VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA
FLORIDA

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

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

AGENDA
CITY OF PALATKA
June 13, 2013

CALL TO ORDER:
a. Invocation – The Reverend John Miles, Pastor; First Church of God of Florahome (546-7888)
b, Pledge of Allegiance
c. Roll Call

APPROVAL OF MINUTES – 5/23/13 regular meeting; 5/30/13 called meeting

1. **PUBLIC RECOGNITION/PRESENTATIONS:**

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

3. **CONSENT AGENDA:**
   - *a. **Adopt Resolution No. 2013-9-123** authorizing execution of the renewal of FDOT Maintenance Contract #BDU19 for maintenance of right of way along SR15 (US17), SR 20 and SR100 eff. 7/29/13
   - *b. **Adopt Resolution 2013-9-124** authorizing execution of Florida Dept. of Corrections Work Squad Contract #WS836, effective 8/24/13
   - *c. **Adopt Resolution No. 2013-9-125** approving the selection of Coldwell Banker Commercial/Ben Bates, Inc. as sole respondent to Professional Real Estate Services RFP and authorizing the City Manager to begin contract negotiations for services
   - *d. **Adopt Resolution No. 2013-9-126** authorizing the execution of a Supplemental JPA with the FDOT for the design & construction of the Main Access Road Project at the Palatka Municipal Airport to add the purchase of a fuel truck to the project description and extend the contract time to 9/30/2013
   - *e. **Appoint Sandra M. Smith to Palatka Code Enforcement Board** as member with real estate experience for the remainder of a term expiring September, 2013 and for an additional 3-year term to expire September, 2016, per Staff recommendation
   - *f. **Introduce Form 8B, Memorandum of Voting Conflict** into the record filed by Commissioner Mary Lawson Brown on vote taken 5/30/13 (Agenda Item #3(c)
   - *g. **Designate Mary Lawson Brown as voting delegate** to the 2013 FLC Annual Conference in Orlando
   - *h. **Notice of Amendment to Meeting Calendar** – CRA meeting moved from 6/13/13 to 6/27/13; City Commission Pre-Budget Workshop moved from 6/13/13 to 2:00 p.m. on 6/27/13.

* 4. **RESOLUTION No. 2013-9-127** awarding the Agent of Record RFP and authorizing the City Manager to negotiate contracts for Agent of Record/Brokerage/Risk Management Services with Brown & Brown (Daytona Beach) for Property/Casualty Insurance and with Bates & Hewitt (Palatka) for Employee Benefits Insurance - Adopt

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

* 5. **PUBLIC HEARING** – 421 and 425 N. Palm Avenue - Planning Board Recommendation to annex, amend the Future Land Use Map and Future Land Use Element from Putnam County US (Urban Service) to City COM (Commercial) 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 – 2nd Reading, Adopt
b. **ORDINANCE** amending Future Land Use Map for 421 & 425 N. Palm Ave – Adopt
c. **ORDINANCE** rezoning 421 & 425 N. Palm Avenue – 2nd Reading, Adopt

* 6. **PUBLIC HEARING** – 1095 SR 19 North - Planning Board Recommendation to annex, amend the Future Land Use Map and Future Land Use Element from Putnam County US (Urban Service) to City COM (Commercial), 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 – 2nd Reading, Adopt
b. **ORDINANCE** amending Future Land Use Map for 1095 SR 19 North - Adopt
c. **ORDINANCE** rezoning 1095 SR 19 North – 2nd Reading, Adopt

* 7. **DISCUSSION** – Putnam County BOCC Revision to Public Schools Interlocal Agreement between Putnam County, Municipalities and Putnam Co. School District – Thad Crowe, Planner

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:

June 27 – Pre-Budget Workshop 2:00 p.m.
June 27 – CRA Meeting; 5:00 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
Sept. 19 – Palatka hosts NEFLC Meeting
Oct. 4 – City Employees' Safety Luncheon; 12:00 p.m.

Board Openings:

Code Enforcement Board: 2 Vac. (Arch.& Sub Contr.)

Agenda Item

3a

CITY COMMISSION AGENDA ITEM

SUBJECT: **Resolution 2013-9-123:** A Resolution of the City of Palatka authorizing execution of a one-year renewal option of FDOT Right of Way Maintenance Agreement No. BDU19 for portions of SR 15 (Hwy 17), SR 20 and SR 100

DEPARTMENT: **Clerk/Administration**

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

SUMMARY: The City of Palatka has for many years worked cooperatively with the State of Florida to maintain the street portions of the right of way along SR 15 (more commonly known as US Hwy 17), SR 20 and SR 100. In 2012 the City entered into a renewal contract #BDU19 for continuation of these services for one year. This contract contains a clause that allows for renewal of the contract at the agreed-upon rate for two additional one year periods, beginning July 29 of each contract year.

The State has notified the City that it wishes to renew the agreement for one year beginning 7/29/13. This Resolution authorizes execution of that renewal agreement.

RECOMMENDED ACTION: **Adopt Resolution 2013-9-123** to authorize execution of FDOT Maintenance Agreement No. BDU19 Renewal #1 for maintenance of portions of right of way for SR15, SR20 and SR100 for one year beginning 07/29/13.

DEPARTMENT HEAD	Submitted: B. Driggers for M. Czymbor	Date: 06-06-13
	Requested Agenda / Consent	Date: 06-13-13
FINANCE DEPARTMENT	Budgeted /Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/5/13

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. 2013-9-123

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST TO AN AGREEMENT FOR MAINTENANCE OF PORTIONS OF RIGHT OF WAY ALONG SR15, SR20 AND SR100 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Florida Department of Transportation desires to execute an agreement with the City of Palatka to perform certain maintenance of state roads in order to improve the aesthetic appearance of the City; and

WHEREAS, the City of Palatka desires to execute an agreement with the Florida Department of Transportation to maintain portions of the right-of-way along SR 15, SR 20 and SR100; and

WHEREAS, the term of Maintenance Agreement No. BDU19 began July 29, 2012 and ends July 28, 2013 with options to renew for two periods of one year each; and

WHEREAS, the term of this Renewal #1 shall begin on July 29, 2013 and end on July 29, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Manager and City Clerk are hereby authorized to execute and attest, on behalf of the City of Palatka, Florida, Renewal #1 of Maintenance Agreement BDU19 between the City of Palatka and the Florida Department of Transportation for portions of the right-of-way along SR 15, SR 20 and SR 100.

PASSED AND ADOPTED this 13th day of June, 2013.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

Florida Department of Transportation

RICK SCOTT
GOVERNOR

1109 South Marion Avenue
Lake City, Florida 32025-5874

ANANTH PRASAD, P.E.
SECRETARY

May 8, 2013

City of Palatka
201 N. 2nd Street
Palatka, Florida 32177

Subject	Contract No:	BDU19
	Description:	Renewal #1
	County:	Putnam

Gentlemen:

Enclosed is the Contract Renewal for the Local Agreement for Maintenance. If you agree with this renewal, please execute **(sign and seal)** all five **(5)** copies of this contract, and attach an original **(signed and sealed)** resolution and return it to the address listed below as soon as possible.

Department of Transportation
District Maintenance Contracts – MS 2010
1109 South Marion Avenue
Lake City, Florida 32025

Upon receipt of the completed documents, the renewal agreement will be executed on behalf of the Department and an original will be returned to you.

Thank you for your cooperation.

Sincerely,

Jennifer J Curls
District 2 Maintenance Contracts

Enclosures

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

CONTRACT RENEWAL

375-020-23
CONTRACTS ADMINISTRATION
OGC - 04/06

Contract No.: BDU19 Renewal: (1st, 2nd, etc.) 1st

Financial Project No(s).: 41021437239

County(ies): Putnam

This Agreement made and entered into this ____ day of _____, _____, by and between the State of
(This date to be entered by DOT only.)
Florida Department of Transportation, hereinafter called "Department", and City of Palatka
_____ hereinafter called "Contractor".

WITNESSETH:

WHEREAS, the Department and the Contractor heretofore on this 25th day of May, 2012
(This date to be entered by DOT only)
entered into an Agreement whereby the Department retained the Contractor to perform the maintenance responsibilities for State of Florida Highway System in order to maintain the aesthetic appearance of the SR as identified in Exhibit "A" of the original agreement with the City of Palatka
_____; and

WHEREAS, said Agreement has a renewal option which provides for a renewal if mutually agreed to by both parties and subject to the same terms and conditions of the original Agreement;

NOW, THEREFORE, this Agreement witnesseth that for and in consideration of the mutual benefits to flow each to the other, the parties agree to a renewal of said original Agreement for a period beginning the 29th day of July, 2013 and ending the 28th day of July, 2014 at a cost of $ 51,654.04.

All terms and conditions of said original Agreement shall remain in force and effect for this renewal.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers on the day, month, and year set forth above.

City of Palatka
Name of Contractor

BY: _____
Michael J. Czymbor, City Manager

(SEAL)

ATTEST:

_____
CITY CLERK

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
District Secretary or Designee (Signature)

Title: James Hannigan District Maint Engineer

Legal: _____

Fiscal: _____
Approval as to Availability of Funds

EXHIBIT "A"

CITY OF PALATKA

MAINTENANCE LOCATIONS

STATE ROAD NUMBER	LIMITS
15 (US 17)	From: Farmers Market To: Carter Road
20	From: SR 19 To: Reid Street
100	From: SR 19 To: SR 15 (US 17)

Agenda Item

3b

CITY COMMISSION AGENDA ITEM

SUBJECT: Resolution 2013-9-124: A Resolution of the City of Palatka authorizing execution of Florida Dept. of Corrections Work Squad Contract #WS836, effective August 24, 2013

DEPARTMENT: City Hall Administration

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

SUMMARY: The City of Palatka has for many years contracted with the Florida Department of Corrections for the use of prison work squads that perform a variety of maintenance and infrastructure work for various departments of the City. The City bears the cost of the prison guard, transportation van and equipment/supplies used by the Crew.

Florida DOC has notified the City that this contract is up for renewal. This replaces Contract # WS681, which expires August 23, 2013. The total annual cost of this contract is $58,004.00.

RECOMMENDED ACTION: Adopt Resolution 2013-9-124 to authorize the City Manager's execution of Florida DOC Contract No WS836 to cover one Inmate Work Squad eff. August 24, 2013

DEPARTMENT HEAD	Submitted: B. Driggers for M. Czymbor Requested Agenda Consent	Date: 06-06-13 Date: 06-13-13
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/5/13

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

FLORIDA
DEPARTMENT of
CORRECTIONS

Governor
RICK SCOTT

Secretary
MICHAEL D. CREWS

An Equal Opportunity Employer

501 South Calhoun Street • Tallahassee, FL 32399-2500

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

May 2, 2013

Holly Harris
City of Palatka
201 N 2nd Street
Palatka, Florida 32177

RE: Work Squad Contract #WS836

Dear Ms. Harris:

Attached for signature is the original of Work Squad Contract #WS836 between the Department of Corrections and your organization. This Contract will replace current Contract #WS681 effective **August 24, 2013**.

Please print two (2) copies and have both originals of the enclosed Contracts signed and return both originals to this office, via Express Mail, for further processing as soon as possible. Once the Contract has been executed by the Department, one executed original of the Contract will be returned to you. To provide for a seamless transition in contracting, please have both originals signed and **returned by May 5, 2013**.

As a reminder, please be advised:

- to include the Contract **#(WS836)** on all correspondence;
- **to include the FEID Number on the signature page;**
- that changes to the scope of services cannot be made except through a formal Contract amendment, executed by both parties, and issued by this office; and
- that services may not be provided after the expiration date unless the Contract has been extended or renewed.

If there are any questions, please call me at (850) 717-3661.

Sincerely,

Cristy E. Williams
Cristy E. Williams, GOC I
Bureau of Contract Management and Monitoring

Enclosure

CONTRACT BETWEEN

THE FLORIDA DEPARTMENT OF CORRECTIONS

AND

CITY OF PALATKA

This Contract is between the Florida Department of Corrections ("Department") and City of Palatka ("Agency") which are the parties hereto.

WITNESSETH

WHEREAS, Section 944.10(7) and Section 946.40, Florida Statutes and Rules 33-601.201 and 33-601.202, Florida Administrative Code, provide for the use of inmate labor in work programs;

WHEREAS, inmate labor will be used for the purposes of providing services and performing work under the supervision of the Department's staff;

WHEREAS City of Palatka is a qualified and willing participant with the Department to contract for an inmate work squad(s); and

WHEREAS, the parties hereto find it to be in their best interests to enter into this Contract, and in recognition of the mutual benefits and considerations set forth, the parties hereto covenant and agree as follows:

I. CONTRACT TERM/RENEWAL

A. This Contract shall begin on August 24, 2013 or the last date of signature by all parties, whichever is later.

This Contract shall end at midnight one (1) year(s) from the last date of signature by all parties or August 23, 2014, whichever is later. In the event this Contract is signed by the parties on different dates, the latter date shall control.

B. Contract Renewal

This Contract may be renewed, for one (1) additional one (1) year period after the initial Contract period upon the same terms and conditions contained herein. The Contract renewal is at the Agency's initiative with the concurrence of the Department. The decision to exercise the option to renew should be made no later than sixty (60) days prior to the Contract expiration.

II. SCOPE OF CONTRACT

A. Administrative Functions

1. Each party shall cooperate with the other in any litigation or claims against the other party as a result of unlawful acts committed by an inmate(s) performing services under this Contract between the parties.

2. Each party will retain responsibility for its personnel, and its fiscal and general administrative services to support this Contract.

3. Through their designated representatives, the parties shall collaborate on the development of policies and operational procedures for the effective management and operation of this Contract.

B. Description of Services

1. Responsibilities of the Department

   a. Pursuant to Chapter 33-601.202(2)(a), F.A.C., supervision of the work squad(s) will be provided by the Department. The Department shall provide one (1) Correctional Work Squad Officer position(s) to supervise an inmate work squad(s). This Contract provides for one (1) Work Squad(s) of up to five (5) inmates.

   b. The Department shall ensure the availability of the work squad(s) except: when weather conditions are such that to check the squad(s) out would breach good security practices; when the absence of the Correctional Work Squad Officer is necessary for reasons of required participation in training or approved use of leave; when the Officer's presence is required at the institution to assist with an emergency situation; when the officer is ill; or when the Correctional Work Squad Officer position is vacant. In the event a position becomes vacant, the Department shall make every effort to fill the position(s) within five (5) working days.

   c. For security and other reasons, the Department shall keep physical custody of the vehicles, trailers, and all tools, equipment, supplies, materials and personal work items (gloves, boots, hard hats, etc.) furnished by the Agency. (The Department shall maintain an inventory of all property, expendable and non-expendable, provided by the Agency, which is in the care, custody, and control of the Department.) A hand receipt shall be signed by the Department's Work Squad Supervisor upon the issuance and return of non-expendable items.

   d. In the event of damage to property as a result of an accident charged to a Department employee or blatant acts of vandalism by inmates, or loss of tools and equipment, the Agency may request that the Department replace or repair to previous condition the damaged or lost property.

   e. The Department shall be reimbursed by the Agency for the Department's costs associated with this Contract in accordance with Addendum A.

Once the Agency reimburses the Department for the costs reflected on Addendum A, Section II., these items will be placed on the Department's property records, as appropriate, and upon the end or termination of this Contract such items will be transferred to the Agency.

f. The Department shall, to the maximum extent possible, maintain stability in the inmate work force assigned to the work squad on a day-to-day basis in order to maximize the effectiveness of the work squad.

g. The Department shall provide food and drinks for inmates' lunches.

h. The Department shall be responsible for the apprehension of an escapee and handling of problem inmates. The Department shall provide transportation from the work site to the correctional facility for inmates who refuse to work, become unable to work, or cause a disruption in the work schedule.

i. The Department shall be responsible for administering all disciplinary action taken against an inmate for infractions committed while performing work under this Contract.

j. The Department shall provide for medical treatment of ill or injured inmates and transportation of such inmates.

k. The Department shall provide inmates with all personal items of clothing appropriate for the season of the year.

l. The Department shall be responsible for driving the Correctional Work Squad Officer and the inmates to and from the work site.

m. Both parties agree that the Department is making no representations as to the level of skills of the work squad.

2. <u>Responsibilities of the Agency</u>

a. The Agency shall periodically provide the Department's Contract Manager with a schedule of work to be accomplished under the terms of this Contract. Deviation from the established schedule shall be reported to, and coordinated with, the Department.

b. If required, the Agency shall obtain licenses or permits for the work to be performed. The Agency shall provide supervision and guidance for projects that require a permit or which require technical assistance to complete the project.

c. The Agency shall ensure that all projects utilizing inmates are authorized projects of the municipality, city, county, governmental Agency, or non-profit organization and that private contractors employed by the Agency do not use inmates as any part of their labor force.

d. The Agency shall retain ownership of any vehicles or equipment provided by the Agency for the work squad. The Agency shall maintain its own inventory of transportation, tools and equipment belonging to the Agency.

e. The Agency shall provide vehicles for transportation of the work squads.

3. Communications Equipment

It is the intent of this Contract that the Work Squad have and maintain communication with the institution at all times. A method of communication (radios, cellular phone, etc.), shall be provided at no cost to the Department. The Agency shall provide a primary method of communication that shall be approved by the Contract Manager in writing prior to assignment of the work squad. Depending upon the method of communication provided, the Contract Manager may require a secondary or back-up method of communication.

All radio communication equipment owned or purchased by the Agency that is programmed to the Department's radio frequency and used by the work squad(s), whether purchased by the Department or the Agency, shall be IMMEDIATELY deprogrammed by the Department at no cost to the Agency upon the end or termination of this Contract. Under no circumstances shall the Agency accept the return of radio communications equipment provided to the Department under this Contract until such time as the radio communications equipment has been deprogrammed by the Department.

At the end or termination of this Contract, the Department's Contract Manager will contact the Department's Utility Systems/Communications Engineer in the Bureau of Field Support Services, Central Office, to effect the deprogramming of radio communications equipment provided by the Agency.

a. Vehicle Mounted Radios:

Vehicles provided by the Agency that are or that will be equipped with a mobile/vehicle mounted radio programmed to the Department's radio frequency(ies) will be retained by the Department to ensure security of the communication equipment except for short durations dictated by the need for vehicle and/or communications equipment maintenance and/or repair. The use of these vehicle(s) during the period covered by this Contract shall not be for any purpose other than as indicated in this Contract.

b. Hand Held Radios:

Hand held radios provided by the Agency that are or that will be programmed to the Department's radio frequency(ies) will be retained by the Department to ensure security of the communication equipment except for short durations dictated by the need for maintenance and/or repair. The use of any hand held radio(s) provided by the Agency that is programmed to a Department radio frequency utilized by the Agency during the period covered by this Contract shall not be for any purpose other than as indicated in this Contract.

c. Cellular Phones:

Cellular phones may be utilized by the work squad officer as either a primary or secondary means of communication as approved by the Contract Manager. The Contract Manager shall designate whether the usage of a cellular phone is required on Addendum A. The cellular phone will be retained by the Department and upon the end or termination of this Contract, returned to the Agency. The use of the cellular phone is not authorized for any purposes other than as indicated in this Contract.

4. Other Equipment

The Contract Manager shall determine if an enclosed trailer is required for the work squad to transport tools and equipment utilized in the performance of this Contract and shall notify the Agency when a trailer is necessary. The Contract Manager shall designate whether the usage of an enclosed trailer is required on Addendum A.

If a trailer for the work squad is provided by the Agency at no cost to the Department, and the Department maintains the trailer when the squad is not working, the Agency shall provide an enclosed trailer that can be secured when not in use. All tools and equipment utilized by the work squad shall be secured in the trailer. Upon the end or termination of this Contract, the trailer will be returned to the Agency.

III. COMPENSATION

A. Payment to the Department

1. **Total Operating Capital To Be Advanced By Agency**, as delineated in Section IV., of Addendum A, shall be due and payable upon execution of the Contract. The Department will not proceed with the purchase until payment, in full, has been received and processed by the Department's Bureau of Finance and Accounting. Delays in receipt of these funds may result in start-up postponement or interruption of the services provided by the Work Squad.

2. **Total Costs To Be Billed To Agency By Contract**, as delineated in Section VI., of Addendum A, will be made quarterly, in advance, with the first payment equaling one-fourth of the total amount, due within two (2) weeks after the effective date of the Contract. The second quarterly payment is due no later than the 20th day of the last month of the first Contract quarter. Payment for subsequent consecutive quarters shall be received no later than the 20th day of the last month of the preceding Contract quarter.

3. In the event the Correctional Work Squad Officer position becomes vacant and remains vacant for a period of more than five (5) working days, the next or subsequent billing will be adjusted by the Department for services not provided.

4. The Agency shall insure any vehicles owned by the Agency used under this Contract.

5. The rate of compensation shall remain in effect through the term of the Contract or subsequent to legislative change. In the event there is an increase/decrease in costs identified in Addendum A, this Contract shall be amended to adjust to such new rates.

B. Official Payee

The name and address of the Department's official payee to whom payment shall be made is as follows:

Department of Corrections
Bureau of Finance and Accounting
Attn: Professional Accountant Supervisor
Centerville Station
Call Box 13600
Tallahassee, Florida 32317-3600

C. Submission of Invoice(s)

The name, address and phone number of the Agency's official representative to whom invoices shall be submitted to is as follows:

Holly Harris, Accounts Payable
City of Palatka
201 North 2nd Street
Palatka, Florida 32177
Fax: (386) 326-2741
Email: hharris@palatka-fl.gov

IV. CONTRACT MANAGEMENT

The Department will be responsible for the project management of this Contract. The Department has assigned the following named individuals, address and phone number as indicated, as Contract Manager and Contract Administrator for the Project.

A. Department's Contract Manager

The Warden of the Correctional Institution represented in this Contract is designated Contract Manager for the Department and is responsible for enforcing performance of the Contract terms and conditions and shall serve as a liaison with the Agency. The position, address and telephone number of the Department's Contract Manager for this Contract is:

Warden
Putnam Correctional Institution
128 Yelvington Road
East Palatka, Florida 32131
Telephone: (386) 326-6800

B. Department's Contract Administrator

The Contract Administrator for the Department is responsible for maintaining a Contract file on this Contract service and will serve as a liaison with the Contract Manager for the Department. The address and telephone number of the Department's Contract Administrator for this Contract is:

Operations Manager, Contract Administration
Bureau of Contract Management and Monitoring
501 South Calhoun Street
Tallahassee, FL 32399-2500
Phone: (850) 717-3681
Fax: (850) 488-7189

C. Agency's Representative

The name, address and telephone number of the representative of the Agency is:

Michael J. Czymbor, City Manager
City of Palatka
201 North 2nd Street
Palatka, Florida 32177
Telephone: (386) 329-0100

D. Changes to Designees

In the event that different representatives are designated by either party after execution of this Contract, notice of the name and address of the new representatives will be rendered in writing to the other party and said notification attached to originals of this Contract.

V. CONTRACT MODIFICATIONS

Modifications to provisions of this Contract shall only be valid when they have been rendered in writing and duly signed by both parties. The parties agree to renegotiate this Contract if stated revisions of any applicable laws, regulations or increases/decreases in allocations make changes to this Contract necessary.

VI. TERMINATION/CANCELLATION

Termination at Will

This Contract may be terminated by the Agency upon no less than sixty (60) calendar days notice and upon no less than thirty (30) calendar days by the Department, without cause, unless a lesser time is mutually agreed upon by both parties. Notice shall be delivered by certified mail (return receipt requested), by other method of delivery whereby an original signature is obtained, or in-person with proof of delivery. In the event of termination, the Department shall be paid for all costs incurred and hours worked up to the time of termination. The Department shall reimburse the Agency for any advance payments, prorated as of the last day worked.

VII. CONDITIONS

A. Records

The Department and the Agency agree to maintain books, records and documents (including electronic storage media) in accordance with generally accepted accounting procedures and practices.

The Department and the Agency agree to allow public access to all documents, papers, letters, or other materials subject to the provisions of Chapter 119 of the Florida Statutes, and made or received by the Agency in conjunction with this Contract. It is expressly understood that substantial evidence of either the Department's or the Agency's refusal to comply with this provision shall constitute a breach of Contract.

B. Annual Appropriation

The Department's performance under this Contract is contingent upon an annual appropriation by the legislature. It is also contingent upon receipt of payments as outlined in Addendum A and in Section III, COMPENSATION.

C. Disputes

Any dispute concerning performance of the Contract shall be resolved informally by the Contract Manager. Any dispute that can not be resolved informally shall be reduced to writing and delivered to the Assistant Secretary of Institutions. The Assistant Secretary of Institutions, shall decide the dispute, reduce the decision to writing, and deliver a copy to the Agency with a copy to the Contract Administrator and Contract Manager.

D. Force Majeure

Neither party shall be liable for loss or damage suffered as a result of any delay or failure in performance under this Contract or interruption of performance resulting directly or indirectly from acts of God, civil, or military authority, acts of public enemy, war, riots, civil disturbances, insurrections, accidents, fire, explosions, earthquakes, floods, water, wind, lightning, strikes, labor disputes, shortages of suitable parts, materials, labor, or transportation to the extent such events are beyond the reasonable control of the party claiming excuse from liability resulting there from.

E. Severability

The invalidity or unenforceability of any particular provision of this Contract shall not affect the other provisions hereof and this Contract shall be construed in all respects as if such invalid or unenforceable provision was omitted.

F. Verbal Instructions

No negotiations, decisions, or actions shall be initiated or executed by the Agency as a result of any discussions with any Department employee. Only those communications which are in writing from the Department's administrative or project staff identified in Section IV, CONTRACT MANAGEMENT, of this Contract shall be considered as a duly authorized expression on behalf of the Department. Only communications from the Agency that are signed and in writing will be recognized by the Department as duly authorized expressions on behalf of the Agency.

G. No Third Party Beneficiaries

Except as otherwise expressly provided herein, neither this Contract, nor any amendment, addendum or exhibit attached hereto, nor term, provision or clause contained therein, shall be construed as being for the benefit of, or providing a benefit to, any party not a signatory hereto.

H. Utilization of E-Verify

As required by State of Florida Executive Order Number 11-116, the Contractor identified in this Contract is required to utilize the U.S. Department of Homeland Security's E-Verify system to verify employment eligibility of: all persons employed during the contract term by the Contractor to perform employment duties pursuant to the Contract, within Florida; and all persons, including subcontractors, assigned by the Contractor to perform work pursuant to the Contract with the Department. (http://www.uscis.gov/e-verify) Additionally, the Contractor shall include a provision in all subcontracts that requires all subcontractors to utilize the U.S. Department of Homeland Security's E-Verify system to verify employment eligibility of: all persons employed during the contract term by the Contractor to perform work or provide services pursuant to this Contract with the Department.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK

Waiver of breach of any provision of this Contract shall not be deemed to be a waiver of any other breach and shall not be construed to be a modification of the terms of this Contract.

This Contract will be governed by and construed in accordance with the laws of the State of Florida. Any action hereon or in connection herewith shall be brought in Leon County, Florida.

This Contract and Addendum A contain all of the terms and conditions agreed upon by the parties.

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

AGENCY: CITY OF PALATKA

SIGNED BY: _____

NAME: Michael J. Czymbor

TITLE: City Manager

DATE: _____

FEID #: 59-6000401

ATTEST:

_____
CITY CLERK

DEPARTMENT OF CORRECTIONS

SIGNED BY: _____

NAME: **Michael D. Crews**

TITLE: **Secretary**
Department of Corrections

DATE: _____

Approved as to form and legality, subject to execution.

SIGNED BY: _____

NAME: **Jennifer A. Parker**

TITLE: **General Counsel**
Department of Corrections

DATE: _____

Addendum A
Inmate Work Squad Detail of Costs for City of Palatka
Interagency Contract Number WS836 Effective August 24, 2013

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

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

			Per Officer Annual Cost		Total Annual Cost
Officers Salary	# Officer: Multiplier	1	$ 54,194.00	**	$ 54,194.00
Salary Incentive Payment			$ 1,128.00		$ 1,128.00
Repair and Maintenance			$ 121.00		$ 121.00
State Personnel Assessment			$ 399.00		$ 399.00
Training/Criminal Justice Standards			$ 200.00		$ 200.00
Uniform Purchase			$ 400.00		$ 400.00
Uniform Maintenance			$ 350.00		$ 350.00
Training/Criminal Justice Standards *			$ 1,642.00		
Technology Fee			$ 462.00		$ 462.00
TOTAL - To Be Billed By Contract To Agency			$ 58,896.00		$ 57,254.00

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

IA. **The Overtime Hourly Rate of Compensation for this Contract is $31.85, if applicable.** (The Overtime Hourly Rate of Compensation shall include the average hourly rate of pay for a Correctional Officer and the average benefit package provided by the department, represented as time and one half for purposes of this Contract.)

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

III. ADDITIONAL AGENCY EXPENSES:

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

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

Addendum A
Inmate Work Squad Detail of Costs for City of Palatka
Interagency Contract Number WS836 Effective August 24, 2013

IV. OPERATING CAPITAL TO BE ADVANCED BY AGENCY:			Per Unit Cost	Number of Units	Total Cost	Bill To Agency	Provided By Agency	Already Exists
Hand Held Radio	MACOM	$4833.00		1	$ -			X
Vehicle Mounted Radio	MACOM	$5119.00			$ -			
TOTAL Operating Capital To Be Advanced By Agency					$ -			

V. TOTAL COSTS TO BE ADVANCED BY AGENCY:	Total Cost
1. Operating Capital - from Section IV.	$0.00
2. Grand Total - To Be Advanced By Agency At Contract Signing:	$0.00

VI. TOTAL COSTS TO BE BILLED TO AGENCY BY CONTRACT:	Total Cost
1. Correctional Officer Salaries and Position-Related Expenses - from Section I.	$57,254.00
2. Other Related Expenses and Security Supplies - from Section II.	$750.00
3. Grand Total - To Be Billed To Agency By Contract:	$58,004.00

VII. TOTAL OF ALL COSTS ASSOCIATED WITH CONTRACT: $58,004.00
(Total of Sections V. and VI.)

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

Addendum A - INSTRUCTIONS
Inmate Work Squad Detail of Costs for City of Palatka
Interagency Contract Number WS836 Effective August 24, 2013

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

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

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

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

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

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

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

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

Agenda Item

3c

CITY COMMISSION AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, approving the selection of Coldwell Banker Commercial/Ben Bates, Inc. as sole respondent to RFP #13-002 for Continuing Professional Real Estate Services, and authorizing the City Manager to negotiate a contract for services - Adopt

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: _____Ordinance __X__Resolution ___ Motion
__X___Support Documents _____Other

SUMMARY:
Staff previously identified 19 city-owned properties that potentially could be sold to private buyers (attached). Partly based on the need to dispense with such properties, the City Manager formed a staff committee to select a real estate contractor. On May 16 at 1:30 PM committee members Thad Crowe, Don Holmes, and Charles Rudd met to evaluate respondents for the City's real estate RFQ. The Committee went over the response of the sole respondent, Coldwell Banker Commercial Ben Bates, Inc. and determined that all minimum requirements were met and required submittals were provided. The Committee determined that the respondent was qualified to provide ongoing real estate services for the City and agreed to advance the response with a favorable recommendation to the City Commission for a final contract decision. Any future project specific Task Order or will be processed and approved in accordance with the City's procurement policy.

RECOMMENDED ACTION: Adopt Resolution No 2013-9-_____ selecting Coldwell Banker Commercial Ben Bates, Inc. as the City's real estate services contractor and authorizing the City Manager to negotiate a contract for continuing services.

DEPARTMENT HEAD	Submitted: Thad Crowe	Date: 05/29/2013
	Requested Agenda Regular	Date: 06/13/2013
FINANCE DEPARTMENT	Budgeted ✓ Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/4/13

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

\\Fdle\public\B&ZShared\Ordinances\Cover Memos\6\13\2013\Real Estate Consulting Services.docx

RESOLUTION No. 13 -

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, SELECTING COLDWELL BANKER COMMERCIAL/BEN BATES, INC AS THE SOLE RESPONDENT TO RFQ 13-002, TO PROVIDE PROFESSIONAL REAL ESTATE SERVICES, AND AUTHORIZING THE CITY MANAGER TO BEGIN CONTRACT NEGOTIATIONS FOR SERVICES

WHEREAS, on March 15, 2013 the City of Palatka (the **City**) issued Request for Qualifications 13-002 (the **RFQ**) for continuing Professional Real Estate Services; and

WHEREAS, on May 6, 2013 the **City** received one response to the **RFQ** from Coldwell Banker Commercial/Ben Bates, Inc. (**Respondent**), which has been reviewed by the Real Estate Services Evaluation Committee (the **Evaluation Committee**); and

WHEREAS, the **Evaluation Committee** recommends acceptance of the sole response to the **RFQ** and award of bid to **Respondent**; and

WHEREAS, the **City** wishes to negotiate a Continuing Services Contract with **Respondent**; however, there is no guarantee of future work for **Respondent**; and

WHEREAS, any future specific Task Orders will be processed and approved in accordance with the **City**'s procurement policy; and

WHEREAS, the **City Commission** deems it reasonable and necessary select Coldwell Banker Commercial/Ben Bates, Inc. as sole respondent to RFP #13-002 for Professional Real Estate Consulting Services.

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

1. That the firm of Coldwell Banker Commercial/Ben Bates, Inc. is hereby selected and approved as sole respondent to the RFQ to provide Real Estate Consulting services; and

2. That the City Manager is hereby authorized to begin contract negotiations with Coldwell Banker Commercial/Ben Bates, Inc. for said services, provided such agreement is 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 13th day of June, 2013.

CITY OF PALATKA

_____

By: Its MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM
AND CORRECTNESS:

_____

CITY ATTORNEY

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: bdriggers@palatka-fl.gov

Memorandum

To: Real Estate Consulting Services RFQ Evaluation Committee Members
Planning Director Thad Crowe, Main Street Mgr. Charles Rudd,
City Attorney Don Holmes

CC: Michael J. Czymbor, City Manager

From: Betsy Driggers, City Clerk

Date: May 6, 2013

Re: Response to Real Estate Consulting Services RFQ

On Friday, May 3, the City of Palatka received responses to its Real Estate Consulting Services RFQ. As advertised, these responses were due at 2:00 p.m. at 205 N. 2nd Street (Building, Zoning & Planning).

One response was received. The sole respondent is Caldwell Bankerk Commercial Ben Bates, Inc., represented by C. Ben Bates, Jr. and Marc G. Spalding. A copy of that response is attached to this memorandum, together with a copy of the RFQ Document as it was advertised and distributed.

Your Committee should set up a meeting to determine whether or not this response meets the requirements of the RFQ and to begin the selection and/or rejection process. Please advise me of the date and time of your meeting(s) so I can post it in accordance with Florida Sunshine regulations. Someone at your meeting should take minutes of those proceedings and provide a copy of them to me for the file.

Request for Qualifications (RFQ) 13-002
For Professional Real Estate Services

The City of Palatka, FL is seeking qualifications from individuals or firms interested in providing Professional Real Estate Services to the City of Palatka. The contract for services shall be for a period ending in 2016, with four possible one year extensions. The RFQ guideline package will be available through Demand Star's website at www.demandstar.com, document number RFQ-002 and will be available on the City's website. The RFQ package can also be obtained by email from Thad Crowe at tcrowe@palatka-fl.gov responses to the RFQ are due on or before 2:00 PM May 3, 2013 and must be mailed or delivered to:

Mr. Thad Crowe, Planning Director
City of Palatka
201 N 2nd St.
Palatka, Florida 32177

The City reserves the right to accept or reject any and all responses, to waive irregularities, and to re-advertise as may be determined to be in the best interest of the . The City accepts no responsibility for any response not reaching the prescribed delivery point within the time period stipulated. The City of Palatka is an Equal Opportunity Employer.

End of Advertisement

Line Legal Classified – Run Date 20, 2013 (if possible)
PROOF OF ADVERTISEMENT REQUESTED
Send editing proof with cost of advertisement to
Betsy Driggers, City Clerk, City of Palatka
201 N. 2nd Street, Palatka FL 32177
bdriggers@palatka-fl.gov; ph 386-329-0100 ext 211

COLDWELL BANKER

BEN BATES, INC.,
REALTOR

3400 CRILL AVENUE, SUITE #1
PALATKA, FL 32177

BUS. (386) 328-6716
FAX (386) 328-0551

May 3, 2013

Mr. Thad Crowe, Planning Director
City of Palatka
201 N. 2nd St
Palatka, FL 32177

Dear Mr. Crowe:

This is to acknowledge that Coldwell Banker Commercial Ben Bates, Inc. is responding to your Request for Qualifications (RFQ) 13-002 for professional real estate services to the City of Palatka.

This further acknowledges that all terms and conditions of the RFQ are understood and acknowledged.

Our office, located at 3400 Crill Avenue, Suite 1, Palatka, FL, will provide the required services to the City of Palatka. Our main service area is Putnam County, FL, but we have coverage throughout Florida, the United States and some 50 counties and/or territories.

We look forward to being of service to you and the City of Palatka.

Sincerely,

C. Ben Bates, Jr.

Marc G. Spalding

Request for Qualifications of Professional Real Estate Broker/Consulting Services
Due Date: May 3, 2013
Responder Name: C. Ben Bates, Jr.

RESPONSE TO
CITY OF PALATKA
REQUEST FOR QUALIFICATIONS

1. **REQUIRED SUBMITTALS** (reference to paragraphs 6 & 7 of RFQ)

   A. Statement of Insurance Compliance
   B. Responders Certification Form
   C. Compliance with Public Records Law Form
   D. Copy of IRS Form W-9
   E. Responder Documents
      1. Copy of Florida Real Estate Licenses
      2. Three Business References
   F. Corporate Information
   G. Exhibit "A" (Contact Sheet)
   H. Exhibit "B" (Sworn Statement Under F.S. Section 287.133(3)(A), On Public Entity Crimes)
   I. Exhibit "C" (Drug-Free Workplace Certification)
   J. Exhibit "D" (E-Verify Statement)
   K. Exhibit "E-1" (Respondent's Certification)
   L. Exhibit "E-2" (Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion)
   M. Vendor or Contractor Conflict of Interest Disclosure Form

2. **QUALIFICATIONS AND EXPERIENCE / RESUME** (reference to paragraph 8 of RFQ)

3. **APPROACH TO WORK** (reference to paragraph 9 of RFQ)

4. **KNOWLEDGE OF LOCAL MARKET CONDITIONS** (reference to paragraph 10 of RFQ)

5. **HOURLY RATE / FEE SCHEDULE** (reference to paragraph 11 of RFQ)

6. **OTHER DOCUMENTS**

   A. Scope of Services (reference to paragraph 2 of RFQ)
   B. Flyer – Coldwell Banker Commercial At A Glance
   C. Flyer – Coldwell Banker Commercial Leader In Brand Awareness
   D. Flyer – Coldwell Banker Quotable For 2012
   E. Flyer – Coldwell Banker Previews International
   F. Flyer – Coldwell Banker University
   G. Flyer – Coldwell Banker Distribution List
   H. Flyer – Real Trends Top 500 Report
   I. Flyer – Pie Chart Of Coldwell Banker Market Share

STATEMENT OF INSURANCE COMPLIANCE

The undersigned agrees to obtain prior to award, if selected, Professional Insurance coverage in accordance with the requirements as set forth in the Request for Qualification attached hereto.

Policies other than State Issued Worker's Compensation shall be issued only by companies authorized by maintaining certificates of authority issued to the companies by the Department of Insurance of the State of Florida to conduct business in the State of Florida and which maintain a Rating of "A" or better and a Financial Size category of "VII" or better according to the A.M. Best Company. Policies for Worker's Compensation may be issued by companies authorized as a group self-insurer by F.S. 440.57, Florida Statutes.

C. Ben Bates, Jr.
Responder

Authorized Signature

President
Officer Title

5-3-13
Date

THIS FORM MUST BE COMPLETED AND RETURNED WITH THE RESPONSE

RESPONDER'S CERTIFICATION

I have carefully examined the Request for Qualifications, Instructions to Responders, General and/or Special Conditions, Specifications, and any other documents accompanying or made a part of this Request for Qualifications.

I hereby propose to furnish the services specified in the Request for Qualifications at the prices, rates or discounts quoted in my response. I agree that my response will remain firm for a period of up to one hundred twenty (120) days in order to allow the City adequate time to evaluate the responses.

I agree to abide by all conditions of this response and understand that a background investigation may be conducted by the Palatka Police Department prior to award.

I certify that all information contained in this response is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this response on behalf of the Responder and that the Responder is ready, willing and able to perform if awarded the contract.

I further certify, under oath, that this response is made without any prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a response; no officer, employee or agent of the City of Palatka or of any other Responder has any interest in said response; and that the undersigned executed this Responder's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

C. Ben Bates, Jr.
Responder

Authorized Signature

President
Officer Title

5-3-13
Date

THIS FORM MUST BE COMPLETED AND RETURNED WITH THE RESPONSE

COMPLIANCE WITH PUBLIC RECORDS LAWS

Upon award recommendation or ten (10) days after opening, responses become "public records" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes. Responders must invoke the exemptions to disclosure provided by law in the response to the solicitation, and must identify the data or other materials to be protected, and must state the reasons why such exclusion from public disclosure is necessary. The response of a response to the RFQ authorizes release of the Responder's credit data to the City.

If the Responder submits information exempt from public disclosure, the Responder must identify with specificity which pages/paragraphs of their response package are exempt from the Public Records Act, identifying the specific exemption section that applies to each. The protected information must be submitted to the City in a separate envelope marked accordingly.

By responding to this solicitation, the Responder agrees to defend the City in the event we are forced to litigate the public records status of the Responder's documents.

C Ben Bates, Jr.
Responder

Authorized Signature

President
Officer Title

5-3-13
Date

THIS FORM MUST BE COMPLETED AND RETURNED WITH THE RESPONSE

Form **W-9**
(Rev. January 2003)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name
BEN BATES, INC.

Business name, if different from above

Check appropriate box: ☐ Individual/ Sole proprietor ☑ Corporation ☐ Partnership ☐ Other ▶ ☐ Exempt from backup withholding

Address (number, street, and apt. or suite no.)
3400 CRILL AVENUE, SUITE 1

Requester's name and address (optional)

City, state, and ZIP code
PALATKA, FL 32177

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). **However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3.** For other entities, it is your employer identification number (EIN). If you do not have a number, see **How to get a TIN** on page 3.

Social security number
| | | | | | | | | |

or

Employer identification number
| 5 | 9 | - | 1 | 6 | 2 | 3 | 9 | 2 | 4 |

Note: *If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.*

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
2. I am not subject to backup withholding because: **(a)** I am exempt from backup withholding, or **(b)** I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or **(c)** the IRS has notified me that I am no longer subject to backup withholding, **and**
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item **2** above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item **2** does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here Signature of U.S. person ▶ Linda Coon Date ▶ 5/3/13

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: *If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.*

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see **Pub. 515,** Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

THIS DOCUMENT HAS A COLORED BACKGROUND • MICROPRINTING • LINEMARK™ PATENTED PAPER

AC#5941837

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF REAL ESTATE

SEQ# L12011001114

DATE	BATCH NUMBER	LICENSE NBR
01/10/2012	110247220	CQ156909

The CORPORATION
Named below HAS REGISTERED
Under the provisions of Chapter 475 FS.
Expiration date: MAR 31, 2014

BEN BATES INC
COLDWELL BANKER BEN BATES INC
3400 CRILL AVE #1
PALATKA FL 32177

RICK SCOTT
GOVERNOR

KEN LAWSON
SECRETARY

DISPLAY AS REQUIRED BY LAW

THIS DOCUMENT HAS A COLORED BACKGROUND • MICROPRINTING • LINEMARK™ PATENTED PAPER

AC#5972517

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF REAL ESTATE

SEQ# L12020600994

DATE	BATCH NUMBER	LICENSE NBR
02/06/2012	118123230	BK138953

The BROKER
Named below IS LICENSED
Under the provisions of Chapter 475 FS.
Expiration date: MAR 31, 2014

BATES, CHARLES B JR
111 LATESHA TERRACE
PALATKA FL 32177

RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF REAL ESTATE

LICENSE NUMBER	
BK475517	

The BROKER
Named below IS LICENSED
Under the provisions of Chapter 475 FS.
Expiration date: MAR 31, 2015

SPALDING, MARC GRIFFIN PA
1900 MOSELEY AVE
PALATKA FL 32177-5925

VIVA FLORIDA

RICK SCOTT
GOVERNOR

ISSUED: 02/28/2013 SEQ # L1302280002529
DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

BUSINESS REFERENCES

1. Rick Leary
   Putnam County Manager
   2509 Crill Ave.
   Palatka, FL 32177
   (386)329-0212

2. Wayne McClain
   Putnam State Bank and Beck Automotive
   420 N. Palm Ave.
   Palatka, FL 32177
   (386)937-2432

3. Shelley Merritt-Dietz
   Physician Services Market Director
   Putnam Community Medical Center
   611 Zeagler Dr.
   Palatka, FL 32177
   (386)326-7793

Detail by Entity Name

Florida Profit Corporation

BEN BATES, INC.

Filing Information

Document Number	487863
FEI/EIN Number	591623924
Date Filed	10/16/1975
State or Country	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	07/11/1997
Event Effective Date	NONE

Principal Address

3400 CRILL AVENUE
SUITE 1
PALATKA, FL 32177

Changed: 04/17/1998

Mailing Address

3400 CRILL AVENUE
SUITE 1
PALATKA, FL 32177

Changed: 04/17/1998

Registered Agent Name & Address

BATES, CHARLES BJR
3400 CRILL AVENUE
SUITE 1
PALATKA, FL 32177

Name Changed: 01/19/2011

Address Changed: 01/21/2005

Officer/Director Detail

Name & Address

Title PD

BATES, CHARLES BJR

111 LATESHA TERRACE
PALATKA, FL 32177

Title STD

BATES, KATHI P
111 LATESHA TERRACE
PALATKA, FL 32177

Annual Reports

Report Year	Filed Date
2011	01/19/2011
2012	02/01/2012
2013	01/16/2013

Document Images

01/16/2013 -- ANNUAL REPORT	View image in PDF format
02/01/2012 -- ANNUAL REPORT	View image in PDF format
01/19/2011 -- ANNUAL REPORT	View image in PDF format
03/04/2010 -- ANNUAL REPORT	View image in PDF format
04/24/2009 -- ANNUAL REPORT	View image in PDF format
04/30/2008 -- ANNUAL REPORT	View image in PDF format
02/06/2007 -- ANNUAL REPORT	View image in PDF format
04/28/2006 -- ANNUAL REPORT	View image in PDF format
01/21/2005 -- ANNUAL REPORT	View image in PDF format
02/19/2004 -- ANNUAL REPORT	View image in PDF format
03/10/2003 -- ANNUAL REPORT	View image in PDF format
03/26/2002 -- ANNUAL REPORT	View image in PDF format
03/19/2001 -- ANNUAL REPORT	View image in PDF format
09/12/2000 -- ANNUAL REPORT	View image in PDF format
01/22/1999 -- ANNUAL REPORT	View image in PDF format
04/17/1998 -- ANNUAL REPORT	View image in PDF format
07/11/1997 -- REINSTATEMENT	View image in PDF format

Events Name History

Entity Name Search
Search

Return to Search Results

Home | Contact us | Document Searches | E-Filing Services | Forms | Help |

Copyright © and Privacy Policies
State of Florida, Department of State

EXHIBIT "A"

CONTACT SHEET

CITY OF PALATKA, FL

****

Name: Coldwell Banker Ben Bates, Inc.

Federal Taxpayer ID: 59-1623924

Mailing Address: 3400 Crill Ave, Suite 1

City, State, & Zip Code: Palatka, FL 32177

Telephone: (386) 328-6716 **Fax:** (386) 328-0551

Cell Phone: (386) 937-2691

Email: benbates@coldwellbanker.com

Submitted By: C Ben Bates, Jr.

Title: President

Vendor Accepts Credit Cards*: Yes (No) (Please Circle)

Accounting Contact:
Name: Linda Cason **Title:** Office Manager

Email Address: cbbates@bellsouth.net **Phone:** (386) 328-6716

***See preferred method of payment under "Prompt Payment Act" section of the General Conditions**

EXHIBIT "B"

CITY OF PALATKA, FLORIDA SWORN STATEMENT UNDER F.S. SECTION 287.133(3)(A), ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Qualifications, Proposal or Contract for real estate services.

2. This sworn statement is submitted by (entity) Ben Bates, Inc. whose business address is 3400 Gill Ave, Suite 1, Palatka, FL 32177 and (if applicable) Federal Employer Identification Number (FEIN) is 59-1623924 (If a Sole Proprietor and you have no FEIN, include the last four (4) digits of your Social Security Number: _____.)

3. My name is C. Ben Bates, Jr. and my relationship to the entity named above is President.

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

5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a)(b), Florida Statutes, means finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

   1. A predecessor or successor of a person convicted of a public entity crime; or

   2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The City of Palatka, Florida ownership by one of shares constituting a controlling income among persons when not for fair interest in another

EXHIBIT "C"

DRUG-FREE WORKPLACE CERTIFICATION

The below-signed Proposer certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition.

2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

3. Give each employee engaged in providing the commodities or services a copy of the statement specified in paragraph 1.

4. In the statement in paragraph 1., notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee understands the terms of the statement and will notify the employer of any conviction of, or plea of nolo contendre to, any violation occurring in the workplace no later than five (5) working days after such conviction.

5. Impose a sanction on, or require fine satisfactory participation in drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.

6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement, I Certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: Coldwell Banker Ben Bates, Inc

CITY: Palatka STATE: FL ZIP CODE: 32177

TELEPHONE NUMBER(S): (386) 328-6716

CELL PHONE: (386) 937-2691 EMAIL: benbates@coldwellbanker.com

SIGNATURE: [signature]

NAME (TYPED OR PRINTED): C. Ben Bates, Jr. TITLE: President

EXHIBIT "D"

E-VERIFY STATEMENT

Bid/Proposal/RFQ Number: RFQ No. 13-002

Project Description: Request For Qualifications (RFQ) 13-002 For Professional Real Estate Services

Vendor/Consultant acknowledges and agrees to the following:

Vendor/Consultant shall utilize the U.S. Department of Homeland Security's E-Verify system, in accordance with the terms governing use of the system, to confirm the employment eligibility of:

1. All persons employed by the Vendor/Consultant during the term of the Contract to perform employment duties within Florida; and

2. All persons, including subcontractors, assigned by the Vendor/Consultant to perform work pursuant to the contract with the Department.

Company/Firm: Coldwell Banker Ben Bates, Inc.

Contact Name (Print): C Ben Bates, Jr.

Authorized Signature:

Title: President

Date: 5-3-13

EXHIBIT "E-1"

RESPONDENT'S CERTIFICATION

I have carefully examined the Request for Qualification (RFQ), the other related documents identified in the RFQ, and the following Addenda, receipt of all which is hereby acknowledged:

Addendum No.	Addendum Date
____	_____
____	_____

1. I hereby propose to furnish the goods or services specified in the Request for Qualification. I agree that my qualification will remain firm for a period of 365 days in order to allow the City adequate time to evaluate the qualifications.

2. I certify that all information contained in this qualification is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this qualification on behalf of the firm as its act and deed and that the firm is ready, willing and able to perform if awarded the contract.

3. The applicant certifies to the best of his/her knowledge and belief, that his/her principals:

    a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;

    b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, Local) transaction or contract under a public transaction; violation of Federal or State antitrust statues or falsification or destruction of records, making false statements, or receiving stolen property;

    c. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, Local) with commission of any of the offenses enumerated in paragraph 1.b of this certification; and

    d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, Local) terminated for cause or default.

4. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall submit an explanation to the City of Palatka, City Manager.

EXHIBIT "E-2"

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

TO BE COMPLETED BY ALL SUB-CONSULTANTS

Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Company/Firm: Coldwell Banker Ben Bates, Inc.

Printed Name & Title: C. Ben Bates, Jr., President

Authorized Signature: CBBatesJr

Date: 5-3-13

CITY OF PALATKA

VENDOR OR CONTRACTOR CONFLICT OF INTEREST DISCLOSURE FORM

Coldwell Banker Ben Bates, Inc.
ENTITY COMPLETING FORM

3400 Crill Ave, Suite 1
ADDRESS

Palatka, FL 32177 (386) 328-6716
CITY, STATE, ZIP TELEPHONE NUMBER

benbates@coldwellbanker.com
CONTACT EMAIL ADDRESS

This form is provided with:

☐ Invitation to Bid ☒ Request for Proposal / Qualifications ☐ Proposal ☐ Grant or Loan Request ☐ Other

1. Has your business entity or any of your business entities' partners, divisions, or any related business entity previously performed work or provided goods or services to any City Department within the current or last fiscal year?

☒ ? Yes ☐ No

If yes, identify below the City Department that received the goods or services, the type(s) of goods or services previously provided, and the amount received for the provision of such goods or services. (Use additional pages if necessary)

CITY DEPARTMENT	TYPE OF GOODS/SERVICES	AMOUNT RECEIVED
Palatka Gas Authority (PGA) (In Abundance of Caution)	Marc Spalding serves as a Board Member of the PGA and as a function of the Board, has given advice to the PGA but has never asked for or received compensation from the PGA.	-none-

2. Has your business entity or any of your business entities' partners, divisions, or any related business entity previously applied for and received any grants or loans from any City Department within the current or last fiscal year?

☐ Yes ☒ No

If yes, identify the City Department that awarded the grant or loan, the date such grant or loan was awarded, and the amount of the grant or loan.

CITY DEPARTMENT	DATE GRANT AWARDED	AMOUNT OF GRANT OR LOAN

QUALIFICATIONS AND EXPERIENCE

C. Ben Bates, Jr.

I am a graduate of Valdosta State College and came to Palatka in 1967 as a high school teacher and coach. After three years of teaching and coaching, I was drafted and served my country for two years, receiving an honorable discharge in 1973.

Upon my return to Palatka, together with a business partner, we formed a real estate and insurance agency. I became sole owner in 1979 with a dream and goal to build the largest, most productive real estate and insurance agency in Putnam County.

I became affiliated with Coldwell Banker in 1984 and my real estate firm continues to be the leading real estate agency in Putnam County in terms of production and size.

I am also a member of Coldwell Banker Commercial Division and together with the Coldwell Banker Residential Division, provide total market coverage for my company's real estate needs.

As stated earlier, I have been a licensed real estate broker since 1975. I have practiced my entire career in Putnam County. I have been an active member of the real estate community serving both the local and the state level. I served many years as chairman of the Putnam County Planning Commission, have been involved in development projects, vacant land and commercial projects over the years.

Over the years I have been very involved in Putnam County and have been honored to have served in many areas. I have been President of the Palatka High Booster Club, Palatka Toastmasters Club, Downtown Palatka Kiwanis Club, Putnam County Board of Realtors, Putnam County Chamber of Commerce, The Hiawatha Condo Association, Rodeheaver Boy's Ranch and Chairman of the Board of Putnam County Medical Center. I am currently serving as Chairman of Putnam County Economic Development Council. I am presently serving as education chairman for the Florida Association of Insurance Agents. I was honored in 1979 as being the outstanding young man in Putnam County by receiving the Jaycees DAS for Putnam County.

QUALIFICATIONS AND EXPERIENCE

Marc G. Spalding

I was born and raised in Palatka. I have been in real estate for 28 years and with Coldwell Banker for 25 years. I am currently the Manager of Coldwell Banker Commercial Ben Bates, Inc. Commercial Division, Manager of Coldwell Banker Ben Bates, Inc. Management Division and Co-Manager of Coldwell Banker Ben Bates, Inc. Residential Division.

I have been involved in many commercial acquisitions working with buyers and/or sellers to include government agencies, large corporations and private individuals, as well as assemblage of multiple properties for commercial development. I have also been involved in the development of commercial and residential development within the city of Palatka and Putnam County.

I am a past president of the Rodeheaver Boys Ranch. I am currently either a member or board of director of the following clubs and organizations: Kiwanis Club of the Azalea City, Palatka Gas Authority, Putnam County Chamber of Commerce, City of Palatka Zoning Board of Adjustment, Putnam County Planning Commission, Palatka Main Street, Putnam County Board of Realtors and Northeast Florida Association of Realtors.

I am married to Linda Kaye Johnson Spalding and we have two daughters, Whitney and Marcy.

APPROACH TO WORK

Mr. Bates and Mr. Spalding have been the leaders in the commercial real estate market for years and are up to date with the necessary services required to perform any assignments by the City. Both have experience in the sale of property, the development of property, the management of properties, working with the judicial system in all areas of properties to include partitions, tax deeds, bankruptcy sales, receiverships, etc.

The City is the client and Mr. Bates and Mr. Spalding has worked extremely hard over the years with all parties to include appraiser's office, the City and other jurisdiction entities to ensure proper and legal communications with all parties.

Mr. Bates and Mr. Spalding have been involved over the years working with potential new entities looking to come to our county and city and understand the procedures required to ensure that all activities are legal, etc.

KNOWLEDGE OF LOCAL MARKET CONDITIONS

a) List of local projects (clients) within the past three (3) years.

1. Race Trac Petroleum Inc.
   Robert Sucher
   3225 Cumberland Blvd, Suite 100
   Atlanta, GA 30339
   (770)431-7600

   Race Way – one parcel

2. Estate of F.V. Oliver
   Richard Jones
   501 West Bay St
   Jacksonville, FL 32202
   (904)356-1306

   Race Way / Corky Bells Seafood – two parcels

3. Putnam Medical Arts
   Dr. John Wolfenden
   131 Old Peniel Rd
   Palatka, FL 32177
   (386)328-6364

   700 Zeagler Dr lease – eleven units

4. Palatka Gas Authority
   Don Kitner
   518 Main St
   Palatka, FL 32177
   (386)328-1591

   One parcel for CNG Station

5. Nick Johns
   804 S. State Rd 19
   Palatka, FL 32177
   (386)328-8559

   One parcel for lease

6. Sunrise Marine
Ronnie Hedstrom
228 S. Highway 17
East Palatka, FL 32131
(386)328-0706

CVS – two parcels

7. Mark Stanton, CPA
1305 St. Johns Ave
Palatka, FL 32177
(386)328-1553

Two parcels – Lease of professional office and sale of residence.

b) Role assigned individuals shall assume in the proposed contract with the City.

Meet with City Officials and/or Committee Members to determine if a property is suitable for sale/lease or better utilized for public use.

If property is to be disposed of, we would assist in determining the value and/or reviewing any appraisals that may be obtained and also determine the highest and best use of said property.

If to be sold or leased, we would compile necessary information to do a flyer/brochure as needed, place the property in the Multiple Listing Service, Loopnet, and other appropriate internet sites to market the property.

We would negotiate with potential buyers, draft/advise preparation of contracts and keep the City informed of the status of properties at all times.

HOURLY RATE / FEE SCHEDULE

The hourly rate for both Mr. Bates and Mr. Spalding will be $125.00 per hour.

The fee schedule for the sale of city properties will be based on a percentage of sales price and will range from 7% to 10% based on scope of work.

SCOPE OF SERVICES

A-G) Both Mr. Bates and Mr. Spalding have been performing these duties and services for 25+ years and have been involved with thousands of similar transactions and have earned the respect of the entire service area.

H) Have represented many firms and individuals over the years and have made presentations, etc. to many boards and have represented the City of Palatka, Putnam County, and others before the Governor and Cabinet.

I) Has assisted Florida Department of Transportation in obtaining right-of-way for widening of roads in Putnam County. Again, have preformed these duties and conducted ourselves in a professional manner to earn the respect needed to perform said duties.

Coldwell Banker Commercial®

End of Year 2012

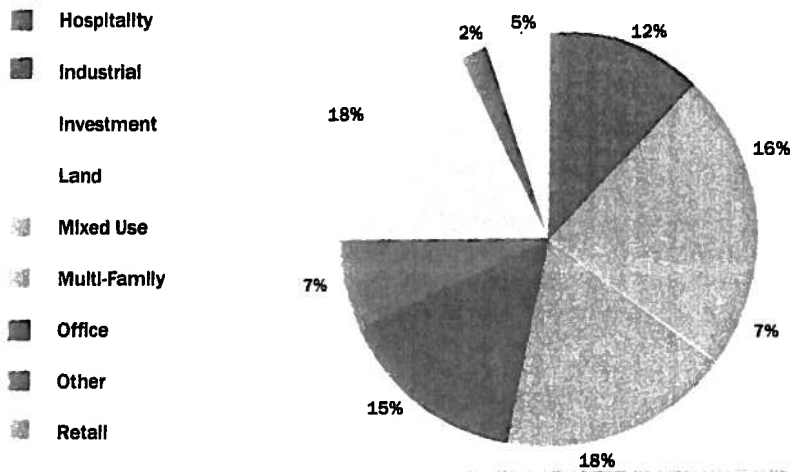
At a Glance summary

Overview

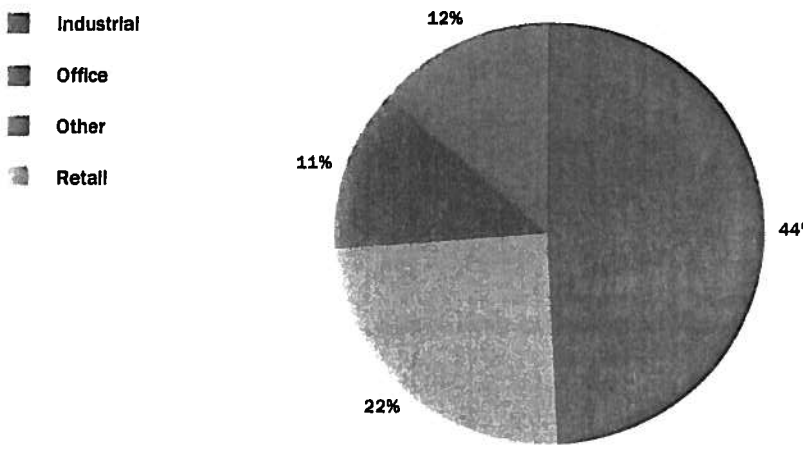
CBC	Companies	200
	Professionals	2,800*
	Countries	27
Sales	YE Sales Transactions	6,316
	YE Sales Volume	$4,025,479,000
Leases	YE Lease Transactions	7,587
	YE Lease Volume	$2,370,396,000

* Based upon reporting sales professionals during the past 18 months

Sales by Volume



Leases by Volume



Commercial Real Estate Industry Rankings

- CBC® was ranked in the top 6 of the Lipsey Company's "Top 25 Commercial Real Estate Brands." [1]
- Real Estate Forum ranked CBC in its "Forum 100" list of top global commercial real estate companies. [2]
- CBC ranked in the Top Two Most Familiar Brands, [3] according to a survey of Wall Street Journal Subscribers.
- The CBC organization has more CCIM, SIOR and NAR Commercial members than any other commercial real estate organization.

[1] Published April 2012, Lipsey Company

[2] Published December 2012 in Real Estate Forum

[3] According to a commercial real estate survey conducted by the marketing department of The Wall Street Journal, in conjunction with Beta Research Corp

New Designations

Coldwell Banker Commercial ALLIANCE *(Name change and new management)
New York, NY

Coldwell Banker Commercial HILL PROPERTIES
Moorestown, NJ

Coldwell Banker Commercial SAGE CORPORATE ADVISORS
Tampa, FL

Coldwell Banker Commercial SELECT
Tulsa, OK

Business Development Highlights

Global Client Solutions (GCS) has been winning business by cross selling services with CBC Affiliates on a local, regional and national basis. Highlights of 2012 include:

- Total Transactions: 259
- Total Sales Volume: $70M+
- Collaborative and Affiliate-sourced meetings: 50+
- New National Accounts: 2

Realogy

- Deals sent to Coldwell Banker Commercial Affiliates from Realogy Brands - 127
- More than $80 million in transaction value referred to CBC affiliates

Coldwell Banker Commercial Affiliates 1 Campus Drive Parsippany, NJ 07054 Telephone 1.800-922-2182
Email: help@cbcworldwide.com Website: www.cbcworldwide.com

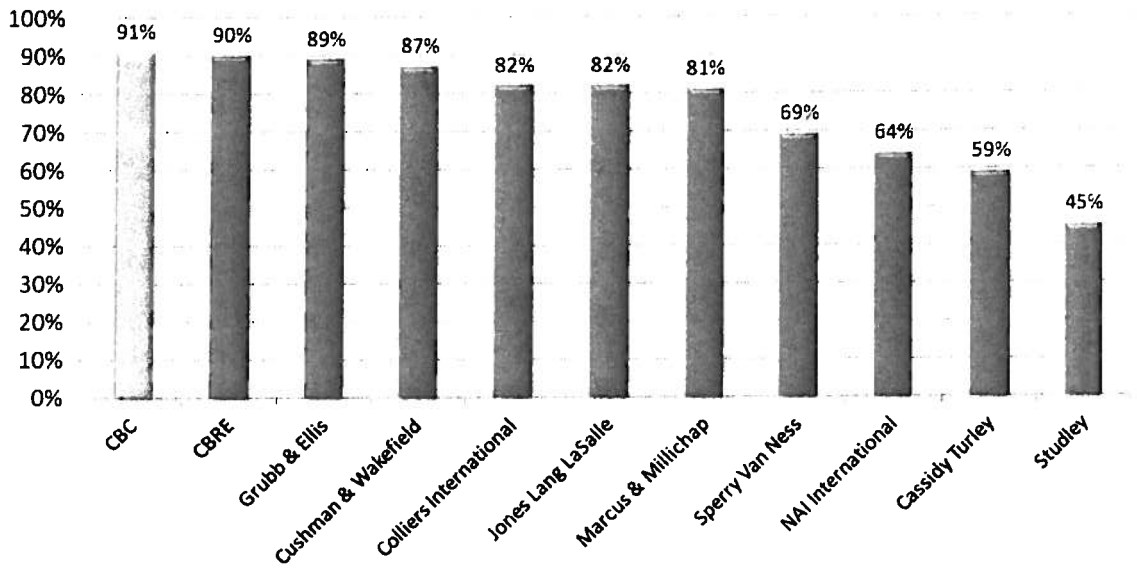
© 2012 Coldwell Banker Commercial Affiliates, A Realogy Company. All Rights Reserved. Coldwell Banker Commercial Affiliates fully supports the principles of the Equal Opportunity Act. Each Office is Independently Owned and Operated. Coldwell Banker Commercial, the Coldwell Banker Commercial Logo are registered (or unregistered) service marks licensed to Coldwell Banker Commercial Affiliates.

LEADER IN BRAND AWARENESS

Leading the way in Name Recognition

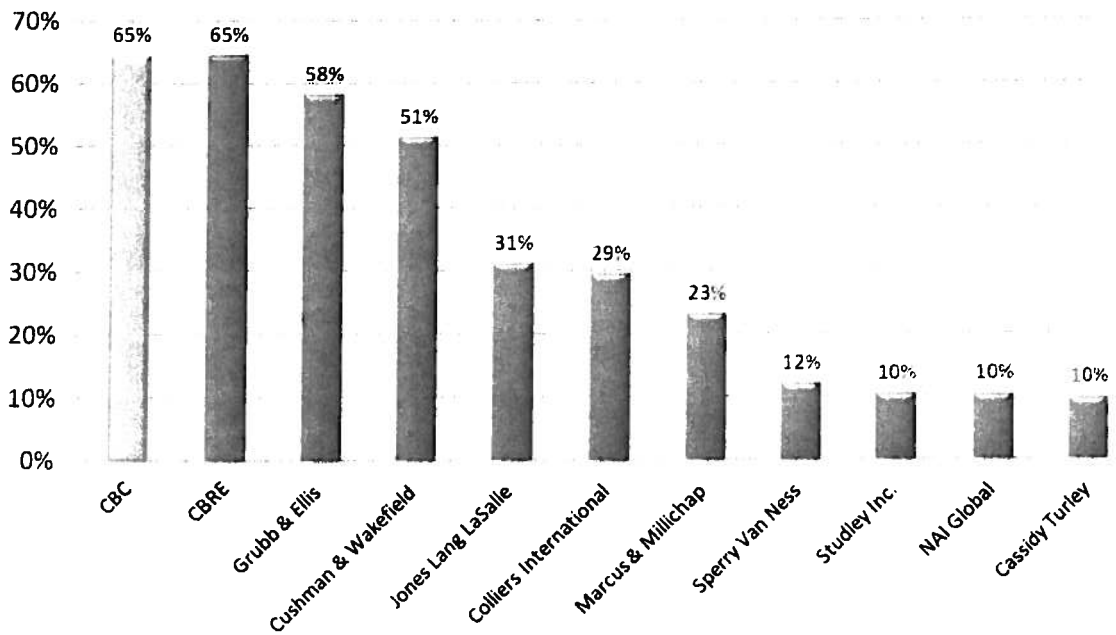
Coldwell Banker Commercial (CBC®) continues to remain an industry leader among commercial estate service providers. The results below detail the Coldwell Banker Commercial organization's leadership position in aided brand awareness among readers of National Real Estate Investor (NREI) and The Wall Street Journal.

NREI: "Which commercial real estate companies have you heard of?"

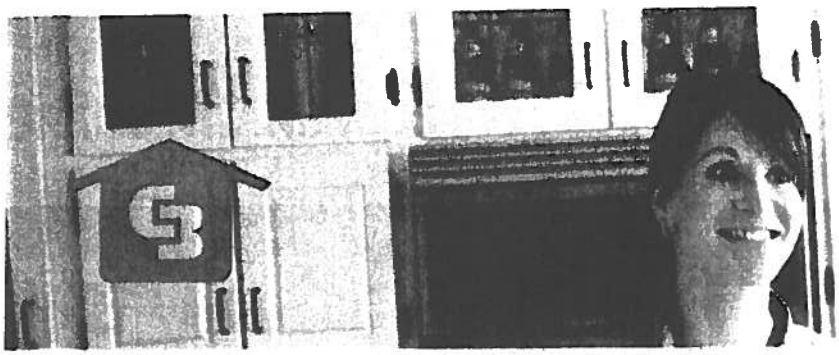


Source: Penton Media conducted the survey on behalf of the Coldwell Banker Commercial brand. The survey targeted commercial real estate developers, owners, managers and corporate users from 09/06/12 through 09/25/12. Based on a sample of 133 respondents with a margin of error of +/- 8.4% at the 95% confidence level.

The Wall Street Journal: "With which brands are you very / somewhat familiar?"



Source: Base: Total respondents (1,231); independent market research firm Beta Research Corp., in conjunction with The Wall Street Journal's marketing department, conducted this national survey among top and middle manager Journal subscribers responsible for their organization's corporate real estate purchase decisions. Fielded July-August 2011; 61% response rate. Based on a sample of 1,231 respondents with a margin of error of +/- 2.8% at 95% confidence level.



QUOTABLES

A SUMMARY OF COLDWELL BANKER FACTS & FIGURES FOR 2012

The Coldwell Banker® brand has been a real estate industry champion and pioneer since it was founded on August 27, 1906. Today, the brand is the trusted source of innovative real estate solutions, creating exceptional experiences for all we serve.

COLDWELL BANKER®

Internationally Known Offices Around the World

The **Coldwell Banker®** brand has a global reach with offices in 50 countries and territories including the U.S. and Canada. There are 3,100 offices worldwide.

There is a **Coldwell Banker** presence in the following countries and territories*:

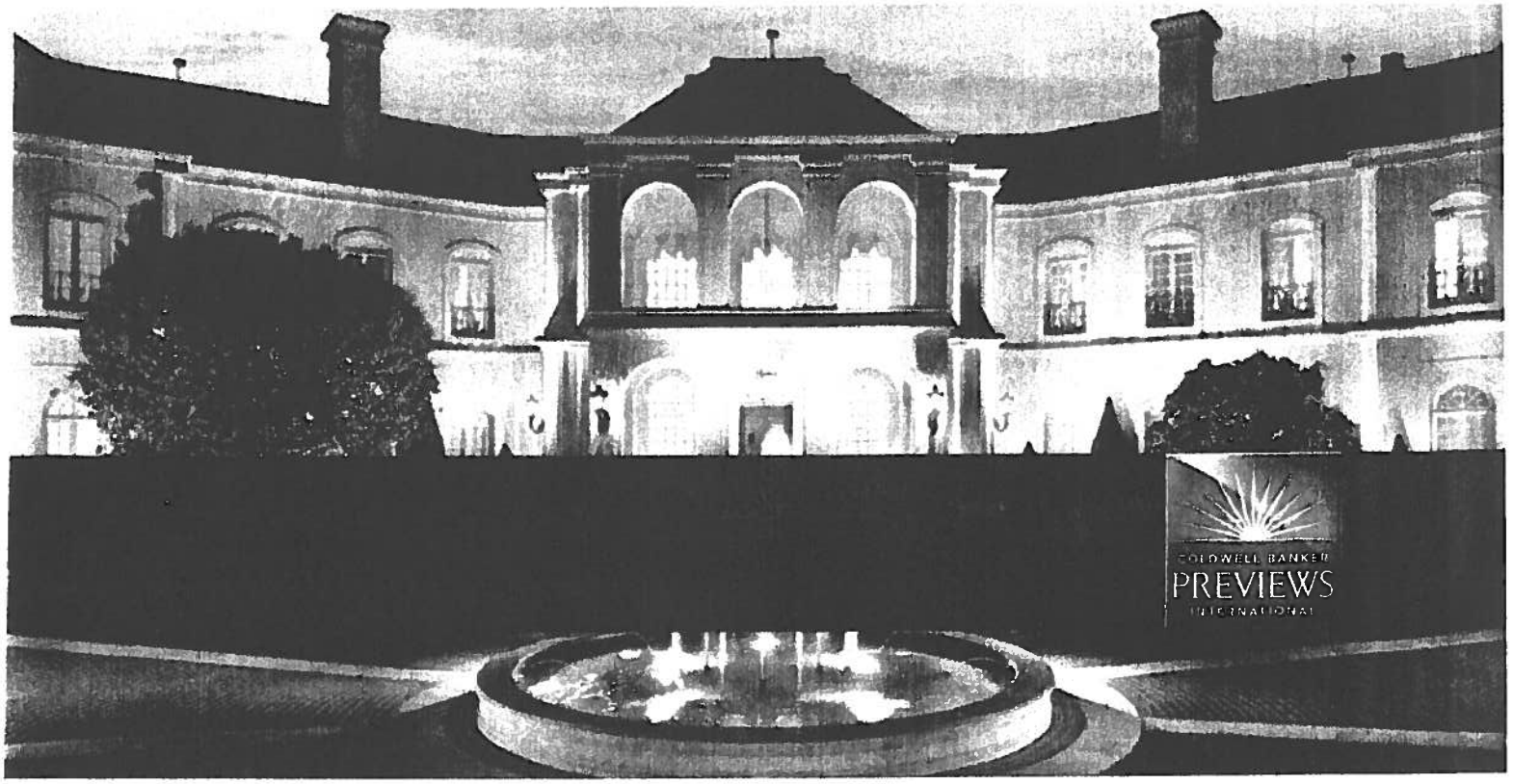
Aruba
Australia
Bahamas
Belize
Bermuda
Bolivia
Brazil
Canada
Cayman Islands (Grand Cayman, Cayman Brac, Little Cayman)
China
Colombia
Costa Rica
Czech Republic
Dominican Republic
Ecuador
Egypt
France
Greece
Guatemala
Honduras
India (Mumbai only)
Indonesia
Ireland
Italy
Jamaica
Japan
Kuwait
Lebanon
Malta
Mexico
Monaco
Netherlands
Netherlands Antilles (Curacao, Bonaire, Saint Eustatius, Saba and St. Maarten)
Nicaragua
Panama
Peru
Puerto Rico
Romania
Saudi Arabia
Singapore
Spain
St. Kitts/Nevis
St. Lucia
St. Martin
Turkey
Turks & Caicos
United Arab Emirates
United States
Venezuela
Virgin Islands (British)
Virgin Islands (U.S.)

*(As of 12/31/12)

COLDWELL BANKER® QUOTABLES
2012 Statistics

Sales Associates/Representatives worldwide: 82,200
Coldwell Banker offices worldwide: 3,100
Countries/Territories with Coldwell Banker presence: 50
Average U.S. sales price: $269,636
(20% higher than the NATIONAL ASSOCIATION OF REALTORS® 2012 average of $225,386)

Total U.S. sales volume: ..... $178 billion
Number of U.S. transaction sides: 663,826
Number of $1 million+ transaction sides: 16,416
Average sales price $1 million+ properties: ..... $1.93 million



COLDWELL BANKER PREVIEWS INTERNATIONAL®

The name **Previews**® has been synonymous with luxury real estate since 1933, when founder Henderson Talbot began using cinematography to market exceptional homes to affluent buyers from around the globe. **Previews** was acquired in 1980 by Coldwell Banker Real Estate LLC, then aptly renamed **Coldwell Banker Previews International**. The exclusive group of luxury-certified **Previews** property specialists consists of approximately 10 percent of the 82,000 **Coldwell Banker**® sales professionals located in 3100 offices in 50 countries and territories* worldwide.

Coldwell Banker Previews International property specialists participated in more than 16,400 transaction sides of homes priced at $1 million or more in 2012.

On average, the Previews unit handles $86.1 million in luxury homes sales every day, with an average sales price of $1.93 million.*

*Data based on closed and recorded transaction sides of homes sold for $1 million or more as reported by the U.S. Coldwell Banker® franchise system for the calendar year 2012. USD$.

REAL TRENDS/THE WALL STREET JOURNAL

Coldwell Banker® surpassed all other major real estate brands nationwide with 218 professionals on the annual *REAL Trends/The Wall Street Journal "The Thousand"*.

Source: REAL Trends/The Wall Street Journal - June 22, 2012

FORBES.COM

In 2012, **Coldwell Banker Previews International** was selected to represent the second most expensive home in the United States, Casa Casuarina - the home of the late Gianni Versace, one of the world's most well-known fashion designers.

Source: Forbes.com - June 13, 2012

ULTIMATE HOMES MAGAZINE

The **Previews**® program has a track record of being selected to represent some of the world's most exquisite properties, including consistently ranking in *Ultimate Homes* magazine list of the top 12 most expensive homes in the U.S.

Source: Ultimate Homes Lists Most Expensive Homes in U.S., July 2012

COLDWELL BANKER REAL ESTATE LLC

2012 Milestones

February 2012: "Value of a Home" campaign becomes the highest rated real estate ad by Ace Metrix; **Coldwell Banker**® University ranks #9 overall in Training Magazine's Top 125

March 2012: The **Coldwell Banker Heroes** program launches, recognizing philanthropic efforts throughout the brand and finishing the year with $4.5 million and 47,000 hours donated

April 2012: coldwellbankerpreviews.com was re-launched with functionality specifically developed for the luxury market

September 2012: coldwellbankerpreviews.com won the 2012 Outstanding WebAward from the Web Marketing Association

October 2012: **Coldwell Banker** University receives two silver designations from the Brandon Hall Excellence in Learning Awards for best practices

December 2012: Ended the year as the real estate industry's top influencer on Klout and Kred; the coldwellbanker.com platform saw a 33% increase in year-over-year traffic with leads to affiliated companies up 51%; new apps for both iPhone™ and Android™ platforms were unveiled; Budge Huskey promoted to CEO and Jim Gillespie assumes Chairman Emeritus role

COLDWELL BANKER ONLINE

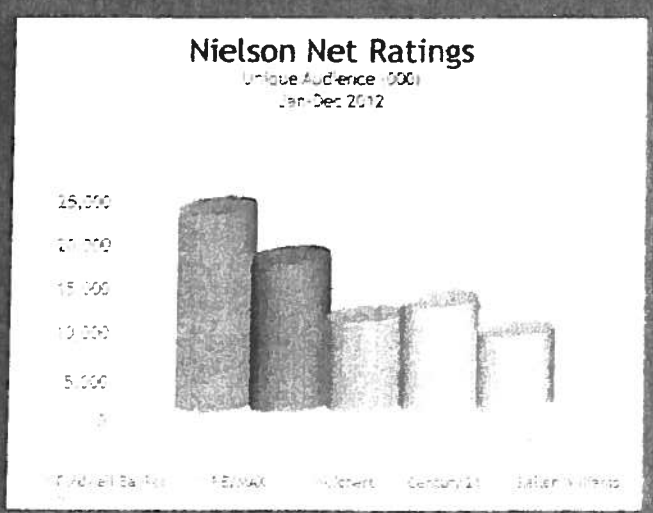
2012 coldwellbanker.com Platform Enhancements

- A new rentals search was added to the homepage, allowing those not yet ready to purchase a home to benefit from the Coldwell Banker experience
- coldwellbanker.com began displaying Real Estate Network (REN), adding over a million listings to the site
- A revamped "Join" section was added, focusing on agent success stories and driving future Coldwell Banker agents to local offices

A Star is Born - In April, coldwellbankerpreviews.com was re-launched with functionality specifically developed for the luxury market. **Previews**™ properties are in the spotlight on the website with full-screen black and white images on the homepage, which turn to full color on mouse over as all site navigation fades away. Full-site language translation and currency conversion serve a highly international audience, while a notable sales section offers an indication of past sales successes.

COLDWELL BANKER®: The most visited brand on the web

The rankings encompass all consumer Web traffic (unique visitors) to national and local websites operated by the franchise brands as well as by their franchisees.



Coldwell Banker Real Estate LLC accessed the aforementioned information through its subscription to both Nielson and comScore Media Metrix. The rankings encompass all consumer Web traffic (unique visitors) to national and local websites operated by the franchise brands as well as by their franchisees.

COLDWELL BANKER UNIVERSITY®

Coldwell Banker® agents have long been known as some of the most professional and educated in the industry. With a variety of online and traditional classroom venues, **Coldwell Banker** University offers over 500 courses to keep agents on the leading edge, while providing them with ongoing accreditation.

Coldwell Banker University prides itself on high success rates and satisfaction as shown in the following statistics:

- 95% of **Coldwell Banker** sales associates reported they were very satisfied with instructor performance
- Managers reported that **Coldwell Banker** University increased their agent's skill level by more than 60%
- 8 of every 10 sales associates who completed a **Coldwell Banker** University program said their income would increase more than 20%
- More than 91% of **Coldwell Banker** University participants reported that they will apply the knowledge and skills acquired at **Coldwell Banker** University to their real estate business
- More than 92% of **Coldwell Banker** University participants said their interactions with staff and administration have been positive
- More than 90% of participants said the training was a worthwhile investment in their career development

Based on 2012 results.

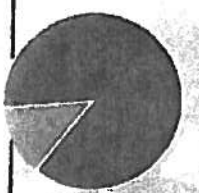
COLDWELL BANKER

BEN BATES, INC.
REALTOR

WE JOINED THE NATION'S #1 NETWORK FOR LISTING DISTRIBUTION

Our real estate company has an aggressive strategy for attracting home buyers to our listings. By distributing your listing information, along with photographs, to a wide array of premier consumer Web sites, we make sure that we maximize every opportunity to attract qualified buyers to the table.

DID YOU KNOW...



88% of home buyers use the Internet to search for a new home.

(NAR 2011 Profile of Home Buyers & Sellers)

Real estate agents and the internet continue to be the most important resources in the home search process.

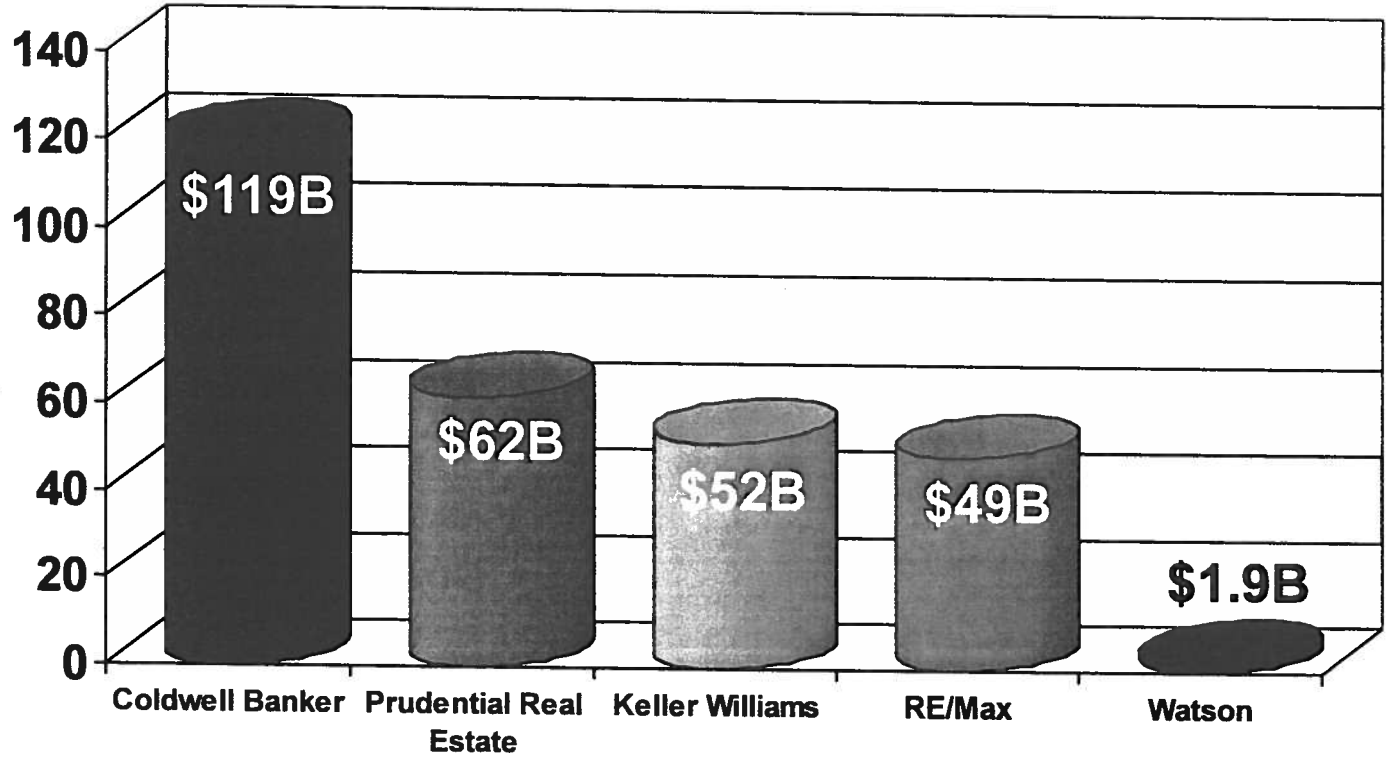
45% of buyers found the home they actually purchased online.

(NAR 2011 Profile of Home Buyers & Sellers)

Zillow.com	HomeFinder.com
hotpads.com	RealtyTrac
BuyerHomeSite.com	CondoCompare.com
Diggsy	Dream-Home-Listings
eLookyLoo	Foreclosure.com
FreedomSoft	Gooplex
GovListed.com	GuidanceRealty
Harmon Homes	Home2.me
Homes By Lender	HomesInYourTown
HomeTourConnect	HomeWinks
HUD Seeker	IAS Properties
ImagesWork by CirclePix	Juwai
LandandFarm	LearnMoreNow.com
LiquidusMedia	LotNetwork
New Home Source	OfferRunway
Property Pursuit	Property Shark
RealEstateCentral	RealEstateMarketplace.org
RealQuest Express	RealtyStore
Relocation.com	RentRange
The Real Estate Book	USALifestyleRealEstate
USHUD.com	Vertical Brands
Trulia	FrontDoor
AOL Real Estate	Vast
CLRSearch	LakeHomesUSA
MyREALTY.com	LandWatch

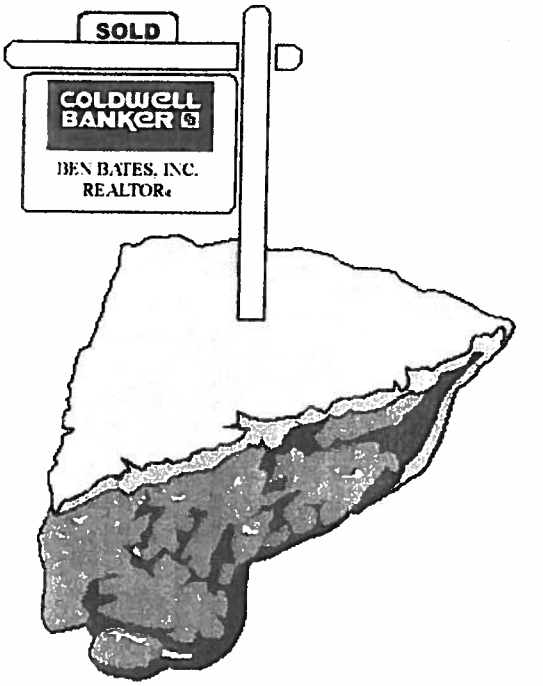
POWERED BY ListHub

Real Trends Top 500 Report



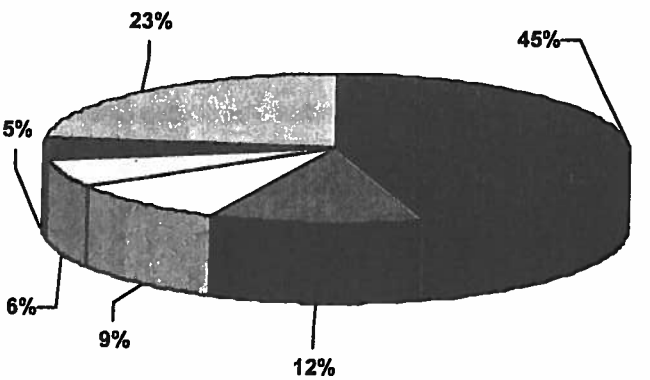
*According to the 2012 REAL Trends Top 500 report among brokers with greater than 500 closed sales.

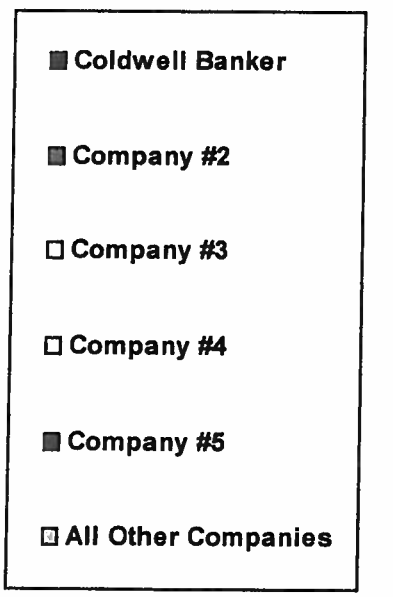
HOW SWEET IT IS....



COLDWELL BANKER BEN BATES, INC. has had the biggest piece of real estate pie for years. Coldwell Banker Ben Bates, Inc. has been involved in more than 45% of all sales volume in Putnam County for January through February 2013.

JANUARY 1, 2013 THROUGH FEBRUARY 28, 2013





Information based on total sales volume taken from the Northeast Florida Multiple Listing Service. Information deemed to be reliable, but not guaranteed.

Coldwell Banker Ben Bates, Inc.
3400 Crill Avenue, Suite 1, Palatka, FL 32177
(386)328-6716
www.coldwellbanker.com

RFQ FOR PROFESSIONAL REAL ESTATE SERVICES

List of Properties Potentially Eligible for Sale:

1. Lot – St. Johns Ave. & S. 11th Street (1101 St. Johns Avenue)
2. Lot – S. 11th Street (behind post office)
3. College Gardens Park – Edgemoor & Husson Avenue
4. Azalea S/D Park – Westover Drive N. of Carr Street
5. Lots fronting Olive Street west of N. 11th Street
6. Ditch Lot – 700 Blk of Olive Street
7. Lot – 1103 Ocean Street (across from City Lot)
8. Lot – Ridgedale S/D – 4413 W. Madison Street
9. Lot – Airport Industrial Pk – PRC Way at Kay Larkin Circle
10. Lot - 2202 Eagle Street

(Disposition of property pending for "100 Block" and Frank George Apartments Lot; therefore it is not shown as part of this list.)

CITY OF PALATKA, FLORIDA
REQUEST FOR QUALIFICATIONS

Request for Qualifications (RFQ) 13-002
For Professional Real Estate Services

The City of Palatka, FL is seeking qualifications from individuals or firms interested in providing Professional Real Estate Services to the City of Palatka. The contract for services shall be for a period ending in 2016, with four possible one year extensions. The RFQ guideline package will be available through Demand Star's website at www.demandstar.com, document number RFQ-002 and will be available on the City's website. The RFQ package can also be obtained by email from Thad Crowe at tcrowe@palatka-fl.gov responses to the RFQ are due on or before 2:00 PM May 3, 2013 and must be mailed or delivered to:

Mr. Thad Crowe, Planning Director
City of Palatka
201 N 2nd St.
Palatka, Florida 32177

The City reserves the right to accept or reject any and all responses, to waive irregularities, and to re-advertise as may be determined to be in the best interest of the . The City accepts no responsibility for any response not reaching the prescribed delivery point within the time period stipulated.

End of Advertisement

Advertise **one** time: March 15, 2013

CITY OF PALATKA, FLORIDA
REQUEST FOR QUALIFICATIONS

REQUIREMENTS FOR SUBMITTING QUALIFICATIONS FOR PROFESSIONAL REAL ESTATE SERVICES

1. INTRODUCTION:

The City of Palatka (the City) is seeking the services of individuals or firms (the Responder) interested in providing Professional Real Estate Broker and consulting services for the City. It is anticipated that one or more Responders may be selected for a contract period to end on May 3, 2016 with the possibility of four one-year extensions. During this period, the City shall reserve the right to seek qualifications and/or responses from other firms or individuals for specialized projects, as deemed to be in the best interest of the City.

2. SCOPE OF SERVICES

a) Assist the City in the purchase/lease/sale of specified properties within the City.

b) Assist the City in determining the value of properties in which the City has an interest. The City will pay for any required appraisals.

c) Assist with the negotiation the purchase/sale/lease of all parcels assigned to the Responder by the City.

d) Obtain executed purchase agreements in accordance with the form and content approved by the City.

e) Advise the City, and its staff in matters regarding the purchase, offers, claims, counteroffers, discussions, and issues pertaining to the purchase/sale/lease of the assigned property(ies).

f) Coordinate closing schedules on purchases or sales by the City, at the request of the City.

g) Attend closings as required, ensuring that the City receives a copy of all closing documents expeditiously.

h) Attend meetings and/or public hearings with staff, their agents, City of Palatka officials, property owners, and other parties involved in the project, at either the request of the City or as part of the Responder's work effort.

I) Assist the City with efforts of obtaining plans, right-of-way maps, title searches, title commitments, owner's title policies, appraisals, and surveys for an acquisition.

j) Provide other real property services requested by the City to plan, implement, negotiate, purchase, sell, lease and acquire the property assigned to the Responder by the City.

k) Assist the City in acquiring properties through tax sales, foreclosure sales, bankruptcy sales, and other judicial processes as necessary.

l) Maintain professional courtesy in all contacts with property owners.

m) Provide the City with the original and/or a copy of all documents produced by the Responder as a result of the work assigned, if requested.

3. INFORMATION REQUESTS

For information pertaining to this Request for Qualification (RFQ), contact the City's Planning Director as shown in Section 14. Such contacts shall be for clarification purposes only. Material changes, if any, to the scope of services or response procedures will be transmitted only by written addendum.

4. COMPENSATION

Compensation for the Responder shall be in the form of real estate commission ether by fee or percentage. The Respondent shall provide the proposed real estate commission rate and fee schedule as part of the response.

5. ANTICIPATED RFQ TIMETABLE

a)	Release of Request For Qualifications	March 8, 2013
b)	Deadline for Written Questions	April 5, 2013
c)	Response Due Date	April 22, 2013
d)	Evaluation of Responses and Short Listings Completed	April 22-26, 2013
e)	Staff Recommendation and Anticipated Award	~~May 10~~ June 13, 2013

All dates are tentative. The City reserves the right to change scheduled dates.

6. FORM OF THE RESPONSE

All Responders shall submit one (1) original and four (4) **bound** copies of their documents in a sealed enveloped or package. The response shall be on letter size paper. All Responders shall include Statement of Insurance Compliance, Responders Certification Form, Compliance with Public Records Law Form, and copy of IRS Form W-9.

The response must be divided into **six (6) sections** with references to parts of this RFQ, completed on a section number/paragraph basis. The six (6) sections shall be named:

a) Required Submittals - See 6 Below
b) Qualifications and Experience – See 7 Below
c) Approach to the Work – See 8 Below
d) Knowledge of Local Market Conditions – See 9 Below
e) Hourly Rate / Fee Schedule – See 10 Below
f) Other documents the Responder wishes to provide that is believed to be pertinent

7. REQUIRED SUBMITTALS:

Letter of Transmittal: The cover letter shall be addressed to Thad Crowe, City Planning Director at the address in Section 14, and shall include at a minimum the following:

a) Name of responding individual, partnership, company, or corporation.
b) Statement that all terms and conditions of the RFQ are understood and acknowledged by the undersigned.
c) Location(s) of office(s) that will provide services to the City and the service area covered by the office.
d) Signature(s) or representative(s) legally authorized to bind the Responder.

Responder Documents:

a) Copy of all applicable Florida Real Estate licenses.
b) Resume(s) of key personnel who would be working with the City.
c) Three Business references.

Corporate Information: If a Responder is a corporation, it must be registered with the Florida Secretary of State and be a corporation in good standing.

Summary of Litigation: Provide a summary of any litigation, claim(s), or contract dispute(s) filed by or against the Responder in the past three (3) years which is related to the services that Responder provides in the regular course of business. The summary shall state the nature of the litigation, claim or contract dispute, a brief description of the case, the outcome or projected outcome, and monetary amounts involved.

License Sanctions: List any regulatory/license sanctions within the past three (3) years.

Statement of Insurance Compliance: See form included in this package.

Responder's Certifications: See form included in this package.

Compliance with the Public Records Law: See form included in this package.

Taxpayer Identification Number (W-9 Form: See form included in this package.

8. QUALIFICATIONS AND EXPERIENCE

a) The Responder must have been in business at least three (3) years and must provide documentation of similar work experiences.

b) Provide details of the Responder's qualifications and the specific individuals who will be providing the real estate services, including certifications, resume, and contact information.

c) Identify the role that assigned individuals shall assume in the proposed contract with the .

d) Discuss the Responder's ability and capacity to perform the necessary project activities in a timely manner.

9. APPROACH TO THE WORK

a) The Responder shall provide an approach to the requested services based on the projected scope of work.

b) The Responder may include innovative approaches, cost savings ideas and methods, and any other information considered by the Responder to be advantageous to demonstrate an understanding of the required services.

c) Discuss the manner in which proper coordination and information exchange shall be assured among the County Appraiser's Office, Responder, the City, and other jurisdictional entities.

10. KNOWLEDGE OF LOCAL REAL ESTATE MARKET

a) Provide a list of **local** projects (clients) for which the Responder has provided similar services within the past three (3) years. Provide references to include the client's name, contact person, telephone number, project name, and number of parcels.

b) Identify the role that **local** assigned individuals shall assume in the proposed contract with the City.

11. HOURLY RATE / FEE SCHEDULE

Provide the Responder's hourly rates, fees, and/or commissions for each category of Responder services you propose to provide on a matrix form entitled "Hourly Rate / Fee Schedule – Property Acquisition/ Sale Services". If the cost of services varies by staff member or job position,

provide cost by staff name or position name. A Responder may use examples of cost for properties of varying types and values to illustrate what the fees might be.

12. EVALUATION PROCESS

The City Manager will appoint a committee consisting of members of City staff to evaluate responses and to short-list a minimum of three (3) Responders. The City shall be the sole judge of its own best interests, the responses, and the resulting agreement. A ranked short list may be presented to the City Commission for approval or the selection committee may choose to recommend one or more Proposers for Award. Award(s) will be made to the Responder(s) who presents the best overall value to the City based on the entire evaluation process and all the information gathered.

Evaluation factors are based on the abilities of the Responder to efficiently perform the Scope of Services as generally outlined in this Request for Qualifications. The City will be seeking to identify the response(s) which will best meet the needs of the City as determined from the responses to this Request for Qualifications.

A selected group of Responders ***may*** be required to make an oral presentation to the Selection Committee. Such presentation will provide an opportunity for each short listed Responder to clarify the information provided in their RFQ. Oral presentations, if any, will be considered in conjunction with submitted data by the Selection Committee. The Selection Committee will present its recommendation to the City Manager and then to the City Commission, which has the authority to make the final determination and award contracts.

Responses will be evaluated on a total score basis, with a maximum score of one hundred (100) points. If a local and a non-local firm (as demonstrated by a local office and local staff) are tied in the evaluation, the local firm will be given preference.

13. EVALUATION METHODOLOGY

a) Qualifications of the Firm / Individual(s) (0 to 20 points)

Review the certifications and resumes of assigned individuals and the specific role they will assume in the performance of the work required. Evaluate the list of projects (clients) on which the Responder has performed similar services within the past three (3) years. Contact with references provided. Consider the administrative staff that will be available to assist Responder in performance of tasks.

b) Approach to the Work (0 to 20 points)

Review the Responder's proposed approach to the project, which will involve the sale and/or acquisition of parcels; Responder's understanding of the Scope of Services required to sale or acquire the parcels; and any unique marketing concepts or cost saving suggestions. Consider the Responder's staffing quality and availability. Evaluate the Responder's communication ability, use of specialized equipment services, commitment to satisfy the City's needs, and the Responder's performance on similar projects.

c) Knowledge of the Local Real Estate Market (0 to 30 points)

Review the documentation relating to the Responders local offices and local staff. Consider the number and types of local projects and acquisitions services by the Responder in the past three years.

d) Hourly Rate Fee Schedule (0 to 30 points)

Review of the proposed Hourly Rate / Fee Schedule on a form entitled "Hourly Rate / Fee Schedule – Property Acquisition Services" for the duration of this agreement.

The responses will be evaluated on

a) **Strengths:** Those areas in which the response exceeds the City's minimum requirements.

b) **Weaknesses:** Those areas where the response lack soundness or effectiveness which could prevent successful performance of the contract.

c) **Deficiencies:** Those areas where the response fails to meet the City's requirements.

14. SUBMISSION OF DOCUMENT

Documents must be mailed or hand delivered to:

Mr. Thad Crowe, Planning Director
City of Palatka
201 N 2nd St.
Palatka, Florida 32177

The left front of the envelope or package shall read IN RED :

Request for Qualifications for Professional Real Estate Broker/Consulting Services
Due Date: May 3, 2013
Responder Name: _____

All documents must be delivered to or received in the mail by the due date and time. Any documents received after this date and time will not be considered and will be returned to sender unopened. The City takes no responsibility for late mail or late delivery services.

14. QUESTIONS

All questions shall be only submitted in writing and must be received before XX, 2013. Questions may be submitted by email. Any such questions shall be submitted to:

Mr. Thad Crowe, Planning Director
City of Palatka
201 N 2nd St.
Palatka, Florida 32177
Office: 305-247-8221
Fax: 305-242-8133
E-mail: tcrowe@palatka-fl.gov

Any contact made with any other employee or official of the City regarding this RFQ may be grounds for the disqualification of the Responder.

15. LEGAL REQUIREMENTS

All Federal, State, County, and Local Laws, Ordinances, Rules, and Regulations that in any manner affect this RFQ herein apply. Lack of knowledge by the Responder will in no way be cause for relief from responsibility.

16. CONFLICT OF INTEREST

The award of any contract hereunder is subject to the provisions of Chapter 112, Florida Statutes. Responders must disclose with their Response the name of any officer, director, partner, proprietor, associate or agent who is also an officer or employee of the City or any of its agencies. Further, all Responders must disclose the name of any officer, director, partner, proprietor, associate or agent who is related to any employee or official of the City.

17. LIABILITY

The City assumes no responsibility to any Responder for the cost of preparing this RFQ. The City reserves the right to accept or reject any and all responses, to waive information, or to re-advertise as may be in the best interest of the City. The City will not accept any mail or delivery service that is late, and will return all late responses unopened.

18. INSURANCE REQUIREMENTS

The Responder will be required to name the City as an additional name insured with the following minimum coverage's:

a) **Workers Compensation** shall be maintained by the Responder for all employees engaged in the work under RFQ in accordance with the laws of the State of Florida. Employer's Liability Insurance shall be maintained by the selected Responder at limits not less than $100,000 Each Accident. Contract employees of Responders are exempt from this requirement.

b) **Automobile Liability Insurance** shall be maintained by the selected Responder with a combined single limit of not less than $500,000 Bodily Injury and Property Damage in accordance with the laws of the State of Florida, as to the ownership, maintenance, and use of all owned, non-owned, lease or hired vehicles.

All insurance minimum coverage's extend to any sub-contractor. The selected Responder(s) is responsible for all sub-contractors.

19. AWARD

All responses will be evaluated by City staff in accordance with the criteria set forth in the RFQ documents. The City may conduct interviews/presentations as part of the evaluation process from the short-listed firms. The City is not liable for any costs incurred by the Responder in connection with such presentations. The City anticipates award to the Responder or Responders judged by the City to be the most advantageous and offers the best value to the City. The Responder understands that this RFQ does not constitute an agreement or a contract with the Responder. The City reserves the right to reject all responses, to waive any formalities, and to solicit and re-advertise for new responses, or to abandon the project in its entirety.

20. RESPONSE PREPARATION COSTS

Neither the City nor its representatives shall be liable for any expenses incurred in connection with preparation of a response to this RFQ. Responders should prepare their responses simply and economically, providing a straightforward and concise description of the Responder's ability to meet the requirements of the RFQ.

21. ACCURACY OF RESPONSE INFORMATION

Any Responder whose response to the City contains any information which is determined to be substantially or materially inaccurate, misleading, or exaggerated shall be disqualified.

22. ACCEPTANCE / REJECTION

The City reserves the right to accept or reject any or all responses and to make the award to those Responders, who in the opinion of the City will be in the best interest of and/or the most advantageous to the City. The City also reserves the right to reject the response of any Responder who has previously failed in the proper performance of an award or to deliver on time contracts of a similar nature or who, in the City's opinion, is not in a position to perform properly under this award. The City reserves the right to inspect all facilities of Responders in order to make a determination as to the foregoing. The City reserves the right to waive any irregularities, informalities, and technicalities and may at its discretion, conduct a re-procurement.

23. MISTAKES IN RESPONSE

Responders are expected to examine the terms and conditions, specifications, delivery schedule, costs or fees, extensions and all instructions pertaining to supplies and services. Failure to do so will be at Responder's risk. In the event of extension error(s), the unit price will prevail and the Responder's total offer will be corrected accordingly. Written amounts shall take precedence over numerical amounts. In the event of addition errors(s), the unit price, and extension thereof, will prevail and the Responder's total offer will be corrected accordingly. Responses having erasures or corrections must be initialed in ink by the Responder.

24. DISQUALIFICATION OF RESPONDER

More than one response from an individual, firm, partnership, corporation, or association under the same or different names will not be considered. Reasonable grounds for believing that a Responder is involved in more than one response will be cause for rejection of all responses in which such Responders are believed to be involved. Any or all responses will be rejected if there is reason to believe that collusion exists between Responders. Responses in which the prices obviously are unbalanced will be subject to rejection.

25. CONE OF SILENCE

It is the intent of the City to prevent potential responders from communicating with city department heads, their staff or selection and evaluation committee members regarding this RFQ during the response period. Thus, a Cone of Silence is now in effect. Any communication regarding this solicitation between an employee, partner, officer, or director of a potential responder and any or City of Palatka elected or appointed official, board member, executive director, department head, staff, agent or a member of the evaluation committee is strictly prohibited. The Cone of Silence does not include any pre-bid conference, meeting, interview or presentations conducted for informational purposes, or communications solely regarding matters of process or procedure of this RFQ. Written questions may be submitted as provided for in Paragraph 14.

Agenda Item

3d

CITY COMMISSION AGENDA ITEM

SUBJECT: Resolution 2013-9-126: A Resolution of the City of Palatka, Florida authorizing the City Manager & City Clerk to execute and attest a Supplemental JPA with FDOT to add the purchase of an Airport Jet Refueler Truck to the Project Description and add time to the contract for the Airport Access Road Rehabilitation Project at the Palatka Municipal Airport

DEPARTMENT: **City Hall Administration**

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

SUMMARY: The Florida Department of Transportation has proposed a Supplemental Joint Participation Agreement to provide REDI funding to cover the purchase of an Airport Jet Refueler Truck. The City took bids for a fuel truck and on April 25 awarded the bid to Eastern Aviation Fuels to purchase the jet refueler truck currently being leased by the City for the purchase price of $60,000.00, contingent upon receipt of an FDOT Joint Participate Agreement pledging REDI funds in the amount of $56,978.93 towards this purchase, with the remainder of $3,021.07 being funded through the Airport Operating Budget (Resolution No. 2013-9-106 – see copy attached).

This JPA adds the purchase of the Jet Refueler Truck to the project description, which will allow the City to use project funds towards the purchase of the truck.

RECOMMENDED ACTION: **Adopt Resolution 2013-9-126** authorizing the City Manager & City Clerk to execute and attest a Supplemental JPA with FDOT to add the purchase of an Airport Jet Refueler Truck to the Project Description and add time to the contract for the Airport Access Road Rehabilitation Project at the Palatka Municipal Airport

---

DEPARTMENT HEAD	Submitted: B. Driggers for M. Czymbor	Date: 06-06-13
	Requested Agenda Consent	Date: 06-13-13
FINANCE DEPARTMENT	Budgeted ✓ Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/6/13

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. 2013-9-126

A RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST A *'SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT'* WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE 'DESIGN AND CONSTRUCTION OF THE MAIN ACCESS ROAD REHABILITATION PROJECT' TO ADD THE PURCHASE A JET REFUELER TRUCK TO THE DESCRIPTION OF THE WORK AND ADD ADDITIONAL TIME TO THE CONTRACT AT THE PALATKA MUNICIPAL AIRPORT

WHEREAS, the City of Palatka and the Florida Department of Transportation had previously reached an agreement for and executed a JPA for the Design and Construction for the project identified as the Main Access Road Rehabilitation, drainage, signage, landscaping, sidewalk & Construction Management at the Palatka Municipal Airport; and

WHEREAS, the Florida Department of Transportation has proposed a Supplemental Joint Participation Agreement with the City of Palatka for the above project identified as F.P. Number 42754919411, adding the purchase a jet refueler truck for the Airport to the description of the Project and extending the time of the contract to 9/30/2013; and

WHEREAS, on April 25 the Palatka City Commission adopted Resolution No. 2013-9-106 awarding a bid to Eastern Aviation Fuels to purchase the jet refueler truck currently being leased by the City, contingent upon receipt of an FDOT Joint Participate Agreement pledging REDI funds towards this purchase, with the remainder being funded through the Airport Operating Budget; and

WHEREAS, the total project cost for the above described project at Palatka Municipal Airport is $365,000.00 with the Florida Department of Transportation funding 100% or $365,000.00, which is being funded under the REDI program; and

WHEREAS, it is in the best interest of the City of Palatka to go forward with the Supplemental Joint Participation Agreement.

NOW THEREFORE, be it resolved that the City Manager, Michael J. Czymbