VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA
FLORIDA

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

MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

AGENDA
CITY OF PALATKA
May 23, 2013

CALL TO ORDER:

a. Invocation –.The Reverend Jim Obrecht, Pastor; Calvary Baptist Church of Palatka
b. Pledge of Allegiance
c. Roll Call

APPROVAL OF MINUTES – 5/9/13 Regular Meeting; 5/13/13 Called Meeting

1. **PUBLIC RECOGNITION/PRESENTATIONS:**

*a. **RESOLUTION 2013-9-112** dedicating the Organic Community Garden at the Palatka Water Works Environmental Education Center in memory of James "Jim" Townsend - Adopt

b. **STUDENT OF THE MONTH** – May, 2013 – Mayor Myers & Commissioner Vice Mayor Brown

Ashley Danielle Ramos	Beasley Middle School
Elizabeth Cribbs	Browning Pearce Elementary School
TBD	Children's Reading Center Charter School
Teresha Miller	E.H. Miller School
Makayla Bergman	James A. Long Elementary School
Cade Hansford	Jenkins Middle School
Emma Matott	Kelley Smith Elementary School
Alannah Howard	Mellon Elementary School
Melody McMahon	Moseley Elementary School
Jenna Head	Palatka High School
Vanessa Nguyen	Peniel Baptist Academy
William Session	Putnam Academy of Arts & Sciences, Inc.

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

3. **CONSENT AGENDA:**

*a. **Adopt Resolution No. 2013-9-113** amending the FY 2012-13 Budget for April, 2013

*b. **Adopt Resolution No. 2013-9-114** authorizing the execution of a License and Agreement with Kenny Downs for the maintenance of certain city-owned right of way in the Deerwood end of Viking Manor Subdivision

*c. **Adopt Resolution No. 2013-9-115** authorizing the execution of a Fireworks Display Contract in the amount of $18,000.00 with Fireworks by Santore for the 4th of July Fireworks Display

*d. **Adopt Resolution No. 2013-9-116** granting a fifty percent (50%) reduction of the Code Enforcement Fine on 119 Belmont Drive from $3,957.00 to $1,987.50 plus cost of prosecution

*e. **Notice of pending Amendment to Meeting Calendar** to add special called meeting on May 30, 2013 at 5:15 pm.

* 4. **BUDGET SUMMARY REPORT** – Oct. 2012 through April, 2013 – Matt Reynolds, Finance Dir.

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* 5. **RESOLUTION 2013-9-117** ranking the respondents to City of Palatka RFP #13-03 to provide Concessions, Water Taxis and Dock Operations Services, and authorizing the City Manager to begin negotiation with the top ranked respondent – Adopt

* 6. **PUBLIC HEARING** – 421 and 425 N. Palm Avenue - Planning Board Recommendation to annex and rezone from Putnam County IL (Industrial, Light) to City of Palatka C-2 (Intensive Commercial) – City of Palatka B & Z on behalf of Ernest W. Matchett and Ernest Roughton, owners

a. **ORDINANCE** annexing 421 & 425 N. Palm Avenue – 1st Reading
b. **ORDINANCE** rezoning 421 & 425 N. Palm Avenue – 1st Reading

* 7. **PUBLIC HEARING** – 1095 SR 19 North - Planning Board Recommendation to annex and rezone from Putnam County C2 (Light Commercial) to City of Palatka C-2 (Intensive Commercial) – Palatka B&Z on behalf of Donna Jaquith-Byrne, owner

a. **ORDINANCE** annexing 1095 SR 19 North – 1st Reading
b. **ORDINANCE** rezoning 1095 SR 19 North – 1st Reading

8. **CITY MANAGER & 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:

May 24 thru 27 – Blue Crab Festival
May 27 – City Offices closed to observe Memorial Day Holiday
May 30 – Called City Commission meeting, 5:15 p.m.
July 4 – City offices closed to observe Independence Day Holiday
Aug. 15 thru 17 – FLC Conference, Orlando FL
Sept. 2 – City offices closed to observe Labor Day Holiday

Board Openings:

Code Enforcement Board: 3 Vac. (RE, Arch.& Sub Contr.)

Agenda Item

1a

CITY COMMISSION AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida dedicating the Organic Community Garden at the Water Works Environmental Education Center to the memory of James H. "Jim" Townsend

DEPARTMENT: Administration/City Hall

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

SUMMARY: James H. "Jim" Townsend, former Executive Director of Keep Putnam Beautiful and one of the principal volunteers managing the Old Palatka Water Works Environmental Education Center (WWEEC), and who was active in the Community Gardens program, passed away on May 9. Jim was well known as a community volunteer and environmental steward, and was actively involved in the WWEEC, Keep Putnam Beautiful and Community Gardens programs.

Jim's colleagues at the Water Works Environmental Education Center and Keep Putnam Beautiful have requested that the City dedicate the Organic Community Garden at the WWEEC in recognition and memorial to Jim's dedicated service to the community and its citizens.

RECOMMENDED ACTION: Adopt Resolution No. 2013-9-112 dedicating the Organic Community Garden at the Water Works Environmental Museum to the memory of James H. "Jim" Townsend

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DEPARTMENT HEAD	Submitted: B. Driggers for S. Purinton Requested Agenda Regular	Date: 05-16-13 Date: 05-23-13
FINANCE DEPARTMENT	Budgeted ___Yes ___No _X_N/A	Date: 5/17/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 5-16-23

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

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

RESOLUTION NO. 9 – 06

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA DEDICATING THE ORGANIC COMMUNITY GARDEN AT THE WATER WORKS ENVIRONMENTAL EDUCATION CENTER TO THE MEMORY OF JAMES H. "JIM" TOWNSEND

WHEREAS, James H. "Jim" Townsend, a native of Palatka, attended local schools and graduated from Palatka Senior High School and St. Johns River Junior College, where he excelled at debating, and went on to graduate from the University of Florida with a Bachelor's Degree in English; and

WHEREAS, Jim Townsend was very active in volunteer programs which promoted environmental awareness and which benefitted this community's environmental health, and was devoted to endeavors such as removing tires and garbage from illegal dump sites, organizing and participating in numerous neighborhood, roadside and public parks clean-ups, and he coordinated and collaborated with other community groups to encourage environmental stewardship; and

WHEREAS, Jim Townsend was dedicated to the mission and activities of Keep Putnam Beautiful, having served as Chairman of its Board of Directors, Executive Director, and Director of Operations. He coordinated volunteer activities such as the mowing and improvements of the abandoned St. Joseph's Cemetery, and inspired others to continue these efforts after he was no longer able to do so; and

WHEREAS, Jim Townsend was instrumental in the development and maintenance of Palatka's Community Gardens Project, assisted with many public school gardens, and was a leader in tree plantings throughout Putnam County. Jim was so dedicated to repopulation of trees he personally checked on new plantings and made sure that they received adequate water until they were established; and

WHEREAS, Jim Townsend planted descendants of the historic Maltby Oak in Palatka, Crescent City, Pomona Park and Interlachen, so that all the communities of Putnam County would have their own connection to Palatka's Famous Maltby Oak; and

WHEREAS, Jim Townsend dedicated his time, energy and resources on a weekly basis for many years at the Water Works Environmental Education Center to further its mission, projects and programs, serving on the WWEEC Committee and as co-chair of the WWEEC Advisory Group, and played an essential role in establishing viable programs for students and the community, including the organic demonstration garden, nature trails and general grounds maintenance, and was instrumental in coordinating the efforts of volunteers to rebuild the storage shed on the grounds; and

WHEREAS, Jim Townsend passed away on May 9, 2013, and to recognize his good and unselfish works, the Palatka City Commission wishes to honor and perpetuate his memory in an appropriate fashion.

NOW, THEREFORE, BE IT KNOWN, PROCLAIMED AND RESOLVED that in recognition of Jim Townsend's outstanding dedication and unselfish lifelong community service, the Organic Community Garden at the Old Palatka Water Works Environmental Education Center shall be henceforth and forever known as **THE JAMES H. "JIM" TOWNSEND COMMUNITY ORGANIC GARDEN,** to honor the memory and legacy of Jim Townsend and memorialize his dedicated environmental stewardship.

PASSED AND ADOPTED this 25th Day of August, 2011, by the City Commission of the City of Palatka, Florida.

PALATKA CITY COMMISSION

By: _____

H. Vernon Myers, Its MAYOR

ATTEST:

_____

CITY CLERK

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

Agenda Item

3a

CITY of Palatka FLORIDA

AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, amending the FY2012-2013 Budget for the period 4/1/2013 through 4/30/2013

DEPARTMENT: Finance

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

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

The Finance Department is requesting the attached budget amendments due to on-going requests from department heads to shift money from one line to another as well as performing adjustments to various revenue and expenditure lines to ensure that every line remains within budget. Also included in this month's adjustments were the correcting of debt service expenditure lines in the Golf Course and Airport Funds in order to match the new payment schedule of the loans in those funds.

RECOMMENDED ACTION: Staff recommends adoption of Resolution 2013-9-113 to amend the FY 2012-13 Budget in order to be in compliance with Florida Statutes.

DEPARTMENT HEAD	Submitted: Matt Reynolds Requested Agenda: Consent	Date: 05-10-2013 Date: 05-23-2013
FINANCE DEPARTMENT	Budgeted ☒ Yes ☐ No ☐ N/A	Date: 05-10-2013
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 05/14/13

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

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

RESOLUTION No. 2013 - 9 -

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

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

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

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

REVENUES:		**Last**	**Recommended**	**As**
Revenue Number	*Description*	**Approved**	**Amendments**	**Amended**
001-00-331-2-5401	FIRE GRANT-BUNKER GEAR		$ 37,655	$ 37,655
001-00-384-0-1000	LOAN PROCEEDS		$ 23,334	$ 23,334
	TOTAL REVENUES AMENDED:	**$ -**	**$ 60,989**	**$ 60,989**

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

EXPENDITURES:		**Last**	**Recommended**	**As**
Expenditure Number	*Description*	**Approved**	**Amendments**	**Amended**
001-01-512-3-3100	PROFESSIONAL SERVICES	$ 1,698	$ 1,720	$ 3,418
001-02-524-3-3100	PROFESSIONAL SERVICES	$ 6,500	$ (120)	$ 6,380
001-02-524-3-5400	MEMBR,SUBSCRIPT,DUES	$ 1,000	$ 120	$ 1,120
001-03-573-3-4610	WILLARD COOPER BUILDING	$ 768	$ 100	$ 868
001-07-521-3-4510	INSURANCE CLAIMS	$ -	$ 24,391	$ 24,391
001-07-521-6-6401	VEHICLE PURCHASES	$ 605,843	$ (367,130)	$ 238,713
001-07-521-6-6402	VEHICLE PURCHASES (USDA GRANT)	$ 74,400	$ (1,237)	$ 73,163
001-08-522-3-5260	UNIFORMS	$ 10,000	$ 37,655	$ 47,655
001-09-541-3-3100	PROFESSIONAL SERVICES	$ 340	$ 150	$ 490
001-09-541-3-5340	STREET SIGNS	$ 2,000	$ (150)	$ 1,850
001-14-569-3-4610	BUILDING MAINTENANCE	$ 1,000	$ (100)	$ 900
001-14-569-3-5280	OPERATING SUPPLIES	$ 2,800	$ 100	$ 2,900
001-15-572-3-5100	OFFICE SUPPLIES	$ 185	$ 300	$ 485
001-15-572-3-5270	CHEMICALS & FERTILIZER	$ 13,732	$ (100)	$ 13,632
001-15-572-3-5280	OPERATING SUPPLIES	$ 4,345	$ (300)	$ 4,045
001-17-516-3-3100	PROFESSIONAL SERVICES	$ 45,311	$ (3,120)	$ 42,191
001-17-516-3-5210	GAS AND LUBRICANTS	$ 1,000	$ 1,400	$ 2,400
001-18-517-7-7303	FRANK GEORGE INFRASTRUCTURE	$ -	$ 23,334	$ 23,334
001-82-581-9-9900	GENERAL CONTINGENCY	$ 22,868	$ (22,868)	$ -
001-83-581-9-9900	OPERATING CASH RESERVE	$ 493,032	$ (1,523)	$ 491,509
001-83-581-9-9919	RED LIGHT CAMERA REVENUE RESERVE	$ 195,695	$ 368,367	$ 564,062

TOTAL EXPENDITURES AMENDED:	**$ 1,482,517**	**$ 60,989**	**$ 1,543,506**

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

REVENUES:		**Last**	**Recommended**	**As**
Revenue Number	*Description*	**Approved**	**Amendments**	**Amended**
005-00-383-0-1000	LOAN PROCEEDS	$ -	$ 23,683	$ 23,683
	TOTAL REVENUES AMENDED:	**$ -**	**$ 23,683**	**$ 23,683**

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

EXPENDITURES:		**Last**	**Recommended**	**As**
Expenditure Number	*Description*	**Approved**	**Amendments**	**Amended**
005-05-517-7-7110	LOAN #307 TERMINAL	$ 83,333	$ (32,997)	$ 50,336
005-05-517-7-7111	SERIES 2013C TERMINAL	$ -	$ 43,000	$ 43,000
005-05-517-7-7120	THANGAR #315	$ 50,000	$ (16,975)	$ 33,025
005-05-517-7-7121	SERIES 2013B T-HANGAR	$ -	$ 17,000	$ 17,000
005-05-517-7-7210	LOAN #307 TERMINAL	$ 40,801	$ (18,444)	$ 22,357
005-05-517-7-7211	SERIES 2013C TERMINAL	$ -	$ 9,536	$ 9,536
005-05-517-7-7220	T HANGAR #315	$ 36,247	$ (16,385)	$ 19,862
005-05-517-7-7221	SERIES 2013B T-HANGAR	$ -	$ 8,415	$ 8,415
005-05-517-7-7311	SERIES 2013C TERMINAL	$ -	$ 14,545	$ 14,545
005-05-517-7-7321	SERIES 2013B T-HANGAR	$ -	$ 9,138	$ 9,138
005-05-542-3-3100	PROFESSIONAL SERVICES	$ 1,500	$ 50	$ 1,550
005-05-542-3-3120	PHYSICALS	$ 180	$ 10	$ 190
005-05-542-3-4020	SCHOOLING, CONFERENCE, ETC	$ 500	$ (60)	$ 440
005-05-542-3-4610	BUILDING/HANGAR MAINTENANCE	$ 2,950	$ (750)	$ 2,200
005-05-542-3-4620	EQUIPMENT/FIELD MAINTENANCE	$ 7,250	$ 750	$ 8,000
005-05-542-9-9900	CONTINGENCY/RESERVE	$ (72,171)	$ 6,850	$ (65,321)
	TOTAL EXPENDITURES AMENDED:	**$ 150,590**	**$ 23,683**	**$ 174,273**

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

EXPENDITURES:		**Last**	**Recommended**	**As**
Expenditure Number	*Description*	**Approved**	**Amendments**	**Amended**
041-12-535-3-3120	PHYSICALS	$ 300	$ 200	$ 500
041-12-535-3-4610	BUILDING MAINTENANCE	$ 1,100	$ (200)	$ 900
041-13-536-3-4510	INSURANCE CLAIMS	$ 500	$ 3,652	$ 4,152
041-13-536-3-4610	BUILDING MAINTENANCE	$ 425	$ 340	$ 765
041-13-536-3-4700	PRINTING AND BINDING	$ 60	$ 200	$ 260
041-13-536-3-5280	OPERATING SUPPLIES	$ 9,905	$ (540)	$ 9,365

041-29-536-9-9901	CONTINGENCY/RESERVE	$ 68,885	$ (3,652)	$ 65,233
	TOTAL EXPENDITURES AMENDED:	**$ 81,175**	**$ -**	**$ 81,175**

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

REVENUES:		**Last**	**Recommended**	**As**
Revenue Number	*Description*	**Approved**	**Amendments**	**Amended**
042-00-384-0-1000	GOLF LOAN PROCEEDS	$ -	$ 21,840	$ 21,840
	TOTAL REVENUES AMENDED:	**$ -**	**$ 21,840**	**$ 21,840**

