source: Florida Statistical Abstract 2008)

Issue 3: Transportation Level of Service

With the adoption of 2009's Senate Bill 360, Palatka became classified as a Dense Urban Land Area (DULA) community. By extension, the DULA designation institutes a transportation concurrency exception (TCEA) area within the City. As part of the requirements for the TCEA, the City must adopt a mobility plan. Complicating the issue is U.S. 17, a failing, emerging roadway on the strategic intermodal system.

Issue 4: Trails and Parks

The City has several recreation facilities, a golf course and a linear park along the St. Johns River (south of U.S. 17). However, there is not a comprehensive, long-range park and trails plan to tie these together.

Issue 5: Annexations / Municipal Boundaries

Palatka has an unplanned municipal boundary, resulting from decades of a voluntary annexation policy for municipal services that has resulted in a very inefficient system for providing these services.

Agenda Item

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City of Palatka
Building & Zoning
201 N. 2nd Street
Palatka, Florida 32177
386-329-0103 • Fax 386-329-0172

March 18, 2010

TO: Mayor Flagg, vice Mayor Brown, Commissioners Kitchens, Myers, and Norwood

FROM: Debbie Banks, Director of Building & Zoning

RE: Planned Industrial Development (PID)

The Planning Board will hear the PID request on April 6, 2010. Due to a miscalculation on my part, this was advertised for 1st reading at the Commission's March 25th meeting when it should have been for the April 8th Commission agenda with second reading on April 22nd. Please table this request until the April 8, 2010 meeting for 1st reading.

Thank you

CITY OF PALATKA CITY COMMISSION

AGENDA ITEM

ITEM: A public hearing amending SECTION 94-141, M-1 LIGHT INDUSTRIAL DISTRICT CONDITIONAL USES, ACTIVITIES OR STRUCTURES to add a section and an article entitled Planned Industrial Development to the zoning code.

DEPARTMENT: Building & Zoning

AGENDA SECTION: Regular agenda requiring Commission action

ATTACHMENTS: 1. Planned Industrial Development ordinance

DATE: March 25, 2010

SUMMARY HIGHLIGHTS:

It was determined by the City Attorney that the City's zoning code did not allow a "Planned Unit Development" (PUD) in the industrial zoning district. The existing PUD overlay is written for residential developments that may wish to have light commercial uses included so it was not conducive to an industrial development. The ordinance attached addresses the industrial type of development with the flexibility allowed in our PUD. This will be in the M-1 zoning district as a conditional use for the Planned Industrial Development overlay.

RECOMMENDED ACTION:

Staff recommends approval of the Planned Industrial Development overlay.

AGENDA ITEM NUMBER:

AGENDA PAGE NUMBER:

This instrument prepared by:
Debbie Banks
201 N 2nd Street
Palatka, Florida 32177

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA AMENDING THE OFFICIAL ZONING REGULATIONS OF THE CITY OF PALATKA, FLORIDA, BY AMENDING SECTION 94-141, M-1 LIGHT INDUSTRIAL DISTRICT CONDITIONAL USES, ACTIVITIES OR STRUCTURES TO ADD A SECTION ENTITLED PLANNED INDUSTRIAL DEVELOPMENTS; AND TO AMEND CHAPTER 94 TO ADD A NEW ARTICLE ENTITLED PLANNED INDUSTRIAL DEVELOPMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE,

WHEREAS, the City Commission of the City of Palatka, Florida, is authorized by Chapter 166, Florida Statutes, to adopt ordinances and resolutions necessary for the exercise of its powers to protect the health, safety, and general welfare of its citizens and to prescribe fines and penalties for the violations of ordinances in accordance with law, and

WHEREAS, the City Commission has recognized the need to revise the zoning regulations for industrial zoning of the City of Palatka, and

WHEREAS, the City Commission desires to provide a means to encourage the development of land as planned developments, encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas; accomplish a more desirable environment that would not be possible through the strict application of the minimum requirements of these regulations; provide for an efficient use of land resulting in smaller networks of streets and utilities where access to regional systems is impractical and thereby lowering development costs; and provide a stable environmental character compatible with surrounding areas, and

WHEREAS, the Planning Board conducted a duly advertised public hearing on April 6, 2010, and recommended approval of the amendments to the conditional uses allowed in the M-1 zoning district to the City Commission, and

