

KARL N. FLAGG
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

VERNON MYERS
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



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

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

BETSY JORDAN DRIGGERS
CITY CLERK

RUBY M. WILLIAMS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

AGENDA CITY OF PALATKA May 27, 2010

CALL TO ORDER:

- a. Invocation – Brother Nicol Fecteau, Chaplain; Putnam County Jail
- b. Pledge of Allegiance
- c. Roll Call

APPROVAL OF MINUTES – 5/13/10

1. PUBLIC RECOGNITION/PRESENTATIONS:

- a. PHS TOP GRADUATES – Brooke Parker and Megan McCallum
- b. Sons of the American Revolution Fire Safety Award Presentation – Batt. Chief Randy Porter

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

3. CONSENT AGENDA:

- *a. Authorize execution of final Change Order #2 on G & H Underground Constr. Contract decreasing the contract amount by \$106,352.00, for a final contract amount of \$925,771.72 for the Dunham Street Water Main CDBG Project
- *b. Grant permission to exceed allowable noise levels established by Chapter 30, Palatka Code of Ordinances, to John Lyon, owner, Steamboat Willies, on Friday, May 28 and Saturday, May 29 until 1:00 a.m. the following days, and on Sunday, May 30 until midnight.
- *c. Appoint Citizens Advisory Task Force for CDBG 2009 Community Development Block Grant Application Cycle per staff recommendation: Larry Beaton, Richard Perallon, Marjorie Tooley Shanks, Ken Venables, James Williams, and Commissioner Allegra Kitchens, Liaison

* 4. PUBLIC HEARINGS – Community Development Block Grant:

- *a. Community Development Block Grant Application Preparation 2009 Cycle – 1st Public Hearing
- *b. Community Development Block Grant – Fair Housing Workshop

5. ADMINISTRATIVE REPORTS

6. COMMISSIONER COMMENTS

7. ADJOURN

*Attachment **Separate Cover

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

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

AGENDA - CITY OF PALATKA
May 27, 2010
Page 2

Upcoming Events:

May 28 – 31, 2010 – Blue Crab Festival
May 31 – City Offices closed for observation of Memorial Day
July 5 – City Offices closed for observation of Independence Day
August 19 – 21 – FLC Annual Conference, Hollywood, FL

Board Openings:

Code Enforcement Board: 1 alternate (at large)
Historic Preservation Board: 1 member with Legal Exp.
Tree Committee: 1 Vacancy (at large)
Fire Pension Board 1 Vacancy (“5th member”)



Palatka Fire Department

500 N Moody Rd.

Palatka, Florida 32177

Chief Mike Lambert

Office/Fax: 386-329-0155

E-Mail: mlambert@palatka-fl.gov

March 29, 2010

William A. Roberts, CDR, USN (Ret.)
President and Chairman Public Safety and Heroism, Committee,
Sons of the American Revolution, St. Augustine Chapter
4441 Eagle Creek Ct.
Elkton, FL 32033
Email: Roberts237@bellsouth.net

Dear Mr. Roberts and St. Augustine Chapter of the SAR,

I have had the opportunity to nominate members of my department for the Fire Safety Commendation Medal for the past two years, and am honored to be able to do that again.

This year I have the privilege of nominating Battalion Chief Randy Porter. Chief Porter has been a faithful, dedicated, and supportive member of our department, and the City of Palatka as a whole, since June 29, 1978. He moved quickly through the ranks of the department, serving the longest as Captain from 1988 until 2006 when he was promoted to Battalion Chief. He has been a leader, motivator, and one of the biggest assets to the Palatka Fire Department Family for the past 32 years now.

Battalion Chief Porter takes his job very seriously and always has a positive attitude. He is not just a 24-on, 48-off employee; he is a 24-hour a day, 7-day-a-week, 365-day-a-year employee. He has chosen to live inside the city limits, minutes from either of our stations, so that he is able to respond to any emergency we have in the city on a moment's notice no matter what time of day or night. Battalion Chief Porter is always there for all of the members of the department regardless of the time. We all know that we can call him at any time and he will offer his support and help for any issue we might have. He spends countless hours of his off-time, for which he is not compensated, at the station doing whatever is needed to help the department be the absolute best it can be.

Battalion Chief Porter is in charge of our Urban Search and Rescue team, all communications of the department, as well as all equipment and apparatus maintenance and purchasing. He has been in command of countless structure fires and various

emergencies within the city and county, and has never faltered. He has always risen to the challenge and has done an exceptional job of keeping focused on the task at hand, all while making his primary focus the safety and well being of the members of the department and citizens of the community.

Battalion Chief Porter has proven his dedication and faithfulness to our department, and all of its members, time and time again. I feel he is one of the biggest, if not the biggest asset we have. He offers support to me as the Chief, and works along side of me on any project that I ask. He certainly makes my job as Chief much easier.

The Palatka Fire Department will be saddened to see Chief Porter retire in November of this year. However, we are forever grateful for the 32 years that we have had him as part of our family, and know that he will always be a part of our family no matter where his retirement journey may take him. I am honored and grateful for the opportunity to nominate him for the recognition he truly deserves once more.

Thank You,

Chief Mike Lambert
Palatka Fire Department
Palatka, Florida

Betsy Driggers

From: Mike Lambert
Sent: Thursday, May 20, 2010 11:48 AM
To: Betsy Driggers
Attachments: SAR Fire Safety Award Nomination --- Porter 10.doc

Betsy,

I am attaching a nomination letter that was sent to William Roberts with the Sons of the American Revolution. The past two years our department has had the opportunity to nominate one of our members for their Fire Safety Commendation Medallion. This year we nominated Battalion Chief Porter for his 32 years of service with our department.

Mr. Roberts would like to present this medallion to Chief Porter at the May 27th City Commission meeting.

Please let me know if this can be added to the agenda.

Thanks,

Chief Mike Lambert
City of Palatka Fire Department
500 North Moody Road
Palatka, Florida 32177
Office/Fax: 386.329.0155
Cell: 386.937.4217
Email: mlambert@palatka-fl.gov

*Agenda
Item*

3a

May 20, 2010

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

Re: Dunham Street Water Main Extension
CDBG Agreement No. 09DB-4N-04-64-02-N14
Ayres Associates Project No. 30-1608.00

Subject: Contract Change Order #2

Dear Mr. Boynton:

Attached is change order #1 for the referenced project. This change order is the final reconciliation of quantities for the project which increases the Contract amount by \$106,352.00. A draft copy of the Final Payment Application is enclosed for your reference. This contract will be completed ahead of the allowed contract time.

Ayres Associates recommends approval of this change order in order to close out this contract. Please feel free to contact me should you have any questions.

Sincerely,

Ayres Associates Inc



Daryl R. Myers, PE
Project Manager

Enclosure

cc: File

**CITY OF PALATKA, FLORIDA
PUBLIC WORKS DEPARTMENT
CHANGE ORDER**

PROJECT: Dunham Street Water Main Extension
CDBG Contract No. 09DB-4N-04-64-02-N 14

DATED: August 31, 2009

CHANGE ORDER NO: 2

DATED: May 20, 2010

CONTRACTOR: G & H Underground Construction, Inc.
1175 Woodlawn Road
St. Augustine, FL 32084

JUSTIFICATION: This is the final change order that reconciles the final quantities on this project. Additional quantities were necessary to avoid unknown conflicts. This project was completed on schedule.