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

EXPENDITURES:		**Last**	**Recommended**	**As**
Expenditure Number	*Description*	**Approved**	**Amendments**	**Amended**
042-16-572-3-5270	CHEMICALS AND FERTILIZERS	$ 41,620	$ (2,700)	$ 38,920
042-16-572-3-5280	OPERATING SUPPLIES	$ 13,000	$ 2,700	$ 15,700
042-24-517-7-7104	2008 LOAN - PRINCIPAL	$ 90,154	$ (29,549)	$ 60,605
042-24-517-7-7105	SERIES 2013A - PRINCIPAL	$ -	$ 9,000	$ 9,000
042-24-517-7-7204	2008 LOAN - INTEREST	$ 91,736	$ (41,469)	$ 50,267
042-24-517-7-7205	SERIES 2013A - INTEREST	$ -	$ 24,529	$ 24,529
042-24-517-7-7305	SERIES 2013A - ADMIN FEES	$ -	$ 21,840	$ 21,840
042-24-572-9-9900	CONTINGENCY/RESERVE	$ (1,543,862)	$ 37,489	$ (1,506,373)
	TOTAL EXPENDITURES AMENDED:	**$ (1,307,352)**	**$ 21,840**	**$ (1,285,512)**

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

EXPENDITURES:		**Last**	**Recommended**	**As**
Expenditure Number	*Description*	**Approved**	**Amendments**	**Amended**
043-10-534-3-4100	COMMUNICATIONS SERVICES	$ 1,000	$ 100	$ 1,100
043-10-534-3-4610	BUILDING MAINTENANCE	$ 250	$ 535	$ 785
043-10-534-3-4620	EQUIPMENT MAINTENANCE	$ 2,000	$ (100)	$ 1,900
043-10-534-3-5290	GARBAGE CONTAINERS/DUMPSTERS	$ 22,440	$ 2,700	$ 25,140
043-10-534-9-9900	CONTINGENCY/RESERVE	$ 106,947	$ (3,235)	$ 103,712
	TOTAL EXPENDITURES AMENDED:	**$ 132,637**	**$ -**	**$ 132,637**

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

REVENUES:		**Last**	**Recommended**	**As**
Revenue Number	*Description*	**Approved**	**Amendments**	**Amended**
050-00-301-0-1004	CDBG C02 BALANCE FORWARD	$ -	$ 9,334	$ 9,334

050-00-331-5-0900	CDBG-C02 GRANT REVENUE	$ -	$ 7,000	$ 7,000
	TOTAL REVENUES AMENDED:	**$ -**	**$ 16,334**	**$ 16,334**

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

EXPENDITURES:		**Last**	**Recommended**	**As**
Expenditure Number	*Description*	**Approved**	**Amendments**	**Amended**
050-50-555-1-1200	CDBG C02 ADMINISTRATIVE FEES	$ -	$ 16,334	$ 16,334
	TOTAL EXPENDITURES AMENDED:	**$ -**	**$ 16,334**	**$ 16,334**

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 23th day of May, 2013.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM
AND CORRECTNESS:

_____

CITY ATTORNEY

Agenda Item

3b

CITY COMMISSION AGENDA ITEM

SUBJECT: A Resolution authorizing the City Manager to execute a License and Agreement with Mr. Kenny Downs to mow and maintain public-right-of-way at Viking Manor Subdivision

DEPARTMENT: **Administration – City Manager**

ATTACHMENTS: ___ Ordinance ___X_ Resolution ___ Motion
___X___ Support Documents ___ Other

SUMMARY: Mr. Kenny Downs of 2020 Ashbrooke Lane, Palatka, has for many years been mowing, trimming and otherwise maintaining a landscaped area containing grass and hedges located at the entrance to Viking St., beginning between 3rd and 4th Manor Streets, and continuing on both sides of Viking Blvd. to College Road (Exhibit "A"). This area is located upon property owned by the City of Palatka as right-of-way fronting College Road and Viking Street. Mr. Downs had previously approached the City about entering into some type of an agreement which allows him to mow and maintain the public right-of-way. The City wishes now to enter into a Licensed Agreement with Mr. Downs to allow him to maintain the landscaped area, subject to certain conditions and stipulations. The City Attorney has reviewed and approved the License and Agreement.

RECOMMENDED ACTION: Adopt Resolution 2013-9-_14_ authorizing the City Manager to execute a License and Agreement with Kenny Downs allowing him to continue to maintain above outlined landscaped area; benefiting both the City and Mr. Downs.

DEPARTMENT HEAD Submitted: Michael J. Czymbor Date: 05-10-2013
Requested Agenda: Consent Date: 05-23-2013

FINANCE DEPARTMENT Budgeted __Yes ___No _X__N/A Date: 05-10-2013

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date: 5/14/13

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

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

RESOLUTION No. 2013-9-112

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST THE "LICENSE AND AGREEMENT" BETWEEN THE CITY OF PALATKA AND KENNY DOWNS FOR MAINTENANCE OF CITY RIGHT OF WAY AT VIKING MANOR SUBDIVISION

WHEREAS, Kenny Downs, the developer of the "Deerwood" end of Viking Manor Subdivision, has historically maintained, mowed, trimmed hedges and performed similar activities on a landscaped area containing grass and hedges located at the entrance to Viking Manor Subdivision, beginning at Viking Street between 3rd and 4th Manor Streets on the east side, and continuing to Viking Boulevard, and thence east on both sides of Viking Boulevard to College Road, as shown in Exhibit A to the License and Agreement attached hereto to be executed, and includes areas located within the City of Palatka, Florida; and

WHEREAS, the landscaped area is located upon property owned by the City of Palatka as right-of-way fronting College Road and Viking Street; and

WHEREAS, the City of Palatka is willing to allow Mr. Downs to maintain the landscaped area, subject to certain conditions and stipulations; and

WHEREAS, the Palatka City Commission deems it reasonable to enter into a License and Agreement with Kenny Downs, developer of the "Deerwood" end of Viking Manor Subdivision, authorizing him to continue to maintain said city-owned right of way and stipulating that said License and Agreement will offer consideration and benefits to each of the parties which the parties agree to be valuable and sufficient to bind said Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palatka, Florida (**the "City"**) as follows:

1. That **Michael J. Czymbor**, City Manager of the City of Palatka, Florida, be hereby authorized and directed to execute **a License and Agreement for maintenance of the landscaped area at the "Deerwood" end of Viking Manor Subdivision,** attached hereto as "Exhibit A" and incorporated herein;

2. That **Betsy J. Driggers**, City Clerk of the City of Palatka, Florida, be hereby authorized and directed to attest **said Agreement and License;** and

3. That upon its full execution, the License and Agreement shall be recorded in the Public Records of Putnam County, Florida, prior to its delivery to Mr. Downs, the Licensee.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, this 23rd **day of May, 2013.**

CITY OF PALATKA

By:_____
Its MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

_____
CITY ATTORNEY

EXHIBIT "A"

LICENSE AND AGREEMENT

BY THIS DOCUMENT, the City of Palatka, a political subdivision of the State of Florida, (hereinafter referred to as "City", and Kenny Downs, (hereinafter referred to as "Downs"), have this ____ day of _____, 2013, contracted, covenanted, and agreed as follows:

WHEREAS, Downs "maintains" (mows, trims, and similar activities) a landscaped area containing grass and hedges located at the entrance to Viking Street, beginning between 3rd and 4th Manor Streets on the east side, and continuing on both sides of Viking Blvd. to College Road (Exhibit "A") including areas within the City of Palatka, Florida; and

WHEREAS, the landscaped area is located upon property owned by the City of Palatka as right-of-way fronting College Road and Viking Street; and

WHEREAS, the City is willing to allow Downs to maintain the landscaped area, subject to certain conditions and stipulations; and

WHEREAS, each of the parties agrees that this agreement will offer consideration and benefits to each of the parties which the parties agree to be valuable and sufficient to bind this agreement.

NOW, therefore, in exchange for good and valuable consideration, the sufficiency and receipt of which the parties acknowledge the City and Downs agree as follows:

1. The parties agree and acknowledge that the landscaped area located at the intersection of Viking Street is located upon property which is lawfully owned by the City of Palatka.

2. The City hereby consents to the maintenance of the landscaped area by Downs subject to the remaining terms and conditions said forth herein.

3. Downs shall not be entitled to receive any compensation, payment, fees, or costs associated with the maintenance of the landscaped area.

4. Each of the parties specifically agrees and acknowledges that Downs shall not acquire any rights or entitlements to any portion of the City's property under theories of adverse possession, boundary by acquiescence, or any other theory of law as a result of the City's consent allowing maintenance of City property.

5. Downs shall hold the City harmless and indemnify the City from any damage to property, or injuries or death to persons arising from or attributable to actions taken by him or which are under his control and related to the maintenance of the property.

6. In the event a dispute arises as a result of this agreement, the prevailing party in any such dispute shall be entitled to collect from the losing party all reasonable costs incurred by the prevailing party including reasonable attorney fees.

7. In the event of any dispute arising from this agreement, jurisdiction shall be vested in the Courts of Florida and venue shall be established within the Courts of Putnam County, Florida.

8. Each of the parties has or has had the opportunity to consult with an attorney of their independent selection regarding the terms of this agreement and each of the parties fully understands the meaning and effect of this agreement.

WHEREFORE, the parties have set forth their signatures below as evidence of their intent to be bound by this agreement.

_____ _____

Witness Kenny Downs

_____

Witness

STATE OF FLORIDA
COUNTY OF PUTNAM

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared Kenny Downs, who is ___ personally known to me or ___ who has produced drivers license as identification, and who, executed the foregoing instrument and acknowledged before me the execution of same.

WITNESS my hand and official seal at Palatka, County of Putnam and State of Florida this ___ day of _____, 2013.

_____ *SEAL*

Notary Public
My Commission Expires:

City of Palatka

_____

By: Michael J. Czymbor
Its City Manager

ATTEST:

_____

City Clerk

STATE OF FLORIDA
COUNTY OF PUTNAM

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared Michael J. Czymbor and Betsy J. Driggers, City Manager and City Clerk of the City of Palatka, respectively, who are ___ personally known to me or ___ who have produced drivers licenses as identification, and who executed the foregoing instrument and acknowledged before me the execution of same.

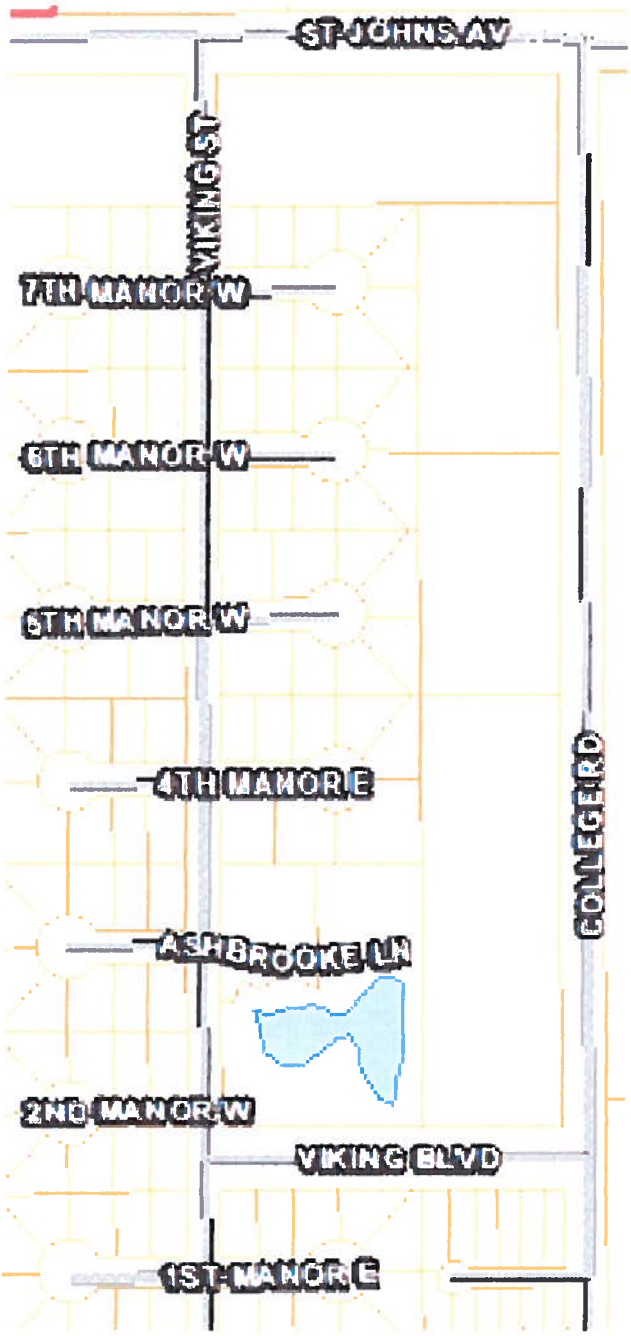
WITNESS my hand and official seal at Palatka, County of Putnam and State of Florida this ___ day of _____, 2013.

_____ *SEAL*

Notary Public
My Commission Expires:

Exhibit "A"

Downs/City of Palatka, FL



Agenda Item

3c

CITY COMMISSION AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, authorizing the City Manager to execute a contract with Fireworks by Santore in the amount of $18,000.00 for the 2013 July 4th Fireworks Display

DEPARTMENT: **Administrative/City Manager**

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

SUMMARY: Attached to this summary you will find a proposed contract Fireworks by Santori in the amount of $18,000.00 to provide the annual City of Palatka 4th of July Fireworks Show. Also attached is the invoice and Certificate of Insurance for the provider.

This is a popular fireworks show and attracts visitors from all over NE Florida. Fireworks by Santore has been the provider for this fireworks show for many years and has always gone above and beyond to provide a high-quality show for our citizens and visitors.

The City is required to rent a barge upon which to stage the fireworks show. The total cost of the Fireworks show plus barge rental is $23,800.00, which is less than the 2012 cost. Staff is currently soliciting donations in order to fund the majority these costs. Staff plans to again ask the CRA to recommend the use of TIF funds to make up the difference between funds donated and the actual cost of the fireworks show and barge rental.

RECOMMENDED ACTION: Adopt Resolution No. 2013-9-115 authorizing the City Manager to execute a contract with Fireworks by Santore in the amount of $18,000 to provide the 2013 4th of July fireworks show.

DEPARTMENT HEAD	Submitted: Michael Czymbor, City Mgr	Date: 05-13-13
	Requested Agenda Consent	Date: 05-23-13
FINANCE DEPARTMENT	Budgeted X Yes ___No ___N/A	Date: 5/17/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 5/14/13

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

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

RESOLUTION No. 2013-9-

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A FIREWORKS DISPLAY CONTRACT WITH FIREWORKS BY SANTORE IN THE AMOUNT OF $18,000 TO PROVIDE THE CITY OF PALATKA'S 4TH OF JULY FIREWORKS SHOW

WHEREAS, the City of Palatka celebrates and commemorates Independence Day on the 4th of July annually by providing a fireworks show for citizens and visitors at the Palatka Riverfront Park; and

WHEREAS, Fireworks by Santore, a company experienced in providing fireworks exhibitions, has proposed a Fireworks Display Contract in the amount of $18,000.00 to provide the 4th of July Riverfront Park Fireworks Display; and

WHEREAS, Fireworks by Santore has submitted the required Certificate of Insurance showing general liability insurance coverage in the amount of Five Million Dollars ($5,000,000.00), as required, and agrees to obtain all required permits for the Fireworks Exhibition; and

WHEREAS, the Palatka City Commission finds it reasonable to enter into said Fireworks Display Contract with Fireworks by Santore to provide a 4th of July Fireworks Display at the Riverfront Park.

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

1. That **Michael J. Czymbor**, City Manager of the City of Palatka, Florida, be hereby authorized and directed to execute the Fireworks Display Contract with Fireworks by Santore in the amount of $18,000.00, said contract being attached hereto as Exhibit "A" and incorporated herein.

2. That the City Manager is authorized to carry out the Sponsor's Responsibilities and other provisions as stipulated in said Fireworks Display Contract.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, as the Maintaining Agency, this **23rd day of May, 2013.**

CITY OF PALATKA

By:_____

Its MAYOR

ATTEST:

EXHIBIT "A"

Fireworks By SANTORE

INTO OUR SECOND SPECTACULAR CENTURY

Fireworks Display Contract

This writing, expressing the agreement made and entered into by and between Fireworks By Santore, Inc. (hereinafter "Santore") and **City of Palatka** (hereinafter "Sponsor"), on this **2nd** day of **May**, 2013.

WITNESSETH

Whereas, Santore is experienced in conducting fireworks exhibitions, and

Whereas, Sponsor wishes to arrange for a fireworks exhibition, at a site and on a date of its selection, and

Whereas, Sponsor and Santore have discussed the type of exhibition Sponsor wishes to arrange, and

Santore is prepared to stage such an exhibition, and Sponsor wishes to have Santore stage such an exhibition.

Now therefore, in consideration of these premises, and the mutual promises, covenants and undertakings of each other, the parties hereto agree as follows:

1. Exhibition:
Santore agrees to furnish to Sponsor, on the **4th** day of **July**, 2013 at a location to be designated by Sponsor and approved by Santore, an exhibition of Aerial Fireworks.
Location said to be: **Barge in the River**

2. Payment:
Sponsor agrees to pay **Eighteen Thousand** Dollars ($18,000.00) for this exhibition.

3. Time and Method of Payment:
At the time this agreement is made, as evidenced by the execution of this writing, Sponsor will pay a deposit equal to one-half (1/2) of all anticipated charges and expenses as set forth in rhetorical paragraph 2 at the time this agreement is executed by "Sponsor". Payment is due immediately upon the completion of the exhibition and shall be paid to Pyrotechnic Operator in a sealed envelope after the exhibition has taken place. Any payment not made in full shall accrue interest at the rate of eighteen per cent (18%) per annum from the date the exhibition was staged. In the event payment is not made within ten (10) days, Sponsor shall be deemed to be in default, and Santore shall have the right to retain an attorney to collect the payment amount, and shall be entitled to recover a reasonable fee for its attorney in doing so.

4. Site for Exhibition:
Sponsor acknowledges its responsibilities to provide a suitable site for the exhibition, which shall include arrangements to keep spectators at least 840 feet away from the area where the firing will take place.

5. Santore's Responsibilities: Santore will obtain all required permits, not to exceed $100.00, for the firing of the exhibition. At the completion of the exhibition, Santore will clear all equipment and debris from the firing site.

6. Sponsor's Responsibilities:

Sponsor is responsible for all fire watch and fire truck fees. These fees are over and above the $100.00 allowance for local permit fees. Santore will arrange for fire watch / inspection. Sponsor agrees to procure, furnish, and maintain a suitable place to display the said fireworks and to arrange for any security bonds as required by law in their community when necessary, and agrees to furnish necessary police, fire and Sponsor's protection, for proper crowd control and auto parking. Sponsor is responsible for removal and or protecting all property and persons in the "fireworks fallout zone". By signing below the Sponsor indemnifies and holds harmless Santore and assumes full liability for damages to property and/or injury to persons outside the "fireworks fallout zone" resulting from any source other than the fireworks produced by Santore.

7. Postponement:

In the event that weather conditions are such that Santore or the Authority Having Jurisdiction determines that the Fireworks Display would be impossible, impractical or risk damage or danger to person and/or property, the parties agree to immediately hold a postponement meeting at which time an attempt to reschedule the Fireworks Display shall be discussed. In the event a mutually satisfactory postponement date is made the Sponsor will be charged the actual expenses incurred by Santore related to the postponement. Actual expenses include but are not limited to: travel, lodging, labor, meals, rentals, security and permit fees.

In the event Sponsor *postpones display before June 4, 2013* and agrees to a postponement date no more than 180 days from original contracted display date, Santore will only charge the amount equal to any expenses that cannot be recovered for items such as barge / equipment rental, travel, lodging, labor, meals, security, custom products (if applicable) and permit fees. The balance of the original contact amount will be due upon completion of the display.

In the event Sponsor *postpones display after June 4, 2013* and agrees to a postponement date no more than 180 days from original contracted display date Santore will charge as follows:

15%	48 – 24 hours prior
30%	24 – 12 hours prior
60%	less than 12 hours prior

8. Cancellation:

If Sponsor cancels this Contract for any reason liquidated damages for such cancellation shall be paid by Sponsor to Santore as follows:

25%	30 or more days
35%	29 – 11 days prior
45%	10 – 3 days prior
70%	48 – 24 hours prior
100%	less than 24 hours prior

9. Exhibition Insurance:
Santore will furnish an insurance certificate providing coverage in the amount of five million dollars for the safe firing of the exhibition. Sponsor may, at its option, procure insurance to cover the risk of loss due to cancellation of the exhibition.

10. Publicity:
Any and all publicity of the exhibition, including in particular all advance announcements and advertising shall name Fireworks by Santore, Inc. as the primary contractor conducting the display.

11. Florida Law:
The laws of the State of Florida shall govern this agreement, and in the event of any dispute, venue for all proceedings, be they litigation, mediation, arbitration or otherwise shall be in Flagler County, Florida.

12. Attorney's Fees:
In the event of litigation or arbitration to enforce the terms of this agreement, the prevailing party shall recover a reasonable fee for its attorneys, plus costs reasonably incurred in the proceedings.

13. Entire Agreement:
This writing expresses the entire agreement between the parties, integrating all previous agreements, understandings, practices and discussions, and no modification shall be made to this agreement except as such is expressed in writing, executed by both parties.

In Witness whereof, the parties have hereunto affixed their signatures signifying their agreement on this 2nd day of May, 2013.

Sponsor	Fireworks by Santore, Inc.
By _____	By _____ 2 May 2013
Signature Date	Signature Date
By _____	Anthony J. Santore Jr. President / CEO
Printed Name & Title	

Fireworks by Santore, Inc.

Invoice

REMIT PAYMENT TO:
Post Office Box 22775
Billings, MT 59104
P) 386 246 4345 F) 386 246 4370

Date	Invoice #
5/2/2013	4114

Bill To	Ship To
City of Palatka 301N 2nd Street Palatka, FL 32177	City of Palatka 301 N 2nd Street Palatka, FL 32177

P.O. Number	Terms	Ship	Via	F.O.B.	BATFE License #
7413	Due on rec...	7/4/2013	FBS	Osteen	1-FL-035-51-5F-00937

Quantity	Item Code	Description	Price Each	Amount
1	1.3G Display	Fireworks Display -1.3G	18,000.00	18,000.00

Past due invoices are subject to a 1.5% per month finance charge.

Subtotal	$18,000.00
Payments/Credits	$0.00
Balance Due	$18,000.00

Pay online at: https://ipn.intuit.com/695dnn9b

Certificate of Insurance

399 **Issue Date:** 5/2/2013

PRODUCER	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
Professional Program Insurance Brokerage 371 Bel Marin Keys Blvd., Suite #220 Novato, California 94949	
	INSURERS AFFORDING COVERAGE
INSURED	INSURER A: Underwriter's at Lloyd's, London
Fireworks by Santore, Inc. 18 Hargrove Grade Palm Coast, FL 32137	INSURER B:
	INSURER C:
	INSURER D:

COVERAGES:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE NAMED INSURED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (DD/MM/YY)	POLICY EXPIRATION DATE (DD/MM/YY)	LIMITS	
A	GENERAL LIABILITY CLAIMS MADE	CSI-829095-12	9/15/2012	9/15/2013	EACH ACCIDENT	$5,000,000
					MEDICAL EXP (any one person)	
					FIRE LEGAL LIABILITY	$50,000
					GENERAL AGGREGATE	$5,000,000
					PRODUCTS-COMP/ OPS AGG	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
Certificate holder is additional insured as respects the following:

Date(s) of Display:	7/4/2013
Location:	Barge on the River
Additional Insured:	City of Palatka; Putnam County; W. Lei & Associates Inc; Waterway Equipment Services, LLC
Rain Date(s):	7/4/2013
Type of Display:	Aerial

CERTIFICATE HOLDER	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXIPIRATION DATE THEREOF, THE ISSUING INSURERE WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER,ITS AGENTS OR REPRESENTATIVES.
City of Palatka 201 N 2nd Street Palatka, FL 32177	Susan Pretz AUTHORIZED REPRESENTATIVE

Betsy Driggers

From: Mike Lambert
Sent: Tuesday, May 14, 2013 3:41 PM
To: Betsy Driggers
Subject: Fwd: Palatka shell count

Sent from my iPhone

Begin forwarded message:

> **From:** Gary Delia <garydelia@fireworksbysantore.com>
> **Date:** May 13, 2013, 16:48:27 EDT
> **To:** <mlambert@palatka-fl.gov>
> **Subject: Palatka shell count**
> **Reply-To:** <garydelia@fireworksbysantore.com>
>
> Chief Lambert,
> Following is our amended shell count and cost of the display:
>
> 20 150 shot repeaters
>
> single fire shells:
>
> 54 3"
> 110 4"
> 120 5"
> 50 6"
> 4 8"
>
> finale:
>
> 700 3"
> 75 4"
> 15 5"
> 3 6"
>
> total cost $18000.00
>
> running time 15-20 minutes
>
> FYI last year's show was 16 minutes
>
> Have you any additionals,please call.
>
> Regards,
>
> --

Gary Delia
Event Producer
Fireworks By Santore
386-246-4345 Office
386-256-4370 Fax
386-586-5365 Direct and after 5 PM
garydelia@fireworksbysantore.com

W. Leigh & Associates, Inc.

265 East River Road
East Palatka, FL 32131
386-312-0433 - Fax: 386-312-0570

MARINE EQUIPMENT RENTAL & TOWING PROPOSAL

We are an FDOT Approved DBE

May 14, 2013

Attn: Sophia Smith
City of Palatka
ssmith@palatka-fl.gov

Subject: City of Palatka, Fourth of July Fireworks

W. Leigh & Associates is pleased to quote the following equipment for the subject project:

120'x 50' spud barges.....F.OB. Palatka, FL
1,000HP 58' tug (with Capt. and crew).....F.O.B. Palatka, FL
Round trip Towing of barge between Barge Port and
South of Palatka Bridge.....$5,800.00 Lump Sum

All equipment and transportation is offered subject to availability. Note that there is no mobilization costs for these boats and barges that are located in Palatka. Our fleet is at 106 Port Rd, Palatka, FL.

We look forward to providing your barge needs along with the marine transportation requirements for this event. Thank you for allowing us to quote on your business and please contact me direct at 904-501-9972 or via email at paul@marcodepot.com if you have questions.

Best Regards,

Paul Laubacker

Agenda Item

3d

CITY COMMISSION AGENDA ITEM

SUBJECT: Resolution of the City of Palatka, Florida, authorizing the reduction of the code enforcement fine for 119 Belmont Drive

DEPARTMENT: **Code Enforcement**

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

SUMMARY: On April 24, 2013 the Code Enforcement Board voted to recommend a reduction of the $3,975 accrued $25 per day fine by 50% to $1,987.50 plus the costs of prosecution. The property is in compliance at this time. Costs of prosecution in the amount are $155.75 if recording is not required or $196.86 if recording is required.

RECOMMENDED ACTION: Adopt Resolution No. 2013-9-116 authorizing the reduction of code enforcement fines for 119 Belmont Drive.

DEPARTMENT HEAD	Submitted: Gary Getchell	Date: 5/7/13
	Requested Agenda Consent	Date: 5/23/13
FINANCE DEPARTMENT	Budgeted ___Yes ___No _x_N/A	Date: 5/17/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 5/15/13

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

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

RESOLUTION NO. 2013 – 9 - 115

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, GRANTING A REDUCTION IN THE AMOUNT OF CODE ENFORCEMENT FINES ASSESSED TO 119 BELMONT DRIVE.

WHEREAS, after due notice to the property owner of 119 Belmont Drive was provided, the Palatka Code Enforcement Board levied a daily fine of $25/day upon said property as it was found that the property was in violation of Section 30-32 of the Palatka Municipal Code, according to the Finding of Fact, Conclusions of Law and Order dated September 26, 2012; and

WHEREAS, Michael W. Saffelder, Respondent and property owner, has made a request to the Palatka Code Enforcement Board, through his property manager, to reduce the Code Enforcement Fine, as the property has been brought into compliance and the daily fine stopped accruing on April 1, 2013; and

WHEREAS, at its regular April 24, 2013 meeting, the Palatka Code Enforcement Board voted unanimously to recommend to the Palatka City Commission to reduce the $3,957 accrued fine by fifty percent (50%) to $1,987.50 plus the cost of prosecution in the amount of $155.75 if the fine is paid within 30 days of this action and recording of the lien is not required, or $196.86 if not paid within 30 days and recording of the lien is required; and

WHEREAS, the Palatka City Commission finds that the approval of the recommended reduction in fine described herein is in the best interest of the property owner, the City of Palatka and its citizens, and deems it appropriate to reduce the amount of Code Enforcement Fine imposed upon 119 Belmont Drive as recommended by the Palatka Code Enforcement Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF PALATKA, FLORIDA, that the Code Enforcement Fine levied against 119 Belmont Drive be reduced by 50%, from $3,957.00 accrued from September 26, 2012 through April 1, 2013, to $1,987.50 plus cost of prosecution of either $155.75, provided the reduced fine and cost of prosecution is paid within 30 days after passage of this Resolution, or $196.86 if the fine is not paid within 30 days of the passage of this Resolution and recording of the lien is required.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, this 23rd day of May, 2013.

CITY OF PALATKA, FLORIDA

By: _____
Its Mayor

ATTEST:

_____

CITY OF PALATKA
CODE ENFORCEMENT BOARD MEETING
MINUTES
April 24, 2013

Meeting called to order at 4:07 p.m. by Chairperson LaSandra Williams.
Members present: Michael Gagnon, Pat Wilson, and Johnny Brown.
Members absent: Leroy Miles and John Lyon
Also present: Code Enforcement Officer and Recording Secretary Elizabeth Hearn, Chief of Police Gary Getchell and City Attorney Don Holmes.

Motion by Pat Wilson and seconded by Michael Gagnon to accept the minutes of the March 27, 2013 meeting. All voting members were in favor, motion carried.

LaSandra Williams read the appeal procedure and swore in City staff testifying at the hearing.

CONSENT AGENDA

Case 201200072 — **119 Belmont Drive**
Owner: Michael W. Saffelder
Daily Fine of $25 per day x 159 days - $3,975.00
Costs of Prosecution $155.75 or $196.86

Case 201200117 — **1506 Napoleon Street**
Owner: Shirley Terry and Heirs of Susie Terry
Costs of Prosecution $130.75 or $171.86

Case 201300006 — **2101 Husson Avenue**
Owner: Anket Food Mart
Costs of Prosecution $131.11 or $172.22

Motion made by Michael Gagnon and seconded by Pat Wilson to remove Case 201200072 from the consent agenda.

Motion made by Michael Gagnon and seconded by Pat Wilson to approve the amended consent agenda as modified. All present voted affirmative.

OLD BUSINESS

Case 201200072 — **119 Belmont Drive**
Owner: Michael W. Saffelder
Section 94-261 (6) Off-Street Parking
Section 30-32 Weeds, Debris, Prohibited Conditions

Ms. Hearn stated that John Chapman was here to address the Board at his request and that he is representing the property owner who lives out of state.

John Chapman, 4860 Coquina Crossing Drive, Elkton, Florida, stated his firm represented Michael W. Saffelder, the owner of 119 Belmont Drive. Mr. Chapman related that Officer Hearn had come by his office and informed him that there was a daily fine of $25 per day accruing for the property due to non-

compliance for removal of inoperable vehicles parked in the front yard. Once he became aware of the code violation he immediately took steps to correct it. Ms. Hearn had posted the property last August due to the certified mail returned as unable to forward from the USPS. The property owner had been transferred to Nevada and hadn't thought to change his address of record since the property taxes are paid from the escrow account for his mortgage. The tenants had neglected to inform the property manager of the code violation after Ms. Hearn had posted the property. The property owner understands there will be some penalty for this but he's asking that the daily fine be set aside since they only found about the code violation last month.

Mr. Gagnon asked Mr. Chapman as the management company how often they drive by the property. Mr. Chapman replied that they drive by their properties a minimum of once a month. He had seen the vehicles parked in the front yard and as far as he knew they had license tags but he was unaware that it was a violation for them to be parked in the front yard.

Mr. Holmes asked Ms. Hearn if there had been a complaint and how many cars were there. Ms. Hearn responded that yes there was a complaint and on initial investigation there were two vehicles.

There was further discussion in regards to notification and the tenants.

Mr. Gagnon expressed concern about absentee landlords that hire management companies that are unable to control their tenants and that we have a major problem with that in this town. The simple fact that the code enforcement officer or a police officer or the fire department can't contact a property owner or a property manager, he knows the City doesn't have an ordinance that states they have to register their property but if there were these types of situations could possibly be avoided.

Mr. Brown stated he didn't want to set a precedent for out of town property owners that they can get out of paying a fine just because they live out of town verses our citizens that are here.

Motion made by Pat Wilson and seconded by Johnny Brown to recommend that the daily fine be reduced by 50 percent in addition that the costs of prosecution are paid to be considered by the City Commission. All present voted affirmative. Motion carried.

Case 11-134 **700 Olive Street**
Owner: Garland Scott Beveridge
Section 18-202 Unsafe Building Violation
Section 30-180 (c) Time Period of Compliance

Ms. Hearn stated she was bringing this case back before the Board because she has had several police reports in regards to the property with the most recent report indicating that 700 Olive and 704 Olive Street had been stealing power from 702 Olive Street. The report stated that Mr. Beveridge was still residing inside the house. Mr. Beveridge has previously been informed that he could not live in the house and he had stated at the December 5, 2012 Board meeting that he wasn't living there.

Ms. Hearn put forth that an injunction needed to be pursued. Mr. Holmes shared that there needed to be proof that Mr. Beveridge is living in the house. There could be neighbor testimony that they see him going in the house at night and coming out in the morning, seeing lights on inside the house at night and such.

PUTNAM COUNTY PROPERTY APPRAISER | 2013 Interim Tax Roll | APPRAISAL DATA CARD | PRINTED 04/26/2013 08:34:09 | CARD 1 OF 1

Parcel	13-10-26-1700-0040-0020
Owner	SAFFELDER MICHAEL W
Mailing	649 BIGHORN CREEK ST HENDERSON NV 89002
911	119 BELMONT DR, PALATKA
Description	COUNTRY CLUB HEIGHTS MB4 P30 BLK 4 LOT 2
Orig Parcel	

Exemption	Count	Max Value	Min Value	Applied To

Improvement Value		Use Code	1
Land Value		Improvements	1
Market Value		Location	City of Palatka
Just Value CU		Total Acres	0.22
CU Value		Zoning	R-1A
Market Adjusted		FLUM	RL

Parcel Value Breakdown

Taxing District	Assessed Limited	Minus(-) Exemptions	Taxable Value

Parcel Sales Data

Book	Page	Instrument	Month	Year	QSCD	Price
0991	0071	WD	Jul	2004	00 I	$68,000
0803	0934	WD	Sep	1999	00 I	$52,500
0676	0596	MCTF	Jun	1995		$0
0581	0578	DCTF	Apr	1991	01	$0
0187	0025	WD	Aug	1967		$0

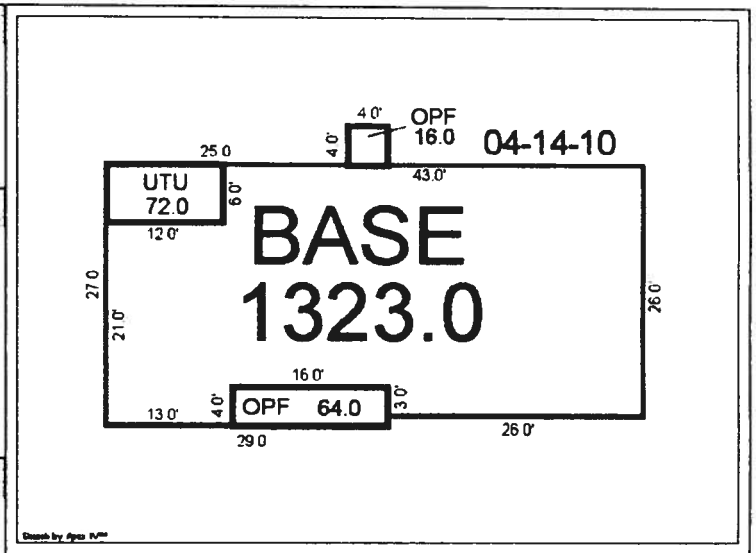
Special Buildings

Line	Code	Length	Width	Sq Ft	Rate	Value
1						
2						
3						
4						
5						
6						
7						
8						
9						

Extra Features

Line	Code	Description	Value
1	4	Chain Link Fence	
2	2	Concrete Drive	
3	1	Walks	
4			
5			
6			
7			
8			
9			

Total 0



Primary Improvement

Desc	Single Family					Substructure	01-Continuous	Cabinet & Mill	03-Average
Class	A	Dep Code	1	Tag		Floor System	01-Slab on Grade	Floor Finish	07-Carpeting 1
Type	0	Dep Rate	0	MFG		Exterior Walls	19-Simulated Brick	Interior Finish	03-Drywall - Taped
Base Rate		Yr Built	1955	Model		Height in Feet		Paint & Decor	03-Average
Adj Base Rate	0.00	Eff Yr Built	1978	Length		Party Wall %		Plumbing Fixt	6
Base Sq Ft	1323	Oth Dep	0.00	Width		Sub Floors		Bath Tile	02-Floor 1/2 Wall
% Cond	56.2	Dep Rep Cost		Lot #		Roof Framing	03-Gable/Hip	Heating & Air	11-Heat Pump
Quality	100	Adj Dep Cost				Roof Cover	04-Composition Shingle	Electrical	03-Average
								Comm	10

Improvement Area & Additions

Desc	% Rate	Rate	Sq Ft	Cost
BASE	100	0.00	1323	0
OPF	35		64	
UTU	60		72	
OPF	35		16	

Total Replacement Cost 0

Land Lines

Line	Code	Depth Chart	Depth In Feet	Corner Factor	Depth Factor	Cond	Adjustment	Unit Price	Adj Unit Price	Units	Just Value	CU Unit Price	CU Value	Just Value CU	Taxable Value
1	1	1	128	100%	100%	100%	100%			75.00					
2															
3															
4															
5															
6															
										Total	0		0	0	0

NOTICE: This is an interim Putnam County file. Property assessment information is subject to change until Truth in Millage (TRIM) Notices are mailed.

CODE ENFORCEMENT BOARD OF THE
CITY OF PALATKA, FLORIDA

CITY OF PALATKA, Petitioner, **COMPLAINT NO. 12-72**

vs

Michael W. Saffelder, Respondent(s)

FINDING OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE having come before the Board for public hearing on September 26, 2012, after due notice to the Respondent; and, the Board having received sworn testimony and evidence at said hearing; it is now,

DETERMINED THAT:
I. FINDINGS OF FACT AND CONCLUSIONS OF LAW:

a) The Respondent(s) is the owner of property described as 119 Belmont Drive, Putnam County Tax parcel number 13-10-26-1700-0040-0020, located within the City of Palatka, Putnam County, Florida.

b) Conditions at the property at issue constituted violations of Section 30-32 Weeds, Debris, Prohibited Conditions, and Section 30-33 Abatement Required, of the Palatka Municipal Code.

c) The Respondent(s) was previously notified of the above-described code violations but failed to correct the violations prior to the hearing at which this matter was considered.

IT IS ACCORDINGLY ORDERED THAT:
II. ORDER:

a) The Respondent(s) shall correct the conditions which constitute the code violations described above on or before the 24th day of October, 2012, or if said conditions are not corrected, a fine in the amount of $25.00 per day is hereby assessed and levied on the above-described property, effective on the 24th day of October, 2012, to continue until the conditions are corrected.

b) Administrative costs will be assessed after the property is brought into compliance.

c) The fine described in paragraph a), as well as the costs described in paragraph b), shall constitute a lien upon the property described herein when this document is recorded within the official records of Putnam County, Florida.

DONE AND ORDERED this 26th day of September, 2012, at Palatka, Putnam County, Florida.

CODE ENFORCEMENT BOARD OF THE CITY OF PALATKA FLORIDA

BY _____
LaSandra Williams, Its Chairman

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, ☐ Regular mail, to the Respondent and/or authorized representative at 124 Gargonza Court, St Augustine, FL, 32084 this ____ day of November, 2012.

_____
Elizabeth A. Hearn, Code Enforcement Officer

Prepared by:
Elizabeth A. Hearn, City of Palatka
201 N 2nd Street, Palatka, FL 32177

I hereby certify that the foregoing is a true and correct copy of the same, as appears on record in the office of the *Planning, Building, and Zoning Department* of the City of Palatka, Florida.

By: _____, City Clerk.
Date: 1-23-13

CODE ENFORCEMENT BOARD OF THE
CITY OF PALATKA, FLORIDA

CITY OF PALATKA, Petitioner, **COMPLAINT NO. 12-72**

vs

Michael W. Saffelder, Respondent(s)

FINDING OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE having come before the Board for public hearing on April 24, 2013, after due notice to the Respondent; and, the Board having received sworn testimony and evidence at said hearing; it is now,

DETERMINED THAT:
I. FINDINGS OF FACT AND CONCLUSIONS OF LAW:

a) The Respondent(s) is the owner of property described as 119 Belmont Drive, Putnam County Tax parcel number 13-10-26-1700-0040-0020, located within the City of Palatka, Putnam County, Florida.

b) Conditions at the property at issue constituted violations of Section 30-32 Weeds, Debris, Prohibited Conditions, and Section 30-33 Abatement Required, of the Palatka Municipal Code.

IT IS ACCORDINGLY ORDERED THAT:
II. ORDER:

a) The $25.00 per day fine is hereby stopped on the above-described property effective April 1, 2013. Total daily fine assessed is $3,975.

b) Administrative costs are hereby assessed in the amount of $196.86, as incurred in the prosecution of this case by the City of Palatka through the 24th day of April 2013.

c) The fine described in paragraph a), as well as the costs described in paragraph b), shall constitute a lien upon the property described herein when this document is recorded within the official records of Putnam County, Florida.

DONE AND ORDERED this 24th day of April, 2013, at Palatka, Putnam County, Florida.

CODE ENFORCEMENT BOARD OF THE CITY OF PALATKA FLORIDA

BY _____
LaSandra Williams, Its Chairman

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, ☐ Regular mail, to the Respondent and/or authorized representative at 124 Gargonza Court, St Augustine, FL, 32084 this ____ day of June, 2013.

_____
Elizabeth A. Hearn, Code Enforcement Officer

Prepared by:
Elizabeth A. Hearn, City of Palatka
201 N 2nd Street, Palatka, FL 32177

I hereby certify that the foregoing is a true and correct copy of the same, as appears on record in the office of the *Palatka Police Department* of the City of Palatka, Florida.

By: _____, City Clerk.
Date: _____

Agenda Item

3e

CITY COMMISSION AGENDA ITEM

SUBJECT: Notice of pending amendment to City Commission meeting schedule to add a special called meeting tentatively scheduled for May 30, 2013 @ 5:15 p.m.

DEPARTMENT: Administration/City Hall

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

SUMMARY: Mayor Myers will be calling a special meeting of the Palatka City Commission which has been tentatively set for Thursday, May 30, 2013, to begin at 5:15 p.m. Among the items tentatively scheduled to be considered on the Special Agenda are:

- A recommendation to award the bid for Golf Course Restaurant Services;
- A Public Hearing and Resolution regarding the City's intention to apply to USDA for grant funds to upgrade the kitchen facilities at the Palatka Golf Club Clubhouse;
- A Presentation and recommendation on the Riverfront Redevelopment RFP Response submitted by Riverfront Development Group, LLC;
- A recommendation to award a contract for Disaster Debris Removal Services in accordance with FEMA guidelines.

This agenda may include other items, and may be published prior to the May 23 City Commission meeting; however, at the time this Summary was written, the meeting call and agenda are still in draft form. An official Meeting Call and Agenda will be distributed to the Commission and properly noticed according to Florida statutory notice requirements.

RECOMMENDED ACTION: No action required. This is being provided as advance notice only.

DEPARTMENT HEAD	Submitted: Betsy Driggers, City Clerk	Date: 05-16-13
	Requested Agenda Consent	Date: 05-23-13
FINANCE DEPARTMENT	Budgeted ___Yes ___No X_N/A	Date: 5/17/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 5-16-13

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

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

Agenda Item

4

CITY of Palatka
FLORIDA

AGENDA ITEM

SUBJECT: Budget Summary (October – April 2013)

DEPARTMENT: Finance

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

SUMMARY: Budget Summary Report for October through April 2013. See attached report.

RECOMMENDED ACTION: No action requested

DEPARTMENT HEAD
Submitted: Matt Reynolds Date: 05-10-13
Requested Agenda: Regular Date: 05-23-13

FINANCE DEPARTMENT Budgeted ☐ Yes ☐ No ☒ N/A Date: 05-10-13

CITY ATTORNEY Approved as to Form and Correctness Date: _____

CITY MANAGER Approved Agenda Item For: Date: 5-16-13

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

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

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Budget Report

October-April 2013

Overall:

This budget report covers the months of October through April which covers 7 months of the fiscal year (58.33%). We will continue to present a monthly budget report to the commission in the future in order to keep the City Commission informed as to the status of the revenues and expenditures of the City.

General Fund:

Revenues (page 1)

Revenue Sources above 58.33%:

Total Property Taxes were at 92.38% which is primarily due to the timing of the receipts of property taxes. Property taxes are disbursed by the Putnam County Tax Collector beginning in November and continuing through June, however the vast majority of property taxes are received by the end of February. This causes a spike in the property taxes line early in the year which will level out as the year progresses.

Utility Service Taxes were 62.63% due to the utility service taxes on electricity, water, gas and fuel oil all being above budgeted estimates at the end of April. Communication Service Taxes were 81.58% due to a correction by the Department of Revenue to our monthly disbursement in December. Franchise fees were at 71.71% due to the lump sum payment of one year's worth of franchise fees by Clay Electric. Transfers In were at 81.03% due to the receipt of $500,000 from the Gas Authority that was requested for this fiscal year. The Gas Authority agreed to transfer $100,000 a month for the first five months of the fiscal year, which means the Transfers In line will remain elevated and eventually level out as the year progresses.

Revenue Sources below 58.33%:

Local option taxes are comprised of gas and fuel taxes, discretionary sales surtax and fire and police state premium money that are contributed to the police and fire pension funds. The total percent was 49.00%, however since the fire and police premium disbursements are not received until August or September, a more accurate percentage would be 54.14%. This means that both local option gas taxes as well as discretionary sales surtax were below budget by 4.19%. This revenue section will continue to be monitored and expenditures may need to be adjusted in order to account for the lower than expected revenue. If these revenue streams continue to remain 4.19% below budget, the difference between the actual and budget at year end will be -$48,995.

Licenses and Permits were at 32.02% which is 26.31% below budget. If this trend continues, the difference between actual and budget at year end will be -$48,785.

State and Federal grants were well below budget at 11.83%, however since the revenues are based upon expenditures for these grant projects this line being below budget does not adversely affect the operations of the General Fund.

State Shared revenues were slightly below budget at 55.52%. This was due to the Half-Cent Sales Tax revenue line being at 51.86% which is 6.47% below budget. If this trend continues, the difference between actual and budget at year end will be -$25,433.

Grants from Local Units were at 34.21% which is 24.12% below budget. The only revenue line under this section is HIDTA, which is a type of Police Overtime reimbursement. If this trend continues, the difference between actual and budget at year end will be -$1,579.

Shared Revenues for Local Units were at 5.52% which is 52.81% below budget. This was due to $25,000 being budgeted for an expected payment from Putnam County in regards to the Crestwood Nursing Home property on Palm Ave. For approximately 30 years, the County has paid the City $5,000 as a form of Payment in Lieu of Taxes (PILOT) for Crestwood Nursing Home which is located in the old hospital building off Palm Ave. The City originally gave the piece of land that this building is located on to the County in the 1950's in order for the County to build a hospital. Once the new hospital was built on the west side of town and the old hospital off Palm Ave was closed, a nursing home company began renting the building from the County for which they pay a monthly rent, however since the County owns the land they do not pay property taxes on the land or the building. In the 1980's, the County agreed to pay the City $5,000 a year. It has remained the same amount ever since, however during the budget season last year it was estimated that we would be able to get the County to pay an increased amount. This does not appear that it will come to fruition so this amount may need to be reduced back to $5,000. Since this will most likely be reduced from $25,000 to $5,000, the impact to the budget will be -$20,000.

Charges for Services were at 48.16% which is approximately 10% below budget. This was primarily due to Cemetery Services and Cemetery Vault sales being well below budget at 15.71% and 25.71%, respectively. If this trend continues, the difference between actual and budget will be -$22,485.