WHEREAS, the City Commission conducted duly advertised public hearings on March 25, 2010, and April 8, 2010,

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

Section 1. Section 94-151 M-1 LIGHT INDUSTRIAL ZONING DISTRICT

(a) *Intent.* The M-1 district is intended for light manufacturing, processing, storage and warehousing, wholesaling and distribution. Residential uses are prohibited as not in character with the activities conducted in this district. Service and commercial activities relating to the character of the district and in support of activities conducted in the district are permitted. Certain commercial uses relating to automotive and heavy equipment sales and repair are permitted, but this district is not to be deemed commercial in character. Regulations are intended to prevent or reduce friction between uses in this district and also to protect nearby residential and commercial districts.

(b) *Permitted principal uses and structures.* Permitted principal uses and structures in the M-1 district are as follows:

(1) Wholesaling, warehousing, storage or distribution establishments and similar uses.

(2) Light manufacturing, processing (including food processing, but not slaughterhouse), packaging or fabricating in completely enclosed buildings.

(3) Printing, lithographing, publishing or similar establishments.

(4) Bulk storage yards, not including bulk storage of flammable liquids, subject to the provisions of the city or state fire codes.

(5) Outdoor storage yards and lots; provided that such outdoor storage yard shall not be located closer than 25 feet to any public street and that such yard shall be completely enclosed, except for necessary ingress and egress, by an opaque fence or wall not less than six feet high; and provided further that this provision shall not permit wrecking yards (including automobile wrecking yards), junkyards, or yards used in whole or in part for scrap or salvage operations or for processing, storage, display or sales of any scrap, salvage or secondhand building materials, junk automotive vehicles, or secondhand automotive vehicle parts.

(6) Retail and repair establishments for sale and repair of new and used automobiles, motorcycles, trucks and tractors, mobile homes, boats, automotive vehicle parts and accessories (but not junkyards or automotive vehicle wrecking yards), heavy machinery and equipment, and farm equipment, and retail establishments for sale of farm supplies, lumber and building supplies, or monuments, and similar uses.

(7) Service establishments catering to commerce and industry, including linen supply, freight movers, building trades contractors, communication services, business machine services, canteen services, restaurants (including drive-in restaurants), hiring and union halls, employment agencies, sign companies and similar uses.

(8) Vocational, technical, trade or industrial schools and similar uses.

(9) Medical clinics in connection only with industrial activities.

(10) Miscellaneous uses such as express offices, telephone exchanges, commercial parking lots and parking garages, motorbus, truck, railroad or other transportation terminals, and related uses.

(11) Radio and television stations and transmitters.

(12) Railroad rights-of-way and sidings.

(c) *Permitted accessory uses and structures.* Permitted accessory uses and structures in the M-1 district are as follows: Uses, including retail sales, and structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures; provided, however, that no residential facilities shall be permitted in the district except for watchmen or caretakers whose work requires residence on the premises or for owners or employees who will be quartered on the premises.

(d) *Prohibited uses and structures.* The following uses and structures are prohibited in the M-1 district: Any use or structure not specifically, provisionally or by reasonable

implication permitted in this section, including the following, which are listed for emphasis:

(1) Dwelling units (including motels and hotels), except as provided under accessory uses.

(2) Yards or lots for scrap or salvage operations or for processing, storage, display or sale of any scrap, salvage or secondhand building materials and automotive vehicle parts, including wrecking yards and junkyards.

(3) Chemical and fertilizer manufacture.

(4) Explosives manufacturing or storage.

(5) Paper and pulp manufacture.

(6) Petroleum refining.

(7) Stockyards or feeding pens.

(8) Slaughter of animals.

(9) Tanneries, or the curing or storage of raw hides.

(10) Roadside vending.

(e) *Conditional uses.* (Conditional uses are permissible after public notice and hearing and subject to the provisions of section 94-3.) Conditional uses in the M-1 district are as follows:

(1) Automotive service stations and truckstops, provided that all structures, including underground storage tanks, are placed not less than 30 feet from any property line. Points of access and egress shall be located not less than 20 feet from the intersection of street lines.

(2) Bulk storage of flammable liquids subject to the provisions of city or state fire codes.

(3) Radio and television transmitting towers.

(4) Temporary storage yards for materials to be recycled; provided such storage yard shall not be located closer than 25 feet to any public street and that such yard shall be completely enclosed, except for necessary ingress and egress, by an opaque fence or wall not less than six feet high.

(5) Any industrial use not specifically permitted or prohibited which is otherwise lawful.

(6) Child care facilities.

(7) Planned Industrial Developments (PID)

Section 2. An article entitled Planned Industrial Developments shall be added:

Planned Industrial Development District (PID)

A. *Purpose:* It is the purpose of this article to permit PID's which are intended to encourage the development of land as planned developments, encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas; accomplish a more desirable environment that would not be possible through the strict application of the minimum requirements of these regulations; provide for an efficient use of land resulting in smaller networks of streets and utilities where access to regional systems is impractical and thereby lowering development costs; and provide a stable environmental

character compatible with surrounding areas. This district is designed to accommodate a wide range of industrial uses while providing certainty to the public regarding permitted uses and site design. A written plan of development and a master plan detailing the potential uses of the site must be approved as part of any rezoning to PID. All subsequent development will be required to be consistent with the approved written plan of development and master plan.

B. *Permitted Uses:* Any use permitted in C-1A, C-1, C-2, C-3 or M-1 may be allowed; however, the specific proposed use(s) must be specifically listed as permitted in the written plan of development and the general location identified on the approved master plan.

C. *Building height:* No building or structure shall exceed forty-five (45) feet in height above the required minimum finished floor elevation.

D. *Performance Standards:*

1. Lot Coverage: The maximum combined area occupied by all principle and accessory structures shall not exceed seventy (70) percent of the total area. Also, the amount of impervious surface shall not exceed eighty (80) percent of the lot area.
2. All development must meet the following criteria:
   a. The site must be two (2) acres or more in size.
   b. The operation shall not utilize ingress and egress through any residential subdivision or residentially zoned land. Routes shall be chosen as to have the least impact on residential areas.
3. All development shall provide paved ingress/egress entrances from the right-of-way to all parking and shall pave all vehicular circulation on the site to reduce the impact of noise on the surrounding community.
4. All activity within two hundred (200) feet of a residential district boundary shall be conducted within completely enclosed buildings. All storage within two hundred (200) feet of a residential district boundary may be outdoors but shall be effectively screened by a solid wall, fence or planting so that the materials shall not be visible from the residential district. This requirement shall not apply to outside storage of aircraft.
5. Tree protection, landscaping and buffering shall comply with the provisions of Article VI of the City Municipal Code.
6. *Setbacks along collector or arterial roads:* The minimum required building setback along a collector or arterial road shall be as follows:
   a. Along a collector road, the minimum required building setback shall be twenty-five (25) feet.
   b. Along an arterial road, the minimum required building setback shall be fifty (50) feet.

If any other setback requirement of this Code conflicts with the above requirements, the more restrictive requirement will apply.

E. *Procedure for Approval of a Planned Industrial Development:* The procedure for obtaining approval for a Planned Industrial Development shall be as follows:

1. Preliminary Planned Industrial Development and Master Plan Approval: The applicant shall submit to the Planning Director, an application for the approval of the Planned Industrial Development and shall submit the following exhibits at the same time.
   a. A written plan of development describing the general purpose and character of the proposed development including:
      i. Total gross acreage.
      ii. Total square footage of buildings.
      iii. All building setbacks.

iv. Permitted accessory uses and structures.
v. General location and total amount of open space including wetland preservation and upland buffers.
vi. Total amount of passive recreation space.
vii. Maximum building coverage and impervious surface coverage.
viii. Maximum height of structures.
ix. Points of ingress and egress and vehicular and non-vehicular circulation
x. Requirements for landscaping and buffering.
xi. Proposed signage.
xii. A description of the type and location of infrastructure needed to serve the project such as water, sewer, stormwater management facilities, fire protection, solid waste collection, and roadway improvements.
xiii. A phasing schedule including commencement and completion dates.

b. A Vicinity Map showing the location of the proposed Planned Development.
c. A legal description of the property.
d. A Topographic survey. The most recent U.S.G.S. topographic survey may be utilized if no better topographic information is available
e. Aerial photograph of the subject property.
f. A Master Plan, drawn at a scale suitable for presentation, showing and/or describing the following:
(1) General Location of Proposed Land Uses;
(2) General layout of internal street system and any necessary off-site road improvements such as turn lanes;
(3) Building Setbacks: Proposed building setbacks shall be noted and shall define the distance buildings will be setback from:
(a) Surrounding property lines.
(b) Proposed and existing streets and highways.
(c) Other proposed buildings.
(d) The high water line of lakes, rivers, streams, and canals.
(e) Other man-made or natural features which would be affected by development.
(4) Proposed Maximum Height of Buildings
(5) Open Spaces:
(a)Natural areas to be conserved/preserved.
(6) Points of Ingress and egress and connectivity to adjoining properties and uses, if applicable;
(7) Screening, Buffering and Landscaped Areas;

F. Processing the PID: A written plan of development and Master Plan Map must accompany Rezoning Applications. The PID rezoning application will be reviewed as any other rezoning application prior to scheduling the rezoning application for public hearing. Staff comments related to the PID Master Plan must be addressed prior to processing the rezoning application.

G. Action by Planning Board. After a public hearing, the Planning Board may recommend to the city commission that the planned industrial development request be granted, be granted subject to stated stipulations and conditions, or be disapproved. In making its recommendation, the Planning Board shall find that the plans, maps and documents submitted by the applicant and presented at the public hearing do or do not establish that the applicant has met the requirements of the Municipal Code and in addition that:

(1) The tract for the proposed planned industrial development is suitable in terms of its relationship to the comprehensive plan and that the area surrounding the proposed planned industrial development can continue to be developed in

coordination and substantial compatibility with the planned industrial development proposed.
(2) The requested planned industrial development meets the regulations set forth in this Article, based on the design and amenities incorporated in the site development plan.

H. Binding nature of approval. All terms, conditions, safeguards and stipulations made at the time of approval for planned industrial development shall be binding upon the applicant or any successors in interest. Deviations from approved plans not approved as a minor or substantial change as set forth in this ordinance or failure to comply with any requirement, condition or safeguard shall constitute a violation of these zoning regulations.

I. Final PID Site Plan: If approval for the PID is granted, the applicant shall submit a Final PID Site Plan covering all or part of the approved Master Plan within, five (5) years to the Planning Director.

J. Building Permits: No building permit shall be issued for any portion of a proposed Planned Development until the Final Development Plan has been approved.

K. Revision of an Approved PID: Any proposed major change in the approved PID which affects the intent and character of the development, permitted use, density or land use pattern, or similar substantial changes, shall be reviewed in the same manner as the initial PID approval. A request for a revision of the PID shall be supported by a written statement and by revised plans demonstrating why the revisions are necessary or desirable.

Minor changes, and/or deviations from the PID master plan, which do not affect the Intent or character of the development, shall be reviewed and identified by the Planning Director and administratively approved by the same. Upon approval of the revisions, the applicant shall make revisions to the plans and submittals and file with the Planning Director.

Examples of substantial and/or minor changes are:
Substantial changes;
Permitted uses;
Perimeter changes;
Major street relocation;
Change in building height, density, or land use pattern.

Minor changes;
Change in alignment, location, direction, or length of a local street;
Reorientation or slight shifts in building locations.

L. Identification of district on official zoning map
The boundaries of all land approved for development as a planned industrial development shall, after such approval, be indicated on the official zoning map, and the appropriate zoning district designation, together with the symbol "PID," shall be indicated therein. (e.g., M-1/PID)

M. Time limit for commencement of construction; lapse of approval.
If construction has not been commenced, as determined by the Planning Director or as described in the PID, within five (5) years after approval of the PID or if the applicant fails to maintain the approved development plan phasing schedule, the approval of the development plan shall lapse and be of no further effect.
At its discretion and for good cause, the city commission may

extend the phasing schedule, including commencement and completion dates, for one additional two year period for beginning construction. If the approval of a development plan lapses under this section, then a new rezoning petition will be required.

N. Subdivision approval.
(1) At the option of the applicant, a preliminary subdivision plat may be filed with the development plan for a planned industrial development in order that tentative approval of the subdivision by the Planning Board may be granted.
(2) In no case shall subdivision approval precede approval of the development plan.

Section 3. 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. This Ordinance shall become effective upon passage as provided by law.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 25th day of March, 2010.

CITY OF PALATKA

BY:_____
Its Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

_____
City Attorney