CURRENT CONTRACT AMOUNT: \$819,419.72

INCREASE IN CONTRACT AMOUNT: \$106,352.00

NEW CONTRACT AMOUNT: \$925,771.72

CURRENT CONTRACT COMPLETION DATE: June 4, 2010

INCREASE IN CONTRACT TIME: 0 Days

NEW CONTRACT COMPLETION DATE: June 4, 2010

ORDERED BY CITY OF PALATKA

BY:

Elwin C. "Woody" Boynton Jr.
City Manager

ACCEPTED BY:

CONTRACTOR

REQUEST FOR PAYMENT

PROJECT NO./NAME: Dunham Street Water Main Extension
CONTRACTOR: *G & H Underground Construction, Inc.*
 1175 Woodlawn Road
 St. Augustine, FL 32084
 (904) 829-8199

COST CODE:
CONTRACT OR PO #: 09-02-62-02-n14
DATE: 5/5/10
REQUEST NO.: 7
TYPE OF WORK: Utility Improvements

*FAILURE OF CONTRACTOR TO FILL OUT THIS FORM COMPLETELY
 MAY JEOPARDIZE TIMELY PAYMENT*

CONTRACT AMOUNT RECONCILIATION:

ORIGINAL CONTRACT AMOUNT	\$585,598.12
Change Orders - Description & Amount	
#1 Part A & B	\$233,821.60
#2 Final Reconciliation	\$106,352.00
#3	\$0.00
#4	\$0.00
SUBTOTAL FOR CHANGE ORDERS	\$340,173.60
 TOTAL CONTRACT AMOUNT	 \$925,771.72
a. Total Previous Requests (line d of previous request)	\$907,988.15
b. Work Complete This Period	\$17,783.57
c. Stored Material This Period	\$0.00
d. Total Gross Earned (a+b+c)	\$925,771.72
e. Retainage 0.00% of line d	\$0.00
f. Net Earned (d - e)	\$925,771.72
g. Less Amounts Paid (line f of previous request)	\$831,857.85
h. Total Net Due (line f - g)	\$93,913.87

G&H Underground Construction Inc

City of Palatka

Ayres & Associates

(Contractor)
 1175 Woodlawn Road
 St. Augustine, FL 32084

(Department)
 201 North 2nd Street
 Palatka, Florida. 32177

(Engineer)
 5220 Shad Rd, Ste 200-3
 Jacksonville, Fl. 32257

 Signature & Date

 Signature & Date

 Signature & Date

SCHEDULE OF VALUES

PROJECT NAME: Dunham Street Water Main Extension PAYMENT NO: 7

CONTRACTOR: G&H Underground Construction, Inc. PERIOD ENDING: 5/7/2010

BID NO.: CDBG Contract #09DB-N4-02-62-02-N14

ITEM	DESCRIPTION	ORIGINAL ESTIMATE			PREVIOUS		CURRENT		COMPLETED TO DATE			
		QTY	UNIT	UNIT PRICE	TOTAL PRICE	QTY	VALUE	QTY	VALUE	QTY	VALUE	% COMPLETE
1	General Conditions	1	LS	\$ 43,500.00	\$ 43,500.00	1.05	\$ 45,675.00	-0.05	\$ (2,175.00)	1	\$ 43,500.00	100.00%
2	Site Preparation	1	LS	\$ 10,000.00	\$ 10,000.00	1.05	\$ 10,500.00	-0.05	\$ (500.00)	1	\$ 10,000.00	100.00%
3	Maintenance of Traffic	1	LS	\$ 5,000.00	\$ 5,000.00	1.1	\$ 5,500.00	-0.1	\$ (500.00)	1	\$ 5,000.00	100.00%
4	8" Water Main	11,435	LF	\$ 7.25	\$ 82,903.75	11,435	\$ 82,903.75		\$ -	11,435	\$ 82,903.75	100.00%
4A	Stored materials 8" pvc	11,435	LF	\$ 4.15	\$ 47,455.25	11,435	\$ 47,455.25		\$ -	11,435	\$ 47,455.25	100.00%
5	8" 90 Bend	2	EA	\$ 512.00	\$ 1,024.00	3	\$ 1,536.00		\$ -	3	\$ 1,536.00	150.00%
6	8" 45 Bend	2	EA	\$ 747.00	\$ 1,494.00	62	\$ 46,314.00		\$ -	62	\$ 46,314.00	3100.00%
7	8" Cap	2	EA	\$ 240.00	\$ 480.00		\$ -	2	\$ 480.00	2	\$ 480.00	100.00%
8	8" Cross	11	EA	\$ 530.00	\$ 5,830.00	11	\$ 5,830.00		\$ -	11	\$ 5,830.00	100.00%
9	8" X 8" Tee	14	EA	\$ 500.00	\$ 7,000.00	14	\$ 7,000.00		\$ -	14	\$ 7,000.00	100.00%
10	8" Gate Valve w/ box cover	82	EA	\$ 957.00	\$ 78,474.00	82	\$ 78,474.00		\$ -	82	\$ 78,474.00	100.00%
11	8" Temp plug w/ blow off	27	EA	\$ 350.00	\$ 9,450.00	28	\$ 9,800.00		\$ -	28	\$ 9,800.00	103.70%
12	8" x 6" Tee	9	EA	\$ 452.00	\$ 4,068.00	1	\$ 452.00	8	\$ 3,616.00	9	\$ 4,068.00	100.00%
13	Fire Hydrant Assembly	9	EA	\$ 2,990.00	\$ 26,910.00	7	\$ 20,930.00	2	\$ 5,980.00	9	\$ 26,910.00	100.00%
14	20" Jack and Bore	73	LF	\$ 287.00	\$ 20,951.00	73	\$ 20,951.00		\$ -	73	\$ 20,951.00	100.00%

ITEM	DESCRIPTION	ORIGINAL ESTIMATE				PREVIOUS			CURRENT			COMPLETED TO DATE		
		QTY	UNIT	UNIT PRICE	TOTAL PRICE	QTY	VALUE	QTY	VALUE	QTY	VALUE	QTY	VALUE	% COMPLETE
15	1" Service Complete	65	EA	\$ 635.00	\$ 41,275.00	119	\$ 75,565.00		\$ -	119	\$ 75,565.00		\$ -	183.08%
16	Connection to Existing Water Mains	27	EA	\$ 2,050.00	\$ 55,350.00	20	\$ 41,000.00	7	\$ 14,350.00	27	\$ 55,350.00		\$ -	100.00%
17	Abandon 4" Water Main	4,840	LF	\$ 0.75	\$ 3,630.00	4,840	\$ 3,630.00		\$ -	4,840	\$ 3,630.00		\$ -	100.00%
18	Abandon 6" Water Main	4,400	LF	\$ 0.75	\$ 3,300.00	4,400	\$ 3,300.00		\$ -	4,400	\$ 3,300.00		\$ -	100.00%
19	Pavement Repair	5,860	SY	\$ 20.95	\$ 122,767.00	6,960	\$ 145,812.00	-1,100	\$ (23,045.00)	5,860	\$ 122,767.00		\$ -	100.00%
20	Concrete Curb & Gutter Removal&Replac.	285	LF	\$ 21.00	\$ 5,985.00	380	\$ 7,980.00		\$ -	380	\$ 7,980.00		\$ -	133.33%
21	Concrete Sidewalk (4"thick) Rem&Replac	10	SY	\$ 60.00	\$ 600.00	135	\$ 8,100.00		\$ -	135	\$ 8,100.00		\$ -	1350.00%
22	Driveway (6"Thick) Removal & Replacement	18	SY	\$ 73.30	\$ 1,319.40		\$ -	18	\$ 1,319.40	18	\$ 1,319.40		\$ -	100.00%
23	Sod/Seeding	8,133	SY	\$ 0.84	\$ 6,831.72	8,070	\$ 6,778.80	63	\$ 52.92	8,133	\$ 6,831.72		\$ -	100.00%
					\$ 585,598.12	\$ 675,486.80	\$ (421.68)	\$ 675,065.12	\$ 115.28%					

CHANGE ORDER #1

SUBTOTAL CHANGE ORDER #1

GRAND TOTAL

\$ 585,598.12 \$ 675,486.80 \$ (421.68) \$ 675,065.12 115.28%

\$ 585,598.12 \$ 675,486.80 \$ (421.68) \$ 675,065.12 115.28%

SCHEDULE OF VALUES

PROJECT NAME: Dunham Street Water Main Extension (PART A)

PAYMENT NO: 7

CONTRACTOR: G&H Underground Construction, Inc.

PERIOD ENDING: 5/7/2010

BID NO.: CDBG Contract #09DB-N4-02-62-02-N14

ITEM	DESCRIPTION	ORIGINAL ESTIMATE			PREVIOUS		CURRENT		COMPLETED TO DATE			
		QTY	UNIT	UNIT PRICE	TOTAL PRICE	QTY	VALUE	QTY	VALUE	QTY	VALUE	% COMPLETE
1	General Conditions, Bonds, Insurance, As-Builts	1	LS	\$ 4,500.00	\$ 4,500.00	1	\$ 4,500.00			1	\$ 4,500.00	100.00%
2	Site Preparation	1	LS	\$ 5,000.00	\$ 5,000.00	1	\$ 5,000.00			1	\$ 5,000.00	100.00%
3	Maintenance of Traffic	1	LS	\$ 1,500.00	\$ 1,500.00	1.5	\$ 2,250.00	-0.5	\$ (750.00)	1	\$ 1,500.00	100.00%
4	8" Water Main	3,695	LF	\$ 10.53	\$ 38,908.35	3,695	\$ 38,908.35			3,695	\$ 38,908.35	100.00%
5	8" 11 1/4	1	EA	\$ 442.00	\$ 442.00			1	\$ 442.00	1	\$ 442.00	100.00%
6	8" Cap	1	EA	\$ 288.50	\$ 288.50			1	\$ 288.50	1	\$ 288.50	100.00%
7	8" Cross	1	EA	\$ 650.00	\$ 650.00	1	\$ 650.00			1	\$ 650.00	100.00%
8	8"X 8" Tee	1	EA	\$ 538.00	\$ 538.00			1	\$ 538.00	1	\$ 538.00	100.00%
9	8" Gate Valve w/ box cover	6	EA	\$ 1,062.00	\$ 6,372.00	6	\$ 6,372.00			6	\$ 6,372.00	100.00%
10	8" Temp Plug w/ blowoff	3	EA	\$ 442.00	\$ 1,326.00	3	\$ 1,326.00			3	\$ 1,326.00	100.00%
11	8" x 6" Tee	2	EA	\$ 452.00	\$ 904.00			2	\$ 904.00	2	\$ 904.00	100.00%
12	Fire Hydrant Assembly	2	EA	\$ 3,027.00	\$ 6,054.00	2	\$ 6,054.00			2	\$ 6,054.00	100.00%
13	Connection to Existing Water Mains	4	EA	\$ 2,050.00	\$ 8,200.00	6	\$ 12,300.00			6	\$ 12,300.00	150.00%
14	Abandon 4" Water Main	340	LF	\$ 0.75	\$ 255.00	340	\$ 255.00			340	\$ 255.00	100.00%

ITEM	DESCRIPTION	ORIGINAL ESTIMATE				PREVIOUS			CURRENT			COMPLETED TO DATE		
		QTY	UNIT	UNIT PRICE	TOTAL PRICE	QTY	VALUE	QTY	VALUE	QTY	VALUE	QTY	VALUE	% COMPLETE
15	Pavement Repair	105	SY	\$ 30.00	\$ 3,150.00	90	\$ 2,700.00	15	\$ 450.00	105	\$ 3,150.00	100.00%		
16	Concrete Curb & Gutter Removal & Rep.	230	LF	\$ 21.00	\$ 4,830.00	62	\$ 1,302.00	168	\$ 3,528.00	230	\$ 4,830.00	100.00%		
17	Concrete Sidewalk (4" thick) Rem&Replac	115	SY	\$ 60.00	\$ 6,900.00	45	\$ 2,700.00	70	\$ 4,200.00	115	\$ 6,900.00	100.00%		
18	Sod/Seeding	10,370	SY	\$ 0.50	\$ 5,185.00	6000	\$ 3,000.00	4370	\$ 2,185.00	10370	\$ 5,185.00	100.00%		
					\$ 95,002.85	\$ 87,317.35	\$ 11,785.50	\$ 99,102.85	104.32%					

CHANGE ORDER #1

SUBTOTAL CHANGE ORDER #1

1					\$		\$		\$		\$		\$
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GRAND TOTAL

\$ 95,002.85 \$ 87,317.35 \$ 11,785.50 \$ 99,102.85 104.32%

SCHEDULE OF VALUES

PROJECT NAME: Dunham Street Water Main Extension (PART B)

PAYMENT NO: 7

CONTRACTOR: G&H Underground Construction, Inc.

PERIOD ENDING: 5/7/2010

BID NO.: CDBG Contract #09DB-N4-02-62-02-N14

ITEM	DESCRIPTION	ORIGINAL ESTIMATE			PREVIOUS		CURRENT		COMPLETED TO DATE			
		QTY	UNIT	UNIT PRICE	TOTAL PRICE	QTY	VALUE	QTY	VALUE	QTY	VALUE	% COMPLETE
1	General Conditions, Bonds, Insurance, As-Builts	1	LS	\$ 5,500.00	\$ 5,500.00	1	\$ 5,500.00			1	\$ 5,500.00	100.00%
2	Site Preparation	1	LS	\$ 8,000.00	\$ 8,000.00	1	\$ 8,000.00			1	\$ 8,000.00	100.00%
3	Maintenance of Traffic	1	LS	\$ 2,000.00	\$ 2,000.00	1	\$ 2,000.00			1	\$ 2,000.00	100.00%
4	8" Water Main	3,090	LF	\$ 11.50	\$ 35,535.00	3,090	\$ 35,535.00			3,090	\$ 35,535.00	100.00%
5	8" 45 Bend	4	EA	\$ 650.00	\$ 2,600.00	12	\$ 7,800.00			12	\$ 7,800.00	300.00%
6	8" Cross	1	EA	\$ 600.00	\$ 600.00		\$ -	1	\$ 600.00	1	\$ 600.00	100.00%
7	8" X 8" Tee	3	EA	\$ 538.00	\$ 1,614.00	3	\$ 1,614.00			3	\$ 1,614.00	100.00%
8	8" Gate Valve w/Box & Cover	14	EA	\$ 1,050.00	\$ 14,700.00	14	\$ 14,700.00			14	\$ 14,700.00	100.00%
9	8" Temp Plug w/ Blowoff	6	EA	\$ 450.00	\$ 2,700.00	6	\$ 2,700.00			6	\$ 2,700.00	100.00%
10	8" X 6" Tee	2	EA	\$ 538.00	\$ 1,076.00		\$ -	2	\$ 1,076.00	2	\$ 1,076.00	100.00%
11	Fire Hydrant Assembly	2	EA	\$ 3,025.00	\$ 6,050.00	2	\$ 6,050.00			2	\$ 6,050.00	100.00%
12	1" Service Complete	23	EA	\$ 635.00	\$ 14,605.00	34	\$ 21,590.00			34	\$ 21,590.00	147.83%
13	Connection to Existing Water Mains	6	EA	\$ 1,850.00	\$ 11,100.00	6	\$ 11,100.00			6	\$ 11,100.00	100.00%
14	Abandon 4" Water Main	1,680	LF	\$ 0.50	\$ 840.00	1,680	\$ 840.00			1,680	\$ 840.00	100.00%

ITEM	DESCRIPTION	ORIGINAL ESTIMATE				PREVIOUS		CURRENT		COMPLETED TO DATE		
		QTY	UNIT	UNIT PRICE	TOTAL PRICE	QTY	VALUE	QTY	VALUE	QTY	VALUE	% COMPLETE
15	Abandon 6" Water Main	700	LF	\$ 0.50	\$ 350.00	700	\$ 350.00		\$ -	700	\$ 350.00	100.00%
16	Pavement Repair	30	SY	\$ 25.00	\$ 750.00		\$ -	30	\$ 750.00	30	\$ 750.00	100.00%
17	Brick Road Removal & Replacement	390	SY	\$ 45.00	\$ 17,550.00	325	\$ 14,625.00	65	\$ 2,925.00	390	\$ 17,550.00	100.00%
18	Concrete Curb & Gutter Removal & Replac.	135	LF	\$ 21.00	\$ 2,835.00	135	\$ 2,835.00		\$ -	135	\$ 2,835.00	100.00%
19	Driveway (6"Thick) Removal & Replacement	63	SY	\$ 65.00	\$ 4,095.00	63	\$ 4,095.00		\$ -	63	\$ 4,095.00	100.00%
20	Sod/Seeding	8,425	SY	\$ 0.75	\$ 6,318.75	7,000	\$ 5,250.00	1,425	\$ 1,068.75	8,425	\$ 6,318.75	100.00%
					\$ 138,818.75	\$ 144,584.00	\$ 6,419.75	\$ 151,003.75	108.78%			

CHANGE ORDER #1

1					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SUBTOTAL CHANGE ORDER #1											

GRAND TOTAL \$ 138,818.75 \$ 144,584.00 \$ 6,419.75 \$ 151,003.75 108.78%

*Agenda
Item*

3b

Betsy Driggers

From: Woody Boynton
Sent: Tuesday, May 18, 2010 2:17 PM
To: Betsy Driggers
Subject: FW: Noise variance

Please place on the agenda.

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

From: johnny@steamboatbar.com [mailto:johnny@steamboatbar.com]
Sent: Tuesday, May 18, 2010 1:34 PM
To: Woody Boynton
Subject: Noise variance

Woody,
I would like to submit a request for a noise variance for the days of the BlueCrab Festival which is May 28, 29, 30th of 2010. I appreciate all the help you and the City Commission have provided.

If there is anything you need please do not hesitate to call.

Thanks,
John Lyon

8:00 PM - 1:00 am Fri + Sat.

8:00 PM - Midnight Sunday

Prior variances (Oct, Nov, Dec '09)
granted until 1:00 am

Betsy Driggers

From: Gary Getchell
Sent: Friday, May 21, 2010 2:44 PM
To: Betsy Driggers
Subject: RE: Steamboat Willie's request to exceed noise levels

No, I do not have anything as of yet. I will have something for the Commission on Thursday

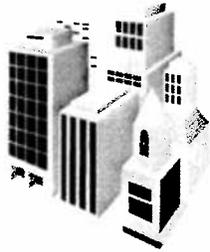
From: Betsy Driggers
Sent: Friday, May 21, 2010 11:38 AM
To: Gary Getchell
Subject: Steamboat Willie's request to exceed noise levels

This request is on consent to grant permission to exceed allowable noise levels until 1:00 a.m. Fri. nite/Sat am, Sat nite/Sun am and until midnight on Sunday night. His band starts at 8:00 p.m.

Do you have anything to add to the agenda package on this? We've just placed his request with the hours noted above and a notation that he was granted similar requests in October, November and December until 1:00 a.m.

*Agenda
Item*

3c



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

Memorandum

To: Mayor, Commission and Staff
CC: Fred Fox & Associates
From: Betsy Driggers, City Clerk
Date: May 20, 2010
Re: Citizens Advisory Task Force for 2010-11 CDBG Application Cycle

At the May 27, 2010 City Commission meeting a public hearing will be held on the 2010-11 CDBG application cycle for all categories. Prior to the beginning of this public hearing, a Citizens Advisory Task Force (CATF) must be in place for this application cycle.

All members of the 2009-10 CDBG-CATF are eligible for this appointment. Staff recommends reappointment of all members of the 2009-10 CATF to serve as the 2010-11 CDBG-CATF, as has been the Commission's past practice.

Please appoint Larry Beaton, Marjorie Shanks, Richard Perallon, Ken Venables and James Williams, Jr., and Commissioner Allegra Kitchens, Liaison, as the Citizens Advisory Task Force for the 2010-11 Community Development Block Grant Cycle.

Agenda Item

4a

FIRST PUBLIC HEARING NOTICE

The City of Palatka is considering applying to the Florida Department of Community Affairs (DCA) for a Small Cities Community Development Block Grant (CDBG) of up to Seven Hundred Fifty Thousand Dollars (\$750,000.00). These funds must be used for one of the following purposes:

1. To benefit low and moderate income persons;
2. To aid in the prevention or elimination of slums or blight; or
3. To meet other community development needs of recent origin having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and where other financial resources are not available to meet such needs.

The categories of activities for which these funds may be used are in the areas of housing, neighborhood revitalization, commercial revitalization, or economic development and include such improvement activities as acquisition of real property, loans to private-for-profit business, purchase of machinery and equipment, construction of infrastructure, rehabilitation of houses and commercial buildings, and energy conservation. Additional information regarding the range of activities that may be undertaken will be provided at the public hearing. For each activity that is proposed, at least 70% of the funds must benefit low and moderate income persons.

In developing an application for submission to DCA, the City of Palatka must plan to minimize displacement of persons as a result of planned CDBG activities. In addition, the City of Palatka is required to develop a plan to assist displaced persons.

A public hearing to receive citizen views concerning the community's economic and community development needs will be held at the City of Palatka City Hall located at 201 North Second Street, Palatka, Florida on Thursday, May 27, 2010 at 6:00 p.m. or as soon thereafter as possible. For information concerning the public hearing contact: Ms. Betsy Driggers, City Clerk, City of Palatka, 201 North 2nd Street, Palatka, Florida 32177. Telephone (904) 329-0100.

The public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring an interpreter for the hearing impaired or the visually impaired should contact Ms. Driggers at least five calendar days prior to the meeting and an interpreter will be provided. Any non-English speaking person wishing to attend the public hearing should contact Ms. Driggers at least five calendar days prior to the meeting and a language interpreter will be provided. Any handicapped person requiring special accommodation at this meeting should contact Ms. Driggers at least five calendar days prior to the meeting.

A Fair Housing/Equal Opportunity/Handicap Accessible Jurisdiction.

303.83

*Agenda
Item*

4b

FAIR HOUSING WORKSHOP

The City of Palatka is a fair housing advocate. The City is holding a workshop to explain the Fair Housing Ordinance for all of the protected classes (race, color, familial status, handicap, national origin, religion and sex). The public is invited to attend.

The workshop is scheduled for Thursday, May 27, 2010 at 6:15 p.m., or as soon thereafter as possible, at the City of Palatka City Hall located at 201 North Second Street, Palatka, Florida. Any handicapped, visually or hearing impaired person or non-English speaking person needing special assistance at the meeting should contact Ms. Betsy Driggers, City Clerk, City of Palatka at (904) 329-0100, at least five days prior to the meeting and assistance will be provided.

h3.0113.94
~~# 30373~~



CITY OF PALATKA FAIR HOUSING WORKSHOP @ 6:15 P.M.

Thank you for coming to this workshop and showing an interest in the Fair Housing practices for the City of Palatka. Please be sure and sign in so we may have a record of your attendance.

City of Palatka passed a Fair Housing Ordinance originally on December 8, 1983 (83-31); this Ordinance was amended on December 12, 1985, replacing the category "physical handicap" with "handicap". The Ordinance was amended again September 27, 1990 adding the category "familial status".

The Ordinance states that it is the policy of the City to eliminate discrimination in housing based upon AGE, RACE, COLOR, RELIGION, ANCESTRY, SEX, PLACE OF BIRTH, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Fair Housing Ordinance for the City of Palatka also includes provision for citizen's complaints. The Ordinance states that if an individual feels they have been discriminated against, they can file a written complaint with the City within forty-five (45) days of the complaint and the City will investigate the complaint.

Upon receipt of a complaint, the Commission or its appointed board shall serve upon the individual charged with a violation (hereinafter referred to as the respondent), a copy of the complaint, setting forth the rights of the parties, including, but not limited to, the right of the respondent to a hearing on the matter before adjudication by the Commission or its appointed board.

The Commission or its appointed board shall immediately investigate the complaint. Within sixty (60) days from the date of the receipt of the complaint, the Commission or its appointed board shall establish a written report with findings of fact. If the City deems the complaint is justified, the City may ask the State Attorney to look into prosecuting the person or persons the complaint is made against.

The following documents are included in tonight's Fair Housing Workshop Package:

1. A copy of the City of Palatka's Fair Housing Ordinance and its two (2) amendments.
2. Facts about Fair Housing under the Fair Housing Act passed on April 11, 1968.
3. Federal and State of Florida Fair Housing general information and contact information.
4. A copy of the Federal Fair Housing Complaint Package

If anyone has questions now or in the future about the Fair Housing Ordinance or fair housing practices of the City of Palatka, we would be happy to answer them.

#83-31

AN ORDINANCE

entitled

AN ORDINANCE DELCARING IT TO BE THE POLICY OF THE CITY OF PALATKA, FLORIDA TO ELIMINATE DISCRIMINATION IN HOUSING BASED UPON RACE, COLOR, RELIGION, ANCESTRY, SEX, PLACE OF BIRTH, PHYSICAL HANDICAP OR NATIONAL ORIGIN: PROVIDING DEFINITIONS; SPECIFYING EXEMPTIONS; SPECIFYING UNLAWFUL ACTS OF DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING; SPECIFYING UNLAWFUL ACTS OF DISCRIMINATION IN THE FINANCING OF HOUSING; SPECIFYING UNLAWFUL ACTS OF DISCRIMINATION OF BROKERAGE SERVICE; PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE; PROVIDING FOR PROCEDURES FOR INITIATING AND ACTING UPON COMPLAINTS; PROVIDING FOR HEARINGS; PROVIDING FOR OTHER REMEDIES; PROVIDING PROCEDURES FOR FILING REPORTS WITH THE REAL ESTATE COMMISSION OF THE STATE OF FLORIDA; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR LIMITED INVALIDATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA AS FOLLOWS,

Section 1. DECLARATION OF POLICY

It is hereby declared to be the policy of the City of Palatka, Florida in the exercise of its police power for the public safety, public health, and general welfare, to assure equal opportunity to obtain adequate housing by all persons, regardless of race, color, religion, ancestry, sex, place of birth, physical handicap, or national origin, and, to that, and to eliminate distrimination in housing.

Section 2. DEFINITIONS

When used herein:

- (a) "Commission" means the City Commission of the City of Palatka, Florida.
- (b) "Dwelling" means any building, structure, or portion thereof which is occupied as, or designated or intended for occupancy as, a residence by one or more families, and any vacant land which

is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

- (c) "Family" includes a single individual.
- (d) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.
- (e) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.
- (f) "Discriminatory housing practice" means an act that is unlawful under Section 4, 5, or 6 of this Ordinance.

Section 3. EXEMPTIONS

- (a) Nothing in Section 4 (other than Subsection (b)) shall apply to--
 - (1) any single-family house sold or rented by an owner:
Provided, That such private individual owner does not own more than three such single-family houses at any one time:
Provided further, That in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this Subsection shall apply

only with respect to one such sale within any twenty-four (24) month period: Provided further, That such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to any right to all or a portion of the proceeds from the sale or rental or, more than three (3) such single-family houses at any one time: Provided further, That after the effective date of this Ordinance the sale or rental of any such single-family house shall be excepted from the application of this Ordinance only if such house is sold or rented (A) without the use of any manner of sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person and (B) without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of Section 4 (C) of this title; but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title, or

- (2) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.
- (b) For the purposes of Subsection (a), a person shall be deemed to be in the business of selling or renting dwellings if--
 - (1) he has, within the preceding twelve (12) months, participated as principal in three (3) or more transactions involving the sale or rental of any dwelling or any interest therein, or

- (2) he has, within the preceding twelve (12) months, participated as agent, other than in the sale of his personal residence in providing sales or rental facilities or sales or rental services in two (2) or more transactions involving the sale or rental of any dwelling or any interest therein, or
- (3) he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five (5) or more families.
- (c) Nothing in this Ordinance shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, sex, or national origin. Nor shall anything in this Ordinance prohibit a private club not in fact open to the public, which as in incident to its primary purpose or purposes provides lodgings from which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

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Section 4. DISCRIMINATION IN THE SALE OR RENTAL
OF HOUSING

As made applicable by Section 3 and except as exempted by Sections 3(a) and 7, it shall be unlawful--

- (a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, or national origin.
- (b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in provision of services or facilities in connection therewith, because of race, color, religion, sex, or national origin.
- (c) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, or national origin, or an intention to make any such preference, limitation, or discrimination.
- (d) To represent to any person because of race, color, religion, sex, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
- (e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, or national origin.

Section 5. DISCRIMINATION IN THE FINANCING
OF HOUSING

It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, sex, or national origin of such person or of any person associated with him in connection with such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given: Provided, That nothing contained in this Section shall impair the scope or effectiveness of the exception contained in Section 3.

Section 6. DISCRIMINATION IN THE PROVISION OF
BROKERAGE SERVICES

It shall be unlawful to deny any person access or to membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms of conditions of such access, membership, or participation, on account of race, color, religion, sex, or national origin.

Section 7. ADMINISTRATION

- (a) The authority and responsibility for administering this Ordinance shall be with the Commission.
- (b) The Commission may delegate its functions, duties, and powers to an appointed board, including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting, or otherwise action as to any work, business, or matter under this Ordinance.
- (c) The Commission or its appointed board shall—
 - (1) implement the provisions of this Ordinance and rules and regulations promulgated hereunder and all ordinances, codes, rules, and regulations pertaining to housing discrimination.
 - (2) receive, initiate, and investigate any and all complaints alleging violations of this Ordinance, and take appropriate action to eliminate, conciliate, prevent, and/or initiate prosecution of any such violations.
 - (3) provide assistance in all matters relating to equal housing opportunity.
 - (4) publish and disseminate public information and educational materials relating to housing discrimination.
 - (5) enter into written working agreements, as may be necessary to effectuate the purposes of this Ordinance, with federal, state and county agencies involved in reducing housing discrimination.

- (6) administer oaths and compel the attendance of witnesses and the production of evidence before it by subpoenas issued by the Chairman of the Commission or its appointed board.
- (7) take other informational, educational, or persuasive actions to implement the purposes of this Ordinance.

Section 8. PROCEDURE

- (1) Any person aggrieved by an unlawful practice prohibited by this Ordinance must file a written complaint with the Commission or its appointed board within forth-five (45) days after the alleged unlawful practice occurs.
- (2) Upon receipt of a complaint, the Commission or its appointed board shall serve upon the individual charged with a violation (hereinafter referred to as the respondent), the complaint and a written resume setting forth the rights of the parties including, but not limited to, the right of the respondent to a hearing on the matter before adjudication by the Commission or its appointed board.
- (3) The Commission or its appointed board shall immediately investigate the complaint. Within sixty (60) days from the date of the receipt of the complaint, the Commission or its appointed board shall establish written report with findings in fact.
- (4) Copies of the Commission or its appointed board's report shall be sent to the complainant and the respondent. Either may, within ten (10) days after such services, request a hearing before the Commission.

- (5) When the complainant or the respondent requests a hearing by the Commission or its appointed board, or when the Commission or its appointed board itself determines that a hearing is desirable, the Commission or its appointed board shall call and conduct such hearing in accordance with Section 9 below.
- (6) The Commission or its appointed board shall carry into execution the actions specified in its report, or, if a hearing is held, shall carry into execution the actions determined upon by the Commission or its appointed board in the hearing.
- (7) The Commission or its appointed board in its review or its hearing may determine:
 - (a) That the complaint lacks ground upon which to base action for violation of this Ordinance, or
 - (b) that the complaint has been adequately dealt with by conciliation of the parties, or
 - (c) that the case warrants filing charges against the offending party in the appropriate court. In some cases both conciliation and adjudicative orders, or both adjudicative orders and initiation of court action may be indicated.
- (8) If the Commission or its appointed board issues an adjudicative order to correct, adjust, conciliate, prevent, or prohibit any unlawful act prohibited by this Ordinance, and the respondent refuses or fails to comply with or obey such adjudication, the Commission or its appointed board shall forthwith request that the State Attorney file a complaint in the appropriate court. The City Commissioner or its appointed board shall, at all times, provide the

complainant with full and timely information as to all the alternatives available to him or her under local, State and Federal law, including assistance to initiate judicial action if desired, under the circumstances.

- (9) The provisions of Rule 1.090, Florida Rules of Civil Procedure, shall govern the computation of any period of time prescribed by this Ordinance.
- (10) All papers or pleadings required by this Ordinance to be served may be served by certified mail or in accordance with the provisions of Rule 1.080 (b), Florida Rules of Civil Procedure.

Section 9. HEARINGS BEFORE THE CITY COMMISSION OF
THE CITY OF PALATKA, FLORIDA.

- (1) When a hearing is required before the Commission or its appointed board, as specified in Section 8 (5) above, the Commission or its appointed board shall schedule the hearing and serve upon all interested parties a notice of time and place of the hearing. The hearing shall be held promptly, but not less than fifteen (15) days after service of such notice and of the Council or its appointed board written report (Section 8 (4) above).
- (2) The parties, or their authorized counsel, may file such statements with the Commission or its appointed board, prior to the hearing date, as they may deem necessary in support of their positions. The parties may appear before the Commission or its appointed board in person or by duly constituted representative and may have the assistance of attorneys. The parties may present testimony and evidence, and the right to cross-examine witnesses

shall be preserved. All testimony shall be given under oath or by affirmation. The Commission or its appointed board shall not be bound by strick rules of evidence prevailing in courts of law or equity but due process shall be observed. The Commission or its appointed shall keep a full record of the hearing, which records shall be public and open to inspection by any person, and upon request by any principal party to the proceedings the Commission or its appointed board shall furnish such party a copy of the hearing record at cost. The constitutional rights of the respondent not to incriminate himself shall be scrupulously observed.

- (3) The Commission or its appointed board shall make a finding of fact, and a determination of action to be taken (Section 8 (7) above).
- (4) The Commission or its appointed board may issue subpoenas to compel access to or the production or appearance or premises, records, documents, individuals, and other evidence or possible sources of evidence relative to the complaint at issue.
- (5) Upon written application to the Commission or its appointed board, a respondent shall be entitled to the issuance of a reasonable number of subpoenas by and in the name of the Commission or, to the same extent and subject to the same limitations as subpoenas issued by the Commission or its appointed board itself. Subpoenas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.

- (6) Witnesses summoned by subpoena of the Commission or its appointed board shall be entitled to the same witness and mileage fees as are witnesses in proceedings in the State courts of Florida. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by him, unless he is indigent in which case the shall bear the cost of said fees.
- (7) Within ten (10) days after service of a subpoena upon any person, such person may petition the Commission or its appointed board to revoke or modify the subpoena. The Commission or its appointed board shall grant the petition if it finds that the subpoena requires appearance or attendance, at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be produced, that compliance would be unduly onerous, or for other good reason.
- (8) In case of refusal to pay obey a subpoena, the Commission or its appointed board or the person at whose request it was issued may petition for its enforcement in the appropriate court.

Section 10. OTHER REMEDIES

Nothing herein shall prevent any person from exercising any right or seeking any remedy to which he might otherwise be entitled, or from filing of any complaint with any other agency or any court having proper jurisdiction.

Section 11. REPORT TO REAL ESTATE COMMISSION

If a real estate broker, a real estate salesman, or an employee thereof has been found to have committed an unlawful practice in violation of this Ordinance, or has failed to comply with an order issued by the Commission or its appointed board, the or its appointed board shall, in addition to the other procedures set forth herein, report the facts to the Real Estate Commission of the State of Florida.

Section 12. CONFLICTING ORDINANCES REPEALED

All other ordinances and parts of ordinances in conflict herewith to the extent of such conflict are hereby repealed.

Section 13. LIMITED INVALIDATION

If any provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of the provision to other persons not similarly situate or to other circumstances shall not be affected thereby.

Section 14.

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

PASSED AND ADOPTED this 8th day of December, 1983.

CITY OF PALATKA

Eugene S. Walker
MAYOR

ATTEST

Allen R. Bush
CITY CLERK

#85-25

This Instrument prepared by
EDWARD E. HEDSTROM
Post Office Drawer 1354
Palatka, Florida 32977

AN ORDINANCE

entitled

AN ORDINANCE OF THE CITY OF PALATKA,
FLORIDA AMENDING ORDINANCE 83-31, THE
FAIR HOUSING ORDINANCE, BY SUBSTITUTING
THE TERM "HANDICAP" FOR THE TERM "PHY-
SICAL HANDICAP" AS THAT TERM APPEARS
THROUGHOUT THE ORDINANCE AND FURTHER,
BY SUBSTITUTING THE PHRASE "RACE, COLOR,
RELIGION, SEX, HANDICAP OR NATIONAL
ORIGIN" FOR THE PHRASE "RACE, COLOR,
RELIGION, SEX OR NATIONAL ORIGIN" AS
SUCH PHRASE APPEARS THROUGHOUT THE
ORDINANCE; AND PROVIDING AN EFFECTIVE
DATE.

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

Section 1. That Ordinance #83-31 be amended by substituting
the term "handicap" for the term "physical handicap" as that term
appears throughout the Ordinance.

Section 2. That Ordinance #83-31 be amended by substituting
the phrase "race, color, religion, sex, handicap or national origin"
for the phrase "race, color, religion, sex or national origin" as
such phrase appears throughout the Ordinance.

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

PASSED AND ADOPTED this 12th day of December, 1985.

CITY OF PALATKA

By: Eugene F. Walden
MAYOR

ATTEST:

Allen R. Bush
City Clerk

90-11

AN ORDINANCE

entitled

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA AMENDING ORDINANCE 83-31, THE FAIR HOUSING ORDINANCE, BY ADDING AND DEFINING THE TERM FAMILIAL STATUS, AND FURTHER BY SUBSTITUTING THE PHRASE "RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN" FOR THE PHRASE "RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN" AS SUCH PHRASE APPEARS THROUGHOUT THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That Section 2, DEFINITIONS, of Ordinance 83-31 be amended by adding thereto subparagraph (g) to read as follows:

(g) "Familial status" means one or more individuals (who have not attained the age of 18 years) being domiciled with:

(1) A parent or another person having legal custody of such individual or individuals; or

(2) The designee of such parent or other person having such custody, with the written permission of such parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

Section 2. That Ordinance 83-31 be amended by substituting the phrase "race, color, religion, sex, handicap, familial status, or national origin" for the phrase "race, color, religion, sex, handicap, or national origin" as such phrase appears throughout the Ordinance.

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

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 27th day of September, 1990.

CITY OF PALATKA

By: Tim Smith
Its Mayor

ATTEST:

Allen L. Bush
City Clerk

90-11

AN ORDINANCE

entitled

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA AMENDING ORDINANCE 83-31, THE FAIR HOUSING ORDINANCE, BY ADDING AND DEFINING THE TERM FAMILIAL STATUS, AND FURTHER BY SUBSTITUTING THE PHRASE "RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN" FOR THE PHRASE "RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN" AS SUCH PHRASE APPEARS THROUGHOUT THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That Section 2, DEFINITIONS, of Ordinance 83-31 be amended by adding thereto subparagraph (g) to read as follows:

(g) "Familial status" means one or more individuals (who have not attained the age of 18 years) being domiciled with:

(1) A parent or another person having legal custody of such individual or individuals; or

(2) The designee of such parent or other person having such custody, with the written permission of such parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

Section 2. That Ordinance 83-31 be amended by substituting the phrase "race, color, religion, sex, handicap, familial status, or national origin" for the phrase "race, color, religion, sex, handicap, or national origin" as such phrase appears throughout the Ordinance.

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

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 27th day of September, 1990.

CITY OF PALATKA

By: Tim Smith
Its Mayor

ATTEST:

Alle R. Bush
City Clerk

**CITY OF PALATKA
FAIR HOUSING WORKSHOP
DECEMBER 10, 2009 6:15 P.M.
Facts About the Fair Housing Act**

What Housing Is Covered?

The Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

What Is Prohibited?

In the Sale and Rental of Housing: No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale, or rental
- For profit, persuade owners to sell or rent (blockbusting) or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

In Mortgage Lending: No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap (disability):

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan or
- Set different terms or conditions for purchasing a loan.

In Addition: It is illegal for anyone to:

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

Additional Protection if You Have a Disability

If you or someone associated with you:

- Have a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex and mental retardation) that substantially limits one or more major life activities
- Have a record of such a disability or
- Are regarded as having such a disability

your landlord **may not**:

- Refuse to let you make reasonable modifications to your dwelling or common use areas, at your expense, if necessary for the disabled person to use the housing. (Where reasonable, the landlord may permit changes only if you agree to restore the property to its original condition when you move.)
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing.

Example: A building with a "no pets" policy must allow a visually impaired tenant to keep a guide dog.

Example: An apartment complex that offers tenants ample, unassigned parking must honor a request from a mobility-impaired tenant for a reserved space near her apartment if necessary to assure that she can have access to her apartment.

However, housing need not be made available to a person who is a direct threat to the health or safety of others or who currently uses illegal drugs.

Requirements for New Buildings

In buildings that are ready for first occupancy after March 13, 1991, and have an elevator and four or more units:

- Public and common areas must be accessible to persons with disabilities
- Doors and hallways must be wide enough for wheelchairs
- All units must have:
 - An accessible route into and through the unit
 - Accessible light switches, electrical outlets, thermostats and other environmental controls
 - Reinforced bathroom walls to allow later installation of grab bars and
 - Kitchens and bathrooms that can be used by people in wheelchairs.

These requirements for new buildings do not replace any more stringent standards in State or local law.

Housing Opportunities for Families

Unless a building or community qualifies as housing for older persons, it may not discriminate based on familial status. That is, it may not discriminate against families in which one or more children under 18 live with:

- A parent
- A person who has legal custody of the child or children or
- The designee of the parent or legal custodian, with the parent or custodian's written permission.

Familial status protection also applies to pregnant women and anyone securing legal custody of a child under 18.

Exemption: Housing for older persons is exempt from the prohibition against familial status discrimination if:

- The HUD Secretary has determined that it is specifically designed for and occupied by elderly persons under a Federal, State or local government program or
- It is occupied solely by persons who are 62 or older or
- It houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates an intent to house persons who are 55 or older.

A transition period permits residents on or before September 13, 1988, to continue living in the housing, regardless of their age, without interfering with the exemption.

If You Think Your Rights Have Been Violated

HUD is ready to help with any problem of housing discrimination. If you think your rights have been violated, you can contact the Housing Discrimination Hotline at, 1-800-669-9777 (Voice) or on the world wide web at <http://www.hud.gov/offices/fheo/index.cfm>

What to Tell HUD:

- Your name and address
- The name and address of the person your complaint is against (the respondent)
- The address or other identification to the housing involved
- A short description to the alleged violation (the event that caused you to believe your rights were violated)
- The date(s) to the alleged violation

If You Are Disabled:

HUD also provides:

- A toll-free TTY phone for the hearing impaired: 1-800-927-9275.
- Interpreters
- Tapes and braille materials
- Assistance in reading and completing forms

What Happens when You File a Complaint?

HUD will notify you when it receives your complaint. Normally, HUD also will:

- Notify the alleged violator of your complaint and permit that person to submit an answer
- Investigate your complaint and determine whether there is reasonable cause to believe the Fair Housing Act has been violated
- Notify you if it cannot complete an investigation within 100 days of receiving your complaint

Complaint Referrals

If HUD has determined that your State or local agency has the same fair housing powers as HUD, HUD will refer your complaint to that agency for investigation and notify you of the referral. That agency must begin work on your complaint within 30 days or HUD may take it back.

What Happens after a Complaint Investigation?

If, after investigating your complaint, HUD finds reasonable cause to believe that discrimination occurred, it will inform you. Your case will be heard in an administrative hearing within 120 days, unless you or the respondent want the case to be heard in Federal district court. Either way, there is no cost to you.

Federal District Court

If you or the respondent choose to have your case decided in Federal District Court, the Attorney General will file a suit and litigate it on your behalf.

The Fair Housing Act and HUD's regulations contain more detail and technical information. If you need a copy of the law or regulations, contact U.S. Department of Housing and Urban Development, 451 7th Street S.W., Washington, DC 20410



FAIR HOUSING **It's the Law!**

The Florida Fair Housing Act and the Federal Fair Housing Act make it illegal for anyone to refuse to rent, sell, or finance a home based on the following characteristics:

- *Race*
- *Color*
- *Religion*
- *Sex*
- *National Origin*
- *Familial Status (including children under the age of 18 living with parents or legal custodians; pregnant women and people securing custody of children under 18).*
- *Disability*

How Do You Recognize Housing Discrimination?

It is unlawful for anyone to discriminate, based on any of the above characteristics, by:

- **Refusing to rent or sell you housing when available;**
- **Stating that housing is unavailable when, in fact, it is available;**
- **Showing you apartments or homes only in certain neighborhoods;**
- **Advertising housing only to preferred groups of people;**
- **Refusing to provide you with information regarding certain mortgage loans, denying a mortgage loan in which you qualify or imposing different terms or conditions for approval; or**
- **Harassing, coercing, or intimidating because you are exercising your fair housing rights.**

Possible Housing Discrimination Indicators

Be suspicious if you hear similar comments to:

"We just filled the unit and have not had time to take down the sign/ad"

"Families with children are allowed in ground floor units only."

"Extra security deposits are required for possible wheelchair damage."

"Do you think you can afford this neighborhood?"

"Do you feel you would fit into this neighborhood?"

IF YOU DON'T REPORT DISCRIMINATION, IT CAN'T BE STOPPED!

- **Housing Discrimination Hotline 1-800-669-9777**
- **You will need to provide the following information in your complaint:**

- a. Your name, address and phone number(s) where you can be reached.
- b. A description of **what** happened to you.
- c. A statement telling **why** you believe you are being discriminated against (e.g. on the basis of which protected class).
- d. A statement of **who** discriminated against you, giving name, title and address.
- e. A statement describing **where** the alleged discrimination occurred (complete address).
- f. A statement indicating **when** the last act of discrimination occurred and stating whether the alleged discrimination is ongoing.

Online information about Housing Discrimination and the Fair Housing Act:

HUD webpage and links on Fair Housing and Fair Housing Complaint Form:

<http://www.hud.gov/groups/fairhousing.cfm>

State of Florida Fair Housing Contact Information:

Florida Commission on Human Relations

2009 Apalachee Parkway, Suite 200

Tallahassee, FL 32301

Phone: (850) 488-7082

Fax: (850) 488-5291

Web Site: <http://fchr.state.fl.us>

E-Mail: fchrinfo@fchr.myflorida.com

TDD ASCII (800) 955-1339

TDD Baudot (800) 955-8771

Federal Fair Housing Regional Contact Information:

Southeast/Caribbean Office

Fair Housing Hub

U.S. Dept. of Housing and Urban Development

Five Points Plaza

40 Marietta Street, 16th Floor

Atlanta, GA 30303-2808

Telephone (404) 331-5140 or 1-800-440-8091

Fax (404) 331-1021 – TTY (404) 730-2654

E-Mail: Complaints_office_05@hud.gov

Are You a
Victim of
Housing
Discrimination?

Fair Housing is Your Right!

If you have been denied your
housing rights...you may have
experienced unlawful discrimina-
tion.



U.S. Department of Housing and Urban Development

PLACE
POSTAGE
HERE

MAIL TO:

Public Reporting Burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The Department of Housing and Urban Development is authorized to collect this information by Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, (P.L. 100-430); Title VI of the Civil Rights Act of 1964, (P.L. 88-352); Section 504 of the Rehabilitation Act of 1973, as amended, (P.L. 93-112); Section 109 of Title I- Housing and Community Development Act of 1974, as amended, (P.L. 97-35); Americans with Disabilities Act of 1990, (P.L. 101-336); and by the Age Discrimination Act of 1975, as amended, (42 U.S.C. 6103).

The information will be used to investigate and to process housing discrimination complaints. The information may be disclosed to the United States Department of Justice for its use in the filing of pattern and practice suits of housing discrimination or the prosecution of the person(s) who committed that discrimination where violence is involved; and to State or local fair housing agencies that administer substantially equivalent fair housing laws for complaint processing. Failure to provide some or all of the requested information will result in delay or denial of HUD assistance.

Disclosure of this information is voluntary.



HOUSING DISCRIMINATION INFORMATION

Departamento de Vivienda y Desarrollo Urbano Oficina de Derecho Equitativo a la Vivienda
U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity

Instructions: (Please type or print) Read this form carefully. Try to answer all questions. If you do not know the answer or a question does not apply to you, leave the space blank. You have one year from the date of the alleged discrimination to file a complaint. Your form should be signed and dated.

Your Name _____

Your Address _____

City _____ State _____ Zip Code _____

Best time to call _____ Your Daytime Phone No _____ Evening Phone No _____

Who else can we call if we cannot reach you?

Contact's Name _____ Best Time to call _____

Daytime Phone No _____ Evening Phone No _____

Contact's Name _____ Best Time to call _____

Daytime Phone No _____ Evening Phone No _____

What happened to you?

How were you discriminated against?

For example: were you refused an opportunity to rent or buy housing? Denied a loan? Told that housing was not available when in fact it was? Treated differently from others seeking housing?

State briefly what happened.

HOUSING DISCRIMINATION INFORMATION

Departamento de Vivienda y Desarrollo Urbano · Oficina de Derecho Equitativo a la Vivienda
U.S. Department of Housing and Urban Development · Office of Fair Housing and Equal Opportunity

2 Why do you think you are a victim of housing discrimination?

Is it because of your:

· race · color · religion · sex · national origin · familial status (families with children under 18) · disability?

For example: were you denied housing because of your race? Were you denied a mortgage loan because of your religion? Or turned down for an apartment because you have children?

Briefly explain why you think your housing rights were denied and circle the factor(s) listed above that you believe apply.

Who do you believe discriminated against you?

For example: was it a landlord, owner, bank, real estate agent, broker, company, or organization?

Identify who you believe discriminated against you.

Name _____

Address _____

Where did the alleged act of discrimination occur?

For example: Was it at a rental unit? Single family home? Public or Assisted Housing? A Mobile Home?

Did it occur at a bank or other lending institution?

Provide the address.

Address _____

City _____

State _____

Zip Code _____

When did the last act of discrimination occur?

Enter the date

____/____/____

Is the alleged discrimination continuing or ongoing?

Yes No _____

Signature _____

Date _____

Send this form to HUD or to the fair housing agency nearest you. If you are unable to complete this form, you may call that office directly. See address and telephone listings on back page.



It is Unlawful to Discriminate in Housing Based on These Factors...

- Race
- Color
- National origin
- Religion
- Sex
- Familial status (families with children under the age of 18, or who are expecting a child)
- Handicap (if you or someone close to you has a disability)

If You Believe Your Rights Have Been Violated...

- HUD or a State or local fair housing agency is ready to help you file a complaint.
- After your information is received, HUD or a State or local fair housing agency will contact you to discuss the concerns you raise.

Detach here. Fold and close with glue or tape (no staples)

Keep this information for your records.

Date you mailed your information to HUD: _____ / _____ / _____

Address to which you sent the information:

Office _____ Telephone _____

Street _____

City _____ State _____ Zip Code _____

If you have not heard from HUD or a State or local fair housing agency within three weeks from the date you mailed this form, you may call to inquire about the status of your complaint. See address and telephone listings on back page.

ARE YOU A VICTIM OF HOUSING DISCRIMINATION?

"The American Dream of having a safe and decent place to call 'home' reflects our shared belief that in this nation, opportunity and success are within everyone's reach.

Under our Fair Housing laws, every citizen is assured the opportunity to build a better life in the home or apartment of their choice — regardless of their race, color, religion, sex, national origin, family status or disability."

Alphonso Jackson
Secretary

HOW DO YOU RECOGNIZE HOUSING DISCRIMINATION?

Under the Fair Housing Act, it is Against the Law to:

- Refuse to rent to you or sell you housing
- Tell you housing is unavailable when in fact it is available
- Show you apartments or homes only in certain neighborhoods
- Set different terms, conditions, or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Advertise housing to preferred groups of people only
- Refuse to provide you with information regarding mortgage loans, deny you a mortgage loan, or impose different terms or conditions on a mortgage loan
- Deny you property insurance
- Conduct property appraisals in a discriminatory manner
- Refuse to make reasonable accommodations for persons with a disability if the accommodation may be necessary to afford such person a reasonable and equal opportunity to use and enjoy a dwelling.
- Fail to design and construct housing in an accessible manner
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with his/her fair housing rights