Fines and Forfeits were 34.68% below budget. This was primarily due to Red Light Camera Fines being well below budget by 43.07%. This revenue stream will continue to be monitored and adjustments will be made if needed. Any adjustments to the revenue will not adversely affect the operations of the General Fund since all of the proceeds were budgeted for reserves and a one-time capital expense to purchase police vehicles in August 2013; however this capital expense can be removed in favor of another lease which will not impact this FY budget.

Miscellaneous Revenues were also below budget at 44.69%. This was primarily due to the sale of Cemetery lots being approximately 29% below budget. If this trend continues, the difference between actual and budget at year end will be -$24,143.

If all of the trends mentioned above continue, the total impact to the revenues would be approximately -$191,500.

We will continue to monitor all revenue sources and will be preparing budget amendments throughout the year to ensure that the budgeted amounts are as accurate as possible.

Expenditures (page 2): The only departments that were over the 58.33% mark were City Hall (City Manager's Office, City Clerk's Office and Finance Department), Legal Counsel, Other Governmental Services and Price Martin Center. City Hall exceeded budget due to accounting and auditing, building maintenance and operating supplies; there were several large non-recurring expenses incurred however as the year progresses the percent expended will decrease back to being within the proper range. All other departments within the General Fund were under the 58.33% mark.

Airport Fund:

Revenues (page 3): Total operating revenues were at 61.83%. This was primarily due to fuel sales being over 58.33%. Total other revenues were below the 58.33% mark due to the revenues sale of surplus materials (millings, lime rock, timber and clean fill sand) not coming in as expected. Adjustments to this revenue section will need to be made in order to accurately reflect the estimated amount of total

revenues received for these sales. Preliminary estimates show that these revenues may be approximately $160,000 below the budgeted amounts.

Grants were also well below budget at 19.37%, however since the revenues are based upon the expenditures for grant projects this line being below budget does not adversely affect the operations of the Airport.

As with the General Fund, we will continue to monitor all revenue sources and will be preparing budget amendments throughout the year to ensure that the budgeted amounts are as accurate as possible.

Expenditures (page 4): Personnel services exceeded the 58.33% mark due to changes in personnel which were not anticipated during the budget process. Operating expenses were also above the 58.33% mark due to fuel costs being higher than anticipated. This is offset by the excess revenues being generated by the sale of these fuels.

Personnel, operating and debt service expenditures exceeded operating and other revenues through April by $27,513.

TIF Fund:

Revenues (page 5): Revenues were well above the 58.33% due to the County's entire share of the annual property taxes being received in December. A portion of the City's share will be transferred every month throughout the fiscal year until the total amount of the City's share has been transferred.

Expenditures (page 6): The total expenses for the Downtown, North and South Historic Districts were all under the 58.33% mark. Transfers out were slightly above the 58.33% mark due to the reimbursement of the Mainsteet Manager's salary to the General Fund being completed in December. This percentage will fall back within the proper range as the year progresses.

Water Fund:

Revenues (page 7): Charges for service were slightly below the 58.33% mark. Other Revenues were well above budget due to the Communication Tower Lease line. This is due to payment structure of two of the companies that lease space on the tower.

Expenditures (page 8): Personnel expenses for the water plant and water and sewer distribution departments were above 58.33%. This was primarily due to two quarterly payments for workers comp being made in the first quarter as well as a majority of the holiday pay being expended due to Thanksgiving and Christmas.

Operating expenses in the water and sewer distribution department were over budget due to equipment and vehicle maintenance expenditure lines along with insurance claims and professional services being over 58.33%. Operating expenses in the water administration department were over budget due to professional services, accounting and auditing, equipment maintenance and operating supplies being over the 58.33% mark.

Revenues exceeded expenditures by $78,735.

Golf Course Fund:

Revenues (page 9): Operating revenues for the golf course were at 66.58% due to revenues from twilight golf, regular rounds of golf, cart rentals, memberships and pro shop sales being over the 58.33% mark. We are continuing to monitor the revenues at the Golf Course very closely and will be adjusting the budgeted amounts as needed throughout the year to ensure that we present the Commission with the most accurate information available.

Expenditures (page 10): Operating expenses for both the course maintenance and club house departments exceeded the 58.33% mark. Capital Expenses for the course maintenance department was at 86.43% due to a large one-time capital expense to repair the well on hole #3 which will be used to water the greens. As previously stated, we are closely monitoring the Golf Course Fund and will be making adjustments as needed.

Expenditures exceeded revenues by $66,216.

Sanitation Fund:

Revenues (page 11): Charges for service were .04% below the 58.33% mark.

Expenditures (page 12): Total expenditures for the sanitation fund were below the 58.33% mark. The operating expenses in the maintenance department exceeded 58.33% due to two quarterly payments for liability insurance being made in October and December. Debt service was at 100% due to the final payments on the garbage truck loan being made in October.

Revenues exceeded expenditures by $114,055.

CDBG Fund:

Revenues (page 13): Other revenues were at approximately 100% due to the final payments being made on a mortgage in relation to a CDBG grant project from 1993.

Expenditures (page 14): Operating expenditures were at 100% as the final payments have been made to Fred Fox for administration of the latest CDBG project.

City of Palatka

GENERAL FUND REVENUES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL PROPERTY TAXES	3,201,120	2,607,979.20	3,189,697	2,946,683.14	243,013.86	92.38%
	TOTAL LOCAL OPTION TAXES	1,268,279	641,494.66	1,292,063	633,094.81	658,968.19	49.00%
	TOTAL UTILITY SERVICE TAXES	844,948	532,500.15	841,724	527,170.14	314,553.86	62.63%
	TOTAL COMMUNICATION SERV TAXES	193,731	90,348.07	108,716	88,693.63	20,022.37	81.58%
	TOTAL LICENSES/PERMITS	154,083	72,166.18	185,422	59,371.77	126,050.23	32.02%
	TOTAL FRANCHISE FEES	819,899	434,934.43	811,541	581,955.09	229,585.91	71.71%
	TOTAL STATE/FEDERAL GRANTS	666,309	492,519.59	1,939,004	229,444.00	1,709,560.00	11.83%
	TOTAL STATE SHARED REVENUES	756,034	457,611.80	826,388	458,845.61	367,542.39	55.52%
	TOTAL GRANTS FROM LOCAL UNITS	6,857	4,142.42	6,547	2,239.97	4,307.03	34.21%
	TOTAL SHARED REV LOCAL UNITS	11,500	2,919.17	28,500	1,573.25	26,926.75	5.52%
	TOTAL CHARGES FOR SERVICES	161,618	97,121.18	224,850	108,285.48	116,564.52	48.16%
	TOTAL FINES & FORFEITS	115,084	47,556.83	652,988	154,407.58	498,580.42	23.65%
	TOTAL MISCELLANEOUS REVENUES	260,645	131,177.95	235,088	105,070.59	130,017.41	44.69%
	TOTAL TRANSFERS IN	764,709	0.00	830,099	698,848.88	131,250.12	84.19%
	TOTAL REIMBURSEMENTS	380,000	266,250.00	379,787	222,181.00	157,606.00	58.50%
	TOTAL DEBT PROCEEDS	0	0.00	294,310	23,333.35	270,976.65	7.93%
	TOTAL OPERATING REVENUES	9,604,816	5,878,721.63	11,846,724	6,841,198.29	5,005,525.71	57.75%
	TOTAL CASH BALANCE FORWARD	982,655	0.00	1,117,429	0.00	1,117,429.00	0.00%
	TOTAL REVENUES	10,587,471	5,878,721.63	12,964,153	6,841,198.29	6,122,954.71	52.77%

City of Palatka

GENERAL FUND EXPENDITURES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	PERSONNEL & OPERATING EXPENSES							
	CITY HALL	821,476	526,707.52	811,852	490,407.77	2,838.19	318,606.04	60.41%
	INFORMATION TECHNOLOGY	3,303	0.00	146,330	64,617.02	4,632.68	77,080.30	44.16%
	LEGAL COUNSEL	57,205	28,841.10	58,451	41,913.36	0.00	16,537.64	71.71%
	OTHER GOVT SERVICES	152,949	32,103.73	78,662	56,725.59	6,065.01	15,871.40	72.11%
	BUILDING & ZONING	338,421	210,294.00	364,137	193,065.16	1,699.59	169,372.25	53.02%
	POLICE DEPARTMENT	3,298,736	1,852,332.48	3,607,875	1,712,345.27	495,590.96	1,399,938.77	47.46%
	CODE ENFORCEMENT	0	0.00	27,178	7,413.70	0.00	19,764.30	27.28%
	FIRE DEPARTMENT	1,800,475	997,021.89	1,821,154	1,002,622.72	57,708.95	760,822.33	55.05%
	STREETS	503,083	325,832.79	505,389	262,604.33	5,018.91	237,765.76	51.96%
	CEMETERY	152,600	78,812.13	139,747	80,442.63	4,001.19	55,303.18	57.56%
	CULTURAL SERVICES	6,550	12,501.28	12,088	5,265.92	168.00	6,134.08	43.56%
	BRONSON HOUSE	54,130	28,777.30	68,289	35,672.32	0.00	32,616.68	52.24%
	PARKS AND RECREATION	359,037	203,494.73	365,845	213,038.19	1,327.70	152,099.11	58.23%
	PRICE MARTIN CENTER	30,074	14,294.44	21,655	13,439.52	52.03	8,063.45	62.06%
	BETTER PLACE PLAN	1,699,187	1,293,135.25	2,886,786	866,324.87	147,430.20	1,873,030.93	30.01%
	OPERATING EXPENSES SUBTOTAL	9,277,226	5,604,148.64	10,915,438	5,045,898.37	726,533.41	5,143,006.22	46.23%
	TRANSFERS	0	0.00	377,990	188,995.08	0.00	188,994.92	50.00%
	TRANSFERS & OPERATING SUBTOTAL	9,277,226	5,604,148.64	11,293,428	5,234,893.45	726,533.41	5,332,001.14	46.35%
	CONTINGENCIES	547,600	0.00	164,268	0.00	0.00	164,268.00	0.00%
	RESERVES	762,645	0.00	1,506,457	0.00	0.00	1,506,457.00	0.00%
	TOTAL EXPENDITURES	10,587,471	5,604,148.64	12,964,153	5,234,893.45	726,533.41	7,002,726.14	40.38%

City of Palatka

AIRPORT REVENUES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL GRANTS	3,999,674	3,560,438.27	1,501,422	402,818.53	1,676,668.47	26.83%
	TOTAL OPERATING REVENUES	822,682	530,618.24	889,905	550,204.65	339,700.35	61.83%
	TOTAL OTHER REVENUES	130,870	129,123.98	263,000	65,364.29	197,635.71	24.85%
	TOTAL TRANSFERS	0	0.00	0	0.00	0.00	0.00%
	TOTAL DEBT PROCEEDS	0	0.00	23,683	23,682.23	0.77	100.00%
	TOTAL CASH BALANCE FORWARD	61,955	0.00	-86,764	0.00	-86,764.00	0.00%
	TOTAL REVENUES	5,015,181	4,220,180.49	2,591,246	1,042,069.70	2,127,241.30	40.22%

City of Palatka

AIRPORT EXPENDITURES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL PERSONNEL EXPENSES	155,465	80,367.07	133,346	85,182.34	0.00	48,163.66	63.88%
	TOTAL OPERATING EXPENSES	669,770	438,756.96	662,405	416,261.29	87.37	246,056.34	62.84%
	TOTAL CAPITAL EXPENSES	4,087,484	3,766,440.91	1,565,369	1,012,272.62	376,236.29	823,158.09	64.67%
	TOTAL DEBT SERVICE	217,616	41,910.56	227,214	141,638.14	0.00	85,575.86	62.34%
	TOTAL TRANFERS, CONTINGENCIES & RESERVES	-115,154	0.00	2,912	0.00	0.00	-65,321.00	0.00%
	TOTAL EXPENDITURES	5,015,181	4,327,475.50	2,591,246	1,655,354.39	376,323.66	1,137,632.95	63.88%

City of Palatka

TIF REVENUES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL PROPERTY TAXES	452,393	448,521.89	379,410	281,360.24	98,049.76	74.16%
	TOTAL OTHER REVENUES	0	0.00	10,769	10,768.25	0.75	99.99%
030-00-331-0-7001	NEA GRANT	0	0.00	25,000	0.00	25,000.00	0.00%
	TOTAL CASH BALANCE FORWARD	625,752	0.00	499,495	0.00	499,495.00	0.00%
	TOTAL REVENUES	1,078,145	448,521.89	889,674	292,128.49	597,545.51	32.84%

City of Palatka

TIF EXPENDITURES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL EXPENSES-DOWNTOWN	795,624	132,978.07	212,015	73,912.53	8,800.00	129,302.47	34.86%
	TOTAL EXPENSES-SOUTH HISTORIC	199,603	11,384.50	147,083	14,356.00	0.00	132,727.00	9.76%
	TOTAL EXPENSES-NORTH HISTORIC	82,918	39,337.50	68,866	20,030.00	0.00	48,836.00	29.09%
	TOTAL TRANSFERS OUT	0	0.00	330,098	172,597.64	0.00	157,500.36	52.29%
	TOTAL CONTINGENCIES & RESERVES	0	0.00	131,612	0.00	0.00	131,612.00	0.00%
	TOTAL EXPENDITURES	1,078,145	183,700.07	889,674	280,896.17	8,800.00	599,977.83	31.57%

City of Palatka

WATER FUND REVENUES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL GRANTS	2,487,290	1,912,073.35	0	0.00	0.00	0.00%
	TOTAL CHARGES FOR SERVICES	3,879,810	2,223,005.41	4,026,971	2,334,969.22	1,692,001.78	57.98%
	TOTAL OTHER REVENUES	130,143	94,114.27	88,822	63,818.80	25,003.20	71.85%
	TOTAL TRANSFERS IN	252,680	149,711.01	0	0.00	0.00	0.00%
	TOTAL CASH BALANCE FORWARD	342,117	0.00	262,735	0.00	262,735.00	0.00%
	TOTAL REVENUES	7,092,040	4,378,904.04	4,378,528	2,398,788.02	1,979,739.98	54.79%

City of Palatka

WATER FUND EXPENDITURES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL PERSONNEL EXPENSES-WATER	430,165	255,316.49	467,436	282,917.68	0.00	184,518.32	60.53%
	TOTAL OPERATING EXPENSES-WATER	523,094	341,389.71	613,742	293,894.56	21,313.39	298,534.05	47.89%
	TOTAL CAPITAL EXPENSES-WATER	19,250	19,250.00	69,000	24,691.14	0.00	44,308.86	35.78%
	TOTAL PERSONNEL EXPENSES-SEWER	543,569	306,726.38	540,443	303,641.34	0.00	236,801.66	56.18%
	TOTAL OPERATING EXPENSES-SEWER	394,950	192,789.61	370,920	193,955.47	3,768.91	173,195.62	52.29%
	TOTAL CAPITAL EXPENSES-SEWER	2,708,371	2,348,569.53	0	46,551.39	0.00	-46,551.39	0.00%
	TOTAL PERSONNEL EXPENSES-W&S	697,900	405,912.50	728,582	432,891.53	0.00	295,690.47	59.42%
	TOTAL OPERATING EXPENSES-W&S	80,792	62,651.09	114,492	72,800.86	2,789.69	38,901.45	63.59%
	TOTAL CAPITAL EXPENSES-W&S	122,478	76,766.17	85,500	44,397.58	500.00	40,602.42	51.93%
	TOTAL PERSONNEL EXPENSES-ADMIN	126,534	71,358.93	131,150	77,226.57	0.00	53,923.43	58.88%
	TOTAL OPERATING EXPENSES-ADMIN	99,831	72,194.30	103,531	85,573.24	2,506.04	15,451.72	82.65%
	TOTAL CAPITAL EXPENSES-ADMIN	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL DEBT SERVICE	802,713	332,983.73	812,871	331,511.23	0.00	481,359.77	40.78%
	TOTAL TRANSFERS OUT	260,000	195,000.00	260,000	130,000.01	0.00	129,999.99	50.00%
	TOTAL CONTINGENCIES & RESERVES	282,393	0.00	80,861	0.00	0.00	80,861.00	0.00%
	TOTAL EXPENDITURES	7,092,040	4,680,908.44	4,378,528	2,320,052.60	30,878.03	2,027,597.37	52.99%

City of Palatka

GOLF COURSE REVENUES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL OPERATING REVENUES	752,564	376,162.21	661,225	440,256.65	220,968.35	66.58%
	TOTAL OTHER REVENUES	0	1,093.46	3,500	4,087.59	-587.59	116.79%
	TOTAL TRANSFERS IN	0	0.00	181,890	106,102.50	75,787.50	58.33%
	TOTAL DEBT PROCEEDS	0	0.00	21,840	21,839.86	0.14	100.00%
	TOTAL CASH BALANCE FORWARD	-968,821	0.00	-1,413,684	0.00	-1,413,684.00	0.00%
	TOTAL REVENUES	-216,257	377,255.67	-545,229	572,286.60	-1,117,515.60	-104.96%

City of Palatka

GOLF COURSE EXPENDITURES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL PERSONNEL EXPENSES-MAINT	9,000	1,866.16	4,450	2,488.35	0.00	1,961.65	55.92%
	TOTAL OPERATING EXPENSES-MAINT	230,384	132,060.40	243,364	153,380.18	5,838.87	84,144.95	65.42%
	TOTAL CAPITAL EXPENSES-MAINTEN	8,500	0.00	18,150	15,687.32	0.00	2,462.68	86.43%
	TOTAL PERSONNEL-CLUB HOUSE	22,000	8,771.43	25,800	12,616.64	0.00	13,183.36	48.90%
	TOTAL OPERATING-CLUB HOUSE	450,790	331,949.38	503,139	301,432.02	21,065.37	180,641.61	64.10%
	TOTAL CAPITAL-CLUB HOUSE	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL DEBT SERVICE	181,890	48,513.49	166,241	115,901.07	0.00	50,339.93	69.72%
	TOTAL TRANSFERS, CONTINGENCIES & RESERVES	0	0.00	-1,506,373	0.00	0.00	-1,506,373.00	0.00%
	TOTAL EXPENDITURES	902,564	523,160.86	-545,229	601,505.58	26,904.24	-1,173,638.82	-115.26%

City of Palatka

SANITATION FUND REVENUES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL CHARGES FOR SERVICE	1,549,722	899,898.93	1,539,656	897,488.24	642,167.76	58.29%
	TOTAL OTHER REVENUES	8,902	8,901.95	0	67.17	-67.17	0.00%
	TOTAL CASH BALANCE FORWARD	0	0.00	6,495	0.00	6,495.00	0.00%
	TOTAL REVENUES	1,558,624	908,800.88	1,546,151	897,555.41	648,595.59	58.05%

City of Palatka

SANITATION FUND EXPENDITURES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL PERSONNEL SERVICES-MAINT	192,283	82,399.45	166,478	81,094.40	0.00	85,383.60	48.71%
	TOTAL OPERATING EXPENSES-MAINT	8,770	5,505.74	7,973	4,795.00	0.00	3,178.00	60.14%
	TOTAL CAPITAL EXPENSES-MAINT	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL PERSONNEL-SANITATION	538,257	325,347.50	589,748	346,516.28	0.00	243,231.72	58.76%
	TOTAL OPERATING-SANITATION	545,988	370,132.47	570,200	290,555.51	21,092.08	258,552.41	50.96%
	TOTAL CAPITAL-SANITATION	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL DEBT SERVICE	124,547	72,388.40	13,040	13,038.97	0.00	1.03	99.99%
	TOTAL TRANSFERS OUT	95,000	71,250.00	95,000	47,500.01	0.00	47,499.99	50.00%
	TOTAL CONTINGENCIES & RESERVES	0	0.00	103,712	0.00	0.00	103,712.00	0.00%
	TOTAL EXPENDITURES	1,504,845	927,023.56	1,546,151	783,500.17	21,092.08	741,558.75	50.67%

City of Palatka

CDBG REVENUES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 REV YTD	2013 BUDGET	CURRENT YTD REVENUES	UNCOLLECTED	PERCENT COLLECTED
	TOTAL GRANTS	560,903	258,417.27	7,000	7,000.07	-0.07	100.00%
	TOTAL OTHER REVENUES	5,113	5.24	2,134	2,123.48	10.52	99.51%
	TOTAL CASH BALANCE FORWARD	33,546	0.00	45,314	0.00	45,314.00	0.00%
	TOTAL REVENUES	599,562	258,422.51	54,448	9,123.55	45,324.45	16.76%

City of Palatka

CDBG EXPENDITURES
BUDGET SUMMARY
58.33 % Yr Complete

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2012 BUDGET	2012 EXP YTD	2013 BUDGET	YTD EXPENDITURES	OUTSTANDING ENCUMBRANCES	AVAILABLE BUDGET	PERCENT EXPENDED
	TOTAL OPERATING EXPENSES	18,667	16,333.31	16,334	16,333.39	0.00	0.61	100.00%
	TOTAL CAPITAL EXPENSES	0	0.00	0	0.00	0.00	0.00	0.00%
	TOTAL TRANSFERS OUT	544,916	2,679.51	0	0.00	0.00	0.00	0.00%
	TOTAL CONTINGENCIES & RESERVES	35,979	0.00	38,114	0.00	0.00	38,114.00	0.00%
	TOTAL EXPENDITURES	599,562	19,012.82	54,448	16,333.39	0.00	38,114.61	30.00%

Agenda Item

5

CITY of Palatka FLORIDA

CITY COMMISSION AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, accepting the Ranking of Respondents from the Request for Proposals (RFP) for a qualified operator to lease the City of Palatka Riverfront Concessions to provide a complete water taxis and dock operation services – RFP 13-003 and Authorization to Negotiate Contracts

DEPARTMENT: City Hall

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

SUMMARY: On March 22, 2013 the City advertised RFP 13-003 for a qualified operator to lease the City of Palatka Riverfront Concessions to provide a complete water taxis and dock operation services. On May 6, 2013 we received responses from Boathouse Marina, LLC and R & R Marine Services, LLC. A staff committee reviewed and ranked the proposals as follows:

1. Boathouse Marina, LLC
2. R & R Marine Services, LLC

The minutes from the selection committee are attached for your reference. As you are aware, the operator will be responsible for maintenance, operation and oversight of the proposed concessions, water taxis, parking, restrooms and docks at the southern end of the Riverfront Park. The selection of an operator is necessary to finalize the construction plans for the concessions and water taxi ticket office.

RECOMMENDED ACTION: Adopt Resolution No. 2013-9-117 accepting the ranking of respondents and authorizing the City Manager to negotiate a contract.

DEPARTMENT HEAD	Submitted: Jonathan Griffith Requested Agenda:	Date: 5-15-13 Date: 5-23-13
FINANCE DEPARTMENT	Budgeted ☐ Yes ☐ No ☒ N/A MR	Date: 5/17/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 5-16-13

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

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

RESOLUTION No. 2013-9-117

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, ACCEPTING THE RANKING OF RESPONDENTS FOR A REQUEST FOR PROPOSALS FOR A QUALIFIED OPERATOR TO LEASE THE CITY OF PALATKA RIVERFRONT PARK CONCESSIONS TO PROVIDE A COMPLETE WATER TAXIS AND DOCK OPERATION SERVICES RFP 13-003

WHEREAS, on March 22, 2013 the City of Palatka (the **City**) issued Request for Proposals 13-003 (the **RFP**) for a qualified operator to lease the City of Palatka Riverfront Concessions to provide a complete water taxis and dock operation services; and

WHEREAS, on May 6, 2013 the City received two (2) responses to the **RFP**, which have been reviewed by staff; and

WHEREAS, staff recommends Boathouse Marina, LLC as the top ranked respondent; and

WHEREAS, the City wishes to negotiate a contract with Boathouse Marina, LLC for operation services.

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

1. That Boathouse Marina, LLC is hereby approved as the top ranked respondent to provide a complete water taxis and dock operation services.

2. That the City Manager is hereby authorized to negotiate a contract and lease agreement with Boathouse Marina, LLC for operation of the riverfront concessions, water taxis and docks, provided such agreements are approved as to form and legal sufficiency by the City Attorney.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 23rd day of May, 2013.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM
AND CORRECTNESS:

_____

CITY ATTORNEY

MINUTES – Water Taxis and Dock Operations Services – RFP 13-003
May 14, 2013

Proceedings of a meeting of the Request for Proposals (RFP) for a qualified operator to lease the City of Palatka Riverfront Concessions to provide a complete water taxis and dock operation services – RFP 13-003 Selection Committee held at City Hall on May 14, 2013 at 9:00 a.m.

Present: Charles Rudd, Peggy Campbell, Jeff Norton, Jonathan Griffith and Gary Getchell

Mr. Griffith called the meeting to order at 9:00 a.m.

Each committee member submitted their score sheets and the scoring was as follows:

	Boat House Marina, LLC	R & R Marine Services, LLC
Jeff Norton	87	73
Jonathan Griffith	82	53
Gary Getchell	95	90
Charles Rudd	85	55
Peggy Campbell	85	53

The consensus of the committee was that Boat House Marina, LLC was the top ranked respondent and that they were to be recommended to the City Manager and Commission for negotiations.

Chief Getchell noted that the responses were very similar and only differed in their proposed financial return to the City. He suggested that any contract be structured to allow for fiscal reporting, oversight and policy for any necessary corrective action.

The committee was in agreement with this recommendation.

Other items discussed and recommended for consideration include;

- requirement of a performance bond for any improvements proposed and funded by the future operator;
- further vetting of the financial feasibility and operational plan of the water taxis;
- development of a mooring field to control the waters around the proposed and existing facilities;
- establishment of policies to govern acceptable and unacceptable behavior at the City Riverfront Park and Docks; and
- determination of the fuel-farm location.

The Committee adjourned at 9:45 a.m.

Minutes submitted by J. Griffith, Project Manager/Grants Administrator

Agenda Item

6a

CITY COMMISSION AGENDA ITEM

SUBJECT: FIRST READING OF ORDINANCE ANNEXING PROPERTY LOCATED AT 421 AND 425 NORTH PALM AVENUE

DEPARTMENT: BUILDING AND ZONING

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

SUMMARY:
This is an administrative request on behalf of the property owner with property contiguous to the city limits who has voluntarily requested to annex into the City. There is a companion rezoning action for the property for consideration at this meeting and a companion Future Land Use Map amendment for the June 13 meeting. The .39-acre property is located at the northwest corner of North Palm Avenue and Peters Street and has a four-unit office building. The owner has requested City water.

The Planning Board recommended approval of this item at their April 2, 2013 meeting.

RECOMMENDED ACTION: Pass ordinance annexing 421 & 425 N. Palm Ave. on first reading

DEPARTMENT HEAD Submitted: Thad Crowe Date: 4/25/2013
Requested Agenda Regular Date: 5/23/2013

FINANCE DEPARTMENT Budgeted ___ Yes ___ No X N/A Date: 5/17/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date: 5/14/13

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

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

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

ORDINANCE NO. 13 - 22

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 421 AND 425 NORTH PALM AVENUE, LOCATED IN SECTION 1, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of Ernest W. Matchett and Ernest Roughton, property owners of 421 and 425 North Palm Avenue, and

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

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

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

Section 1. That the foregoing recitals are hereby incorporated herein;

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

DESCRIPTION OF PROPERTY:

SIMPKINS MB1 P114 BLOCK 3 WEST 85 FEET OF LOT 4 PLUS ANY LANDS LYING NORTHERLY OF BLA CASE # 76-577 DIVISION J OR377 P178 (Being 421, 425 North Palm Avenue / tax parcel # 01-10-26-8650-0030-0400)

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

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

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 13th day of June, 2013.

CITY OF PALATKA

BY:_____
Its Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

_____
City Attorney

Case 13-11: Administrative request to annex, amend the Future Land Use map from County US (Urban Service) to City COM (Commercial) and rezone from County IL (Industrial Light) to City C-2 (Intensive Commercial) located at 421 & 425 N. Palm Ave.

Location: 421 & 425 N. Palm Ave.
Parcel #: 01-10-26-8650-0030-0400
Owner: Ernest W. Matchett

Mr. Crowe stated that this case is similar to the last one and is going from county commercial to city commercial. The applicant wants to come into the City to take advantage of our urban services, it is in keeping with the character of the surrounding area and uses. He added that this request meets the annexation, Future Land Use map and rezoning criteria and recommended approval.

Motion made by Mr. Pickens and seconded by Mr. Harwell to approve the request to annex, amend the Future Land Use map from County US (Urban Service) to City COM (Commercial) and rezone from County IL (Industrial Light) to City C-2 (Intensive Commercial) located at 421 & 425 N. Palm Ave.

Case 13-12: amend the Municipal Code to revise various landscaping and tree protection standards as set forth in Zoning Code Chapter 94, Article VI and VII.

Mr. Crowe stated that this is an overhall of the landscape code and to provide for standards for tree protection. He recommended that the Board table the request to allow for additional staff review.

Motion made by Mr. Wallace and seconded by Mr. Pickens to table this request for next meeting. All present voted affirmative, motion carried.

Other Business – Mr. Crowe advised that he had put together a Planning training presentation for the Board but would rather wait until more of the members are present to present it.

ADJOURNMENT

With no further business, meeting adjourned.

Case 13-12: 421 & 425 N. Palm Ave.
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: March 27, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

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

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

Figure 2: Property – Ford Dealership is to right, across Palm Ave.

Figure 3: Distribution/Warehouse Use across Peters St.

APPLICATION BACKGROUND

The property under consideration currently has a County mixed-use Future Land Use Map (FLUM) designation and multi-family zoning. There is a four-unit office building on the property.

The property and its current and proposed FLUM and zoning classifications are shown below.

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

Future Land Use Map Category		Zoning	
Current Putnam Co.	**Proposed City**	**Current Putnam Co.**	**Proposed City**
US (Urban Service)	COM (Commercial)	IL (Light Industrial)	C-2 (Commercial Intensive)

The applicant is voluntarily annexing into the City to hook up to the City's water and sewer systems. Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Revenue Recovery. The taxes collected from this property will defray the administrative expense of the annexation fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.
3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

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

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

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the property meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave bounded by N. Palm Ave., St. Johns Ave., and Crill Ave. (see map to right).

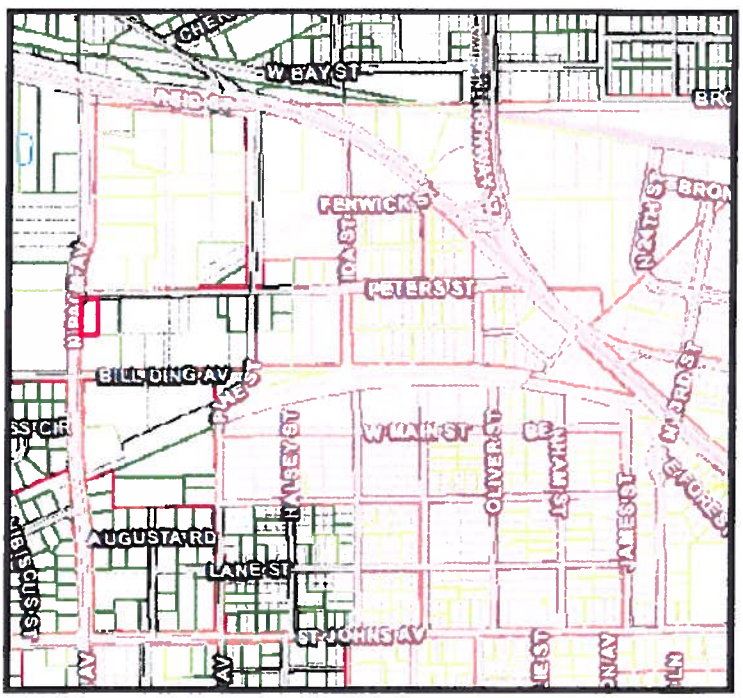

Figure 4: Enclave Area (purple area is City)

Future Land Use Map Amendment Analysis

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

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

Policy A.1.9.3
A. Land Use Districts
1. Commercial
Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and are subject to additional project density, design and locational standards set forth in these zoning districts (Ordinance # 11-22). The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel and a floor area ratio of 1.5, except that a floor area ratio of up to 4.0 is allowed in downtown zoning districts. Intensity may be further limited by intensity standards of the Zoning Code. (Ordinance # 12-50). Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Staff Comment: the property is now in the County's Urban Service FLUM category, which allows nonresidential uses limited by a Floor Area Ratio of 1.0 [1] and a maximum impervious surface [2] ratio of 85%. The City's COM FLUM allows a higher FAR of 1.5 and a slightly lower impervious surface of 70%, with both being comparable to the County's intensity limits. Section 94-111(b) allows the C-2 zoning category within the COM land use category.

Provide analysis of the availability of facilities and services.
Staff Comment: the property is in close proximity to urban services and infrastructure including city water and sewer lines (both within the N. Palm Ave. right-of-way).

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: The property is within a commercial corridor that is suitable for the proposed commercial FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, or of any natural or historic resources on these developed sites.

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

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

---

[1] Floor Area Ratio is a measurement of intensity defined as the size of the property divided by the square footage of a building. For example a FAR of 1.0 allows a building of 43,560 square foot on a lot of the same size.
[2] Impervious surface is the area that will not absorb rainwater, including paved areas, building areas, and pond/water areas.

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

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

Rezoning Analysis

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

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

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

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

b. The existing land use pattern.

Staff Comment: The property is located in an established commercial corridor.

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

Staff Comment: Nearby properties within the City to the south and northwest also have the C-2 zoning designation. Rezoning the property to C-2 provides uniformity to both existing City and County single-family zoning and does not create an isolated zoning district.

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

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

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

Staff Comment: See response to c. above.

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

Staff Comment: Not applicable.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.
Staff Comment: Rezoning the property to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
Staff Comment: the property proposed for rezoning is already developed and thus traffic congestion or public safety will not be affected.

i. Whether the proposed change will create a drainage problem.
Staff Comment: No drainage problems are anticipated for this already-existing use.

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

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

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

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

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
Staff Comment: The City commercial land use and zoning are in keeping with the existing use.

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

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

q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

Staff Comment: not applicable.

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to COM, and rezoning to C-2 for 421 and 425 N. Palm Ave.

Application for Annexation, Future Land Use amendment (small Scale – less than 10 acres) and Rezoning

PB Case #
Date Received:
Hearing date:

This application must be typed, legibly printed in ink, or completed electronically and submitted with any required attachments and application fee of $1,130.00 to:

City of Palatka Planning & Zoning
201 N 2nd Street
Palatka, FL 32177
psprouse@palatka-fl.gov

FOR INFORMATION REGARDING THIS FORM, CALL (386) 329-0103

TO BE COMPLETED BY APPLICANT		
1. Property Address: 421 + 425 N. Palm Ave	**2. Parcel Number:** 01-10-26-8650-0030-0400	**3. Current Property Use:**
4. Current Land Use Designation: Putnam Co. US	**5. Requested Land Use Designation:** COM	**6. Required Attachments:** ☐ Legal Description ☐ Letter of Authorization[1] ☐ Copy of Recorded Deed ☐ Fees ☐ Project Narrative [2] ☐ Supplementary Information [3] ☐ Site Map [4] ☐ Survey
7. Current Zoning Designation: Putnam Co IL	**8. Requested Zoning Designation:** C-2	
9. Acreage to be considered for request: .39	**10. Number, types & square footage of structures on property:** 1 4-unit office 5,175	
11. Reason for annexation request: City Services		
12. Owner Name: Ernest W Matchett, Ernest Roughton **13. Owner Address:**	**14. Phone Number:** **15. Email Address:**	
16. Agent Name: B + Z (Admin) **17. Agent Address:**	**18. Phone Number:** **19. Email Address:**	

1. *Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.*
2. *Project Narrative: Explain present and future use of the property in detail.*
3. *Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest tenth acre), and Topography/Flood Prone Areas.*
4. *Site map with nearest intersecting streets shown and named.*

Agenda Item

6b

CITY COMMISSION AGENDA ITEM

SUBJECT: FIRST READING OF ORDINANCE TO REZONE 421 AND 425 NORTH PALM AVENUE FROM COUNTY IL(INDUSTRIAL, LIGHT) TO CITY C-2 (INTENSIVE COMMERCIAL)

DEPARTMENT: BUILDING AND ZONING

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

SUMMARY:
This is an administrative request on behalf of the property owner with property contiguous to the city limits who has voluntarily requested to annex into the City. There is a companion annexation action and for the property for consideration at this meeting and a companion Future Land Use Map amendment for the June 13 meeting. The 0.34-acre property is located at the northeast corner of North Palm Avenue and Peters Street and has a four-unit office building. The owner has requested City water.

The Planning Board recommended approval of this item at their April 2, 2013 meeting.

RECOMMENDED ACTION: Pass ordinance on first reading to rezone 421 & 425 N. Palm Avenue from County IL (Industrial Light) to City C-2 (Intensive Commercial)

DEPARTMENT HEAD Submitted: Thad Crowe Date: 4/25/2013
Requested Agenda Regular Date: 5/23/2013

FINANCE DEPARTMENT Budgeted ___Yes ___No _✓_N/A Date: 5/17/13

CITY ATTORNEY Approved as to Form and Correctness: Date:

CITY MANAGER Approved Agenda Item For: Date: 5/14/13

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

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

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

ORDINANCE NO. 13 - 24

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY LOCATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST, INCLUDING 421 and 425 NORTH PALM AVENUE FROM PUTNAM COUNTY LI (LIGHT INDUSTRIAL) TO C-2 (INTENSIVE COMMERCIAL); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of Ernest W. Matchett and Ernest Roughton for certain amendment to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including public hearings before the Planning Board of the City of Palatka on April 2, 2013, and two public hearings before the City Commission of the City of Palatka on May 23, 2013 and June 13, 2013, and

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

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

Section 1. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of Putnam County IL (Light Industrial) to C-2 (Intensive Commercial) 421 and 425 North Palm Avenue.

DESCRIPTION OF PROPERTY:
SIMPKINS MB1 P114 BLOCK 3 W 85 FT OF LOT 4 + ANY LANDS LYING NORTHERLY OF BLA CASE # 76-577 DIVISION J OR377 P1787

Section 2. To the extent of any conflict between the terms of

this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

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

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 13TH day of June, 2013.

CITY OF PALATKA

BY:_____
Its MAYOR

ATTEST:

_____
City Clerk

Case 13-11: Administrative request to annex, amend the Future Land Use map from County US (Urban Service) to City COM (Commercial) and rezone from County IL (Industrial Light) to City C-2 (Intensive Commercial) located at 421 & 425 N. Palm Ave.

Location: 421 & 425 N. Palm Ave.
Parcel #: 01-10-26-8650-0030-0400
Owner: Ernest W. Matchett

Mr. Crowe stated that this case is similar to the last one and is going from county commercial to city commercial. The applicant wants to come into the City to take advantage of our urban services, it is in keeping with the character of the surrounding area and uses. He added that this request meets the annexation, Future Land Use map and rezoning criteria and recommended approval.

Motion made by Mr. Pickens and seconded by Mr. Harwell to approve the request to annex, amend the Future Land Use map from County US (Urban Service) to City COM (Commercial) and rezone from County IL (Industrial Light) to City C-2 (Intensive Commercial) located at 421 & 425 N. Palm Ave.

Case 13-12: amend the Municipal Code to revise various landscaping and tree protection standards as set forth in Zoning Code Chapter 94, Article VI and VII.

Mr. Crowe stated that this is an overhall of the landscape code and to provide for standards for tree protection. He recommended that the Board table the request to allow for additional staff review.

Motion made by Mr. Wallace and seconded by Mr. Pickens to table this request for next meeting. All present voted affirmative, motion carried.

Other Business – Mr. Crowe advised that he had put together a Planning training presentation for the Board but would rather wait until more of the members are present to present it.

ADJOURNMENT

With no further business, meeting adjourned.

Case 13-12: 421 & 425 N. Palm Ave.
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: March 27, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

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

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

Figure 2: Property – Ford Dealership is to right, across Palm Ave.

Figure 3: Distribution/Warehouse Use across Peters St.

APPLICATION BACKGROUND

The property under consideration currently has a County mixed-use Future Land Use Map (FLUM) designation and multi-family zoning. There is a four-unit office building on the property.

The property and its current and proposed FLUM and zoning classifications are shown below.

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

Future Land Use Map Category		Zoning	
Current Putnam Co.	**Proposed City**	**Current Putnam Co.**	**Proposed City**
US (Urban Service)	COM (Commercial)	IL (Light Industrial)	C-2 (Commercial Intensive)

The applicant is voluntarily annexing into the City to hook up to the City's water and sewer systems. Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Revenue Recovery. The taxes collected from this property will defray the administrative expense of the annexation fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.
3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

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

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

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the property meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave bounded by N. Palm Ave., St. Johns Ave., and Crill Ave. (see map to right).

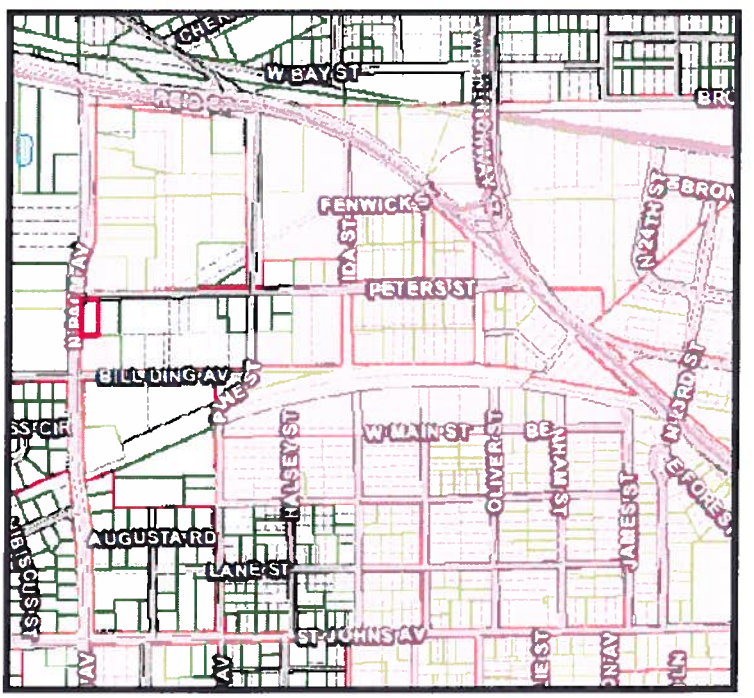

Figure 4: Enclave Area (purple area is City)

Future Land Use Map Amendment Analysis

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

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

Policy A.1.9.3
A. Land Use Districts
1. Commercial
Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and are subject to additional project density, design and locational standards set forth in these zoning districts (Ordinance # 11-22). The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel and a floor area ratio of 1.5, except that a floor area ratio of up to 4.0 is allowed in downtown zoning districts. Intensity may be further limited by intensity standards of the Zoning Code. (Ordinance # 12-50). Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Staff Comment: the property is now in the County's Urban Service FLUM category, which allows nonresidential uses limited by a Floor Area Ratio of 1.0 [1] and a maximum impervious surface [2] ratio of 85%. The City's COM FLUM allows a higher FAR of 1.5 and a slightly lower impervious surface of 70%, with both being comparable to the County's intensity limits. Section 94-111(b) allows the C-2 zoning category within the COM land use category.

Provide analysis of the availability of facilities and services.
Staff Comment: the property is in close proximity to urban services and infrastructure including city water and sewer lines (both within the N. Palm Ave. right-of-way).

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: The property is within a commercial corridor that is suitable for the proposed commercial FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, or of any natural or historic resources on these developed sites.

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

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

---

[1] Floor Area Ratio is a measurement of intensity defined as the size of the property divided by the square footage of a building. For example a FAR of 1.0 allows a building of 43,560 square foot on a lot of the same size.
[2] Impervious surface is the area that will not absorb rainwater, including paved areas, building areas, and pond/water areas.

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

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

Rezoning Analysis

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

1) When pertaining to the rezoning of land, the report and recommendations of the planning board to the city commission required by subsection (e) of this section shall show that the planning board has studied and considered the proposed change in relation to the following, where applicable:
a. Whether the proposed change is in conformity with the comprehensive plan.
Staff Comment: as previously noted, the application is supported by the Comprehensive Plan.

b. The existing land use pattern.
Staff Comment: The property is located in an established commercial corridor.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
Staff Comment: Nearby properties within the City to the south and northwest also have the C-2 zoning designation. Rezoning the property to C-2 provides uniformity to both existing City and County single-family zoning and does not create an isolated zoning district.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.
Staff Comment: Roadway capacity is available on area roadways and the impacts of these uses on road and utility capacity will be negligible, particularly since the uses are already present.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
Staff Comment: See response to c. above.

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

Staff Comment: Not applicable.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.
Staff Comment: Rezoning the property to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
Staff Comment: the property proposed for rezoning is already developed and thus traffic congestion or public safety will not be affected.

i. Whether the proposed change will create a drainage problem.
Staff Comment: No drainage problems are anticipated for this already-existing use.

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

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

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

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

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
Staff Comment: The City commercial land use and zoning are in keeping with the existing use.

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

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

q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

Staff Comment: not applicable.

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to COM, and rezoning to C-2 for 421 and 425 N. Palm Ave.

Application for Rezoning

Application Number: PB - _____
Date Received: _____
Hearing date: _____

This application must be **typed or printed in black ink** and submitted with any required attachments and application fee of $130 (Checks payable to the City of Palatka) to:

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

FOR INFORMATION REGARDING THIS FORM, CALL (386)329-0103

TO BE COMPLETED BY APPLICANT

1. Property Address: 421 + 425 N. Palm Ave		**2. Current Property Use:** offices
3. Parcel Number: 01-10-26-8650-0030-0400	**4. Lot size/acreage:** .39	**5. Proposed Use:** Same
6. Current Zoning Designation: Putnam Co. G.I.L	**7. Requested Zoning Designation:** C-2	**8. Required Attachments:** ☐ Letter of Authorization* ☐ Legal Description ☐ Copy of Recorded Deed ☐ Fees ☐ Project Narrative** ☐ If applicable, attach Small or Large Scale Future Land Use Amendment application
9. Square footage of any proposed structures:	**10. Number & types of structures on property:** 1 4-unit office bldg.	

8. Owner Name: Ernest W. Matchett + Ernest Roughton

Owner Address: 425 N. Palm Ave

Phone Number: _____

9. Agent Name: B+ 2 (Admin)

Agent Address: _____

Phone Number: _____

*Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.
**Project Narrative: Explain present and future use of the property detailing project.

Agenda Item

7a

CITY COMMISSION AGENDA ITEM

SUBJECT: FIRST READING OF ORDINANCE ANNEXING PROPERTY LOCATED AT 1095 STATE ROAD 19

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: X Ordinance ____ Resolution ___ Motion
X Support Documents ____ Other

SUMMARY:
This is an administrative request on behalf of the property owner with property contiguous to the city limits who has voluntarily requested to annex into the City. There is a companion rezoning action for the property for consideration at this meeting and a companion Future Land Use Map amendment for the June 13 meeting. The .69-acre property is located at the northeast corner of North State Road 19 and Carter Street. The owner has requested City water.

The Planning Board recommended approval of this item at their April 2, 2013 meeting.

RECOMMENDED ACTION: Pass ordinance to annex 1095 SR 19 North on first reading

DEPARTMENT HEAD Submitted: Thad Crowe Date: 4/25/2013
Requested Agenda Regular Date: 5/23/2013

FINANCE DEPARTMENT Budgeted ___Yes ___No X N/A Date: 5/17/13

CITY ATTORNEY Approved as to Form and Correctness Date:

CITY MANAGER Approved Agenda Item For: Date: 5/14/13

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

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

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

ORDINANCE NO. 13 - 25

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS 1095 NORTH STATE ROAD 19, LOCATED IN SECTION 1, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of Donna Jaquith-Byrne, property owner of 1095 North State Road 19, and

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

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

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

Section 1. That the foregoing recitals are hereby incorporated herein;

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

DESCRIPTION OF PROPERTY:

PALATKA CEDAR GROVE MB3 P192PT OF LOTS 44 45 46 47OR365 P900

(Being 1095 North State Road 19 / tax parcel # 02-10-26-6870-0000-0441)

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

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

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 13th day of June, 2013.

CITY OF PALATKA

BY:_____
Its Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

_____
City Attorney

would be the Boards. He believes that Mr. Crowe, in an effort to be business friendly, has given consideration to compromise on some of those things. Mr. Crowe has pointed out that the current Landscape Code is cost prohibitive for someone trying to open a small business in the City. Mr. Holmes added that while these are tough time, he recognizes the need to try and evolve to make the City more esthetically pleasing.

Mr. Harwell asked if there could be a compromise of low scale diverse plant life instead of a hedge.

Mr. Crowe replied that he has to speak to the intent of the Landscape Code, and the intent is to screen uses.

Discussion continued regarding possible compromises.

Motion made by Ms. Gooding to approve the request with amendments to the Staff recommendations to remove items (1) and (2) of the conditions. With no second, motion failed.

Mr. Pickens asked if there was any consensus on not having a fence, but there be additional shrubbery that would provide an additional screening affect above what is already there.

Mr. Crowe stated that if it were the consensus of the Board, a middle point could be eliminating item no. (1) and amend item no. (2) to require interspersed planting that could be defined allowing some visibility, for the front and the sides.

Motion made Mr. Pickens and seconded by Mr. Wallace to approve the request with staff recommendations with the exception of the deletion of item (1) and (2), inserting in Lou thereof, a condition that the applicant provide additional natural screening that mature of at least three feet in high and interspersed at a minimum of not less than ten feet apart for the front and side area as approved by staff. All present voted affirmative, motion carried.

NEW BUSINESS

Case 13-10: Administrative request to annex, amend the Future Land Use map from County US (Urban Service) to City COM (Commercial) and rezone from County C-2 (light commercial) to City C-2 (Intensive Commercial).

Location: 1095 N. State Rd. 19
Parcel #: 02-10-26-6870-0000-0441
Owner: Donna Jaquith-Bryne

Mr. Crowe stated that this request meets the annexation, Future Land Use map and the rezoning criteria and is compatible with the surrounding zoning and land uses. He added that currently there is a Bail Bonds office located there and they have plans to add a car lot there in the future. He recommended approval of this request.

Motion made by Mr. Pickens and seconded by Ms. Gooding to approve the request to annex, amend the Future Land Use map to City COM (Commercial) and rezone to City C-2 (Intensive Commercial). All present voted affirmative, motion carried.

Case 13-10: 1095 N. SR 19

Request to Annex, Amend Future Land Use Map and Rezone

Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: March 25, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

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

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

Figure 2: Property from Carter Rd. – N. SR 19 is to right

Figure 3: Property east of site, from Carter Rd.

APPLICATION BACKGROUND

The property under consideration currently has a County mixed-use Future Land Use Map (FLUM) designation and commercial zoning. There is a bail bonds office on the property and the property owner has also expressed an interest in establishing a car sales lot on the property in the future.

The property and its current and proposed FLUM and zoning classifications are shown below.

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

Future Land Use Map Category		Zoning	
Current Putnam Co.	**Proposed City**	**Current Putnam Co.**	**Proposed City**
US (Urban Service)	COM (Commercial)	C-2 (Commercial-Light)	C-2 (Intensive Commercial)

Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Revenue Recovery. The taxes collected from this property will defray the administrative expense fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually

eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.

3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality's boundary. As indicated in Figure 1, the property is contiguous to the City limits as N. SR 19, Carter Rd., and Triangle Park are all in the City.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the property meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave that is present between N. SR 19, US 17, and SR 100 (see map to right).

Figure 4: Enclave Area Between Reid St., N SR 19, & US 17

Future Land Use Map Amendment Analysis

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

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

Policy A.1.9.3
A. Land Use Districts
1. Commercial
Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business

activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and are subject to additional project density, design and locational standards set forth in these zoning districts (Ordinance # 11-22). The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel and a floor area ratio of 1.5, except that a floor area ratio of up to 4.0 is allowed in downtown zoning districts. Intensity may be further limited by intensity standards of the Zoning Code. (Ordinance # 12-50). Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Staff Comment: the property is now in the County's Urban Service FLUM category, which allows nonresidential uses limited by a Floor Area Ratio of 1.0 [1] and a maximum impervious surface [2] ratio of 85%. The City's COM FLUM allows a higher FAR of 1.5 and a slightly lower impervious surface of 70%, with both being comparable to the County's intensity limits. Section 94-111(b) allows the C-2 zoning category within the COM land use category.

Provide analysis of the availability of facilities and services.
Staff Comment: the property is in close proximity to urban services and infrastructure including city water and sewer lines (both within the N. SR 19 right-of-way).

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: The property is located within a commercial/institutional corridor that is suitable for the proposed commercial FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, or of any natural or historic resources on this developed site.

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

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

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

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[1] Floor Area Ratio is a measurement of intensity defined as the size of the property divided by the square footage of a building. For example a FAR of 1.0 allows a building of 43,560 square foot on a lot of the same size.
[2] Impervious surface is the area that will not absorb rainwater, including paved areas, building areas, and pond/water areas.

- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

Staff Comment: the location of this property within the City's urbanized area ensures that urban services are available. The existing and proposed use does not represent urban sprawl.

Rezoning Analysis

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

1) When pertaining to the rezoning of land, the report and recommendations of the planning board to the city commission required by subsection (e) of this section shall show that the planning board has studied and considered the proposed change in relation to the following, where applicable:
a. Whether the proposed change is in conformity with the comprehensive plan.
Staff Comment: as previously noted, the application is supported by the Comprehensive Plan.

b. The existing land use pattern.
Staff Comment: The property is located in an established commercial/institutional corridor.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
Staff Comment: Rezoning the property to C-2 provides uniformity to both existing City and County commercial zoning on and around this property and does not create an isolated zoning district.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.
Staff Comment: Roadway capacity is available on area roadways and the impacts of these uses on road and utility capacity will be negligible, particularly since the uses are already present.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
Staff Comment: See response to c. above.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.
Staff Comment: Not applicable.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.
Staff Comment: Rezoning the property to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
Staff Comment: the property proposed for rezoning is already developed and thus traffic congestion or public safety will not be affected.

i. Whether the proposed change will create a drainage problem.
Staff Comment: No drainage problems are anticipated for this already-existing use.

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

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

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

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

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

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
Staff Comment: the property's existing and proposed use is not out of scale with the neighborhood and City.

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

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

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to COM, and rezoning to C-2 for 1095 N. SR 19.

Application for Annexation, Future Land Use amendment (small Scale – less than 10 acres) and Rezoning

PB Case #
Date Received:
Hearing date:

This application must be typed, legibly printed in ink, or completed electronically and submitted with any required attachments and application fee of $1,130.00 to:

City of Palatka Planning & Zoning
201 N 2nd Street
Palatka, FL 32177
psprouse@palatka-fl.gov

FOR INFORMATION REGARDING THIS FORM, CALL (386) 329-0103

TO BE COMPLETED BY APPLICANT

1. Property Address: 1095 N SR 19	**2. Parcel Number:** 02-10-26-6870-0000-0441	**3. Current Property Use:** Bail Bonds office
4. Current Land Use Designation: Putnam Co US	**5. Requested Land Use Designation:** COM	**6. Required Attachments:** ☐ Legal Description ☐ Letter of Authorization[1] ☐ Copy of Recorded Deed ☐ Fees ☐ Project Narrative [2] ☐ Supplementary Information [3] ☐ Site Map [4] ☐ Survey
7. Current Zoning Designation: Putnam Co. C-2	**8. Requested Zoning Designation:** C-2	
9. Acreage to be considered for request: .69	**10. Number, types & square footage of structures on property:** ~~1 4 unit~~ office building	
11. Reason for annexation request: city services		
12. Owner Name: Donna Jaquith-Byrne **13. Owner Address:** 1095 N SR 19	**14. Phone Number:** **15. Email Address:**	
16. Agent Name: B + Z (Admin) **17. Agent Address:**	**18. Phone Number:** **19. Email Address:**	

1. *Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.*
2. *Project Narrative: Explain present and future use of the property in detail.*
3. *Supplementary information that may be required with application relative to the following factors where applicable: Soils, Natural Vegetation/Wildlife; Wetlands (type, location and amount of acreage to the nearest tenth acre), and Topography/Flood Prone Areas.*
4. *Site map with nearest intersecting streets shown and named.*

Agenda Item

7b

CITY COMMISSION AGENDA ITEM

SUBJECT: FIRST READING OF ORDINANCE TO REZONE 1095 SR 19 NORTH FROM COUNTY C-2 (COMMERCIAL, LIGHT) TO CITY C-2 (INTENSIVE COMMERCIAL)

DEPARTMENT: BUILDING AND ZONING

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

SUMMARY:
This is an administrative request on behalf of the property owner with property contiguous to the city limits who has voluntarily requested to annex into the City. There is a companion annexation action and for the property for consideration at this meeting and a companion Future Land Use Map amendment for the June 13 meeting. The 0.34-acre property is located at the northeast corner of North Palm Avenue and Peters Street and has a four-unit office building. The owner has requested City water.

The Planning Board recommended approval of this item at their April 2, 2013 meeting.

RECOMMENDED ACTION: Pass ordinance on first reading to rezone 1095 SR 19 North from County C-2 (Commercian, Light) to City C-2 (Intensive Commercial)

DEPARTMENT HEAD	Submitted: Thad Crowe	Date: 4/25/2013
	Requested Agenda Regular	Date: 5/23/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No X N/A	Date: 5/17/13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 5/15/13

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

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

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

ORDINANCE NO. 13 -

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY LOCATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST, INCLUDING 1095 NORTH STATE ROAD 19 FROM PUTNAM COUNTY C-2 (COMMERCIAL LIGHT) TO C-2 (INTENSIVE COMMERCIAL); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, application has been made by the City of Palatka Building and Zoning Department on behalf of Donna Jaquith-Byrne, owner of property at 1095 North State Road 19, for certain amendment to the Official Zoning Map of the City of Palatka, Florida, and

WHEREAS, all the necessary procedural steps have been accomplished, including public hearings before the Planning Board of the City of Palatka on April 2, 2013, and two public hearings before the City Commission of the City of Palatka on May 23, 2013 and June 13, 2013, and

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

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

Section 1. The Official Zoning Map of the City of Palatka, Florida is hereby amended by rezoning the hereinafter described property from its present zoning classification of Putnam County C-2 (Commercial Light) to C-2 (Intensive Commercial) for 1095 North State Road 19.

DESCRIPTION OF PROPERTY:

PALATKA CEDAR GROVE MB3 P192PT OF LOTS 44 45 46 47OR365 P900

(Being 1095 North State Road 19 / tax parcel # 02-10-26-6870-0000-0441)

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

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

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 13th day of June, 2013.

CITY OF PALATKA

BY: _____
Its MAYOR

ATTEST:

_____
City Clerk

Case 13-11: Administrative request to annex, amend the Future Land Use map from County US (Urban Service) to City COM (Commercial) and rezone from County IL (Industrial Light) to City C-2 (Intensive Commercial) located at 421 & 425 N. Palm Ave.

Location: 421 & 425 N. Palm Ave.
Parcel #: 01-10-26-8650-0030-0400
Owner: Ernest W. Matchett

Mr. Crowe stated that this case is similar to the last one and is going from county commercial to city commercial. The applicant wants to come into the City to take advantage of our urban services, it is in keeping with the character of the surrounding area and uses. He added that this request meets the annexation, Future Land Use map and rezoning criteria and recommended approval.

Motion made by Mr. Pickens and seconded by Mr. Harwell to approve the request to annex, amend the Future Land Use map from County US (Urban Service) to City COM (Commercial) and rezone from County IL (Industrial Light) to City C-2 (Intensive Commercial) located at 421 & 425 N. Palm Ave.

Case 13-12: amend the Municipal Code to revise various landscaping and tree protection standards as set forth in Zoning Code Chapter 94, Article VI and VII.

Mr. Crowe stated that this is an overhall of the landscape code and to provide for standards for tree protection. He recommended that the Board table the request to allow for additional staff review.

Motion made by Mr. Wallace and seconded by Mr. Pickens to table this request for next meeting. All present voted affirmative, motion carried.

Other Business – Mr. Crowe advised that he had put together a Planning training presentation for the Board but would rather wait until more of the members are present to present it.

ADJOURNMENT

With no further business, meeting adjourned.

Case 13-10: 1095 N. SR 19

Request to Annex, Amend Future Land Use Map and Rezone

Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: March 25, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

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

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

Figure 2: Property from Carter Rd. – N. SR 19 is to right

Figure 3: Property east of site, from Carter Rd.

APPLICATION BACKGROUND

The property under consideration currently has a County mixed-use Future Land Use Map (FLUM) designation and commercial zoning. There is a bail bonds office on the property and the property owner has also expressed an interest in establishing a car sales lot on the property in the future.

The property and its current and proposed FLUM and zoning classifications are shown below.

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

Future Land Use Map Category		Zoning	
Current Putnam Co.	**Proposed City**	**Current Putnam Co.**	**Proposed City**
US (Urban Service)	COM (Commercial)	C-2 (Commercial-Light)	C-2 (Intensive Commercial)

Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Revenue Recovery. The taxes collected from this property will defray the administrative expense fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually

eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.

3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality's boundary. As indicated in Figure 1, the property is contiguous to the City limits as N. SR 19, Carter Rd., and Triangle Park are all in the City.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the property meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave that is present between N. SR 19, US 17, and SR 100 (see map to right).

Figure 4: Enclave Area Between Reid St., N SR 19, & US 17

Future Land Use Map Amendment Analysis

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

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

Policy A.1.9.3
A. Land Use Districts
1. Commercial
Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business

activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and are subject to additional project density, design and locational standards set forth in these zoning districts (Ordinance # 11-22). The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel and a floor area ratio of 1.5, except that a floor area ratio of up to 4.0 is allowed in downtown zoning districts. Intensity may be further limited by intensity standards of the Zoning Code. (Ordinance # 12-50). Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Staff Comment: the property is now in the County's Urban Service FLUM category, which allows nonresidential uses limited by a Floor Area Ratio of 1.0 [1] and a maximum impervious surface [2] ratio of 85%. The City's COM FLUM allows a higher FAR of 1.5 and a slightly lower impervious surface of 70%, with both being comparable to the County's intensity limits. Section 94-111(b) allows the C-2 zoning category within the COM land use category.

Provide analysis of the availability of facilities and services.
Staff Comment: the property is in close proximity to urban services and infrastructure including city water and sewer lines (both within the N. SR 19 right-of-way).

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: The property is located within a commercial/institutional corridor that is suitable for the proposed commercial FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, or of any natural or historic resources on this developed site.

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

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

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

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[1] Floor Area Ratio is a measurement of intensity defined as the size of the property divided by the square footage of a building. For example a FAR of 1.0 allows a building of 43,560 square foot on a lot of the same size.
[2] Impervious surface is the area that will not absorb rainwater, including paved areas, building areas, and pond/water areas.

- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

Staff Comment: the location of this property within the City's urbanized area ensures that urban services are available. The existing and proposed use does not represent urban sprawl.

Rezoning Analysis

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

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

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

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

b. The existing land use pattern.

Staff Comment: The property is located in an established commercial/institutional corridor.

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

Staff Comment: Rezoning the property to C-2 provides uniformity to both existing City and County commercial zoning on and around this property and does not create an isolated zoning district.

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

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

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

Staff Comment: See response to c. above.

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

Staff Comment: Not applicable.

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

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

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

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

i. Whether the proposed change will create a drainage problem.
Staff Comment: No drainage problems are anticipated for this already-existing use.

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

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

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

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

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

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
Staff Comment: the property's existing and proposed use is not out of scale with the neighborhood and City.

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

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

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to COM, and rezoning to C-2 for 1095 N. SR 19.

Application for Rezoning

Application Number: PB - _____
Date Received: _____
Hearing date: _____

This application must be **typed or printed in black ink** and submitted with any required attachments and application fee of $130 (Checks payable to the City of Palatka) to:

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

FOR INFORMATION REGARDING THIS FORM, CALL (386)329-0103

TO BE COMPLETED BY APPLICANT		
1. Property Address: 1095 N. S.R. 19		**2. Current Property Use:** Bail bonds office
3. Parcel Number: 02-10-26-6870-0000-0441	**4. Lot size/acreage:** .69	**5. Proposed Use:** Same
6. Current Zoning Designation: Putnam Co. C-2	**7. Requested Zoning Designation:** C-2	**8. Required Attachments:** ☐ Letter of Authorization* ☐ Legal Description ☐ Copy of Recorded Deed ☐ Fees ☐ Project Narrative** ☐ If applicable, attach Small or Large Scale Future Land Use Amendment application
9. Square footage of any proposed structures:	**10. Number & types of structures on property:**	

8. Owner Name: Donna Jaquith-Byrne

Owner Address: 1095 N SR 19

Phone Number: _____

9. Agent Name: B+2 (Admin)

Agent Address: _____

Phone Number: _____

*Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the owner.
**Project Narrative: Explain present and future use of the property detailing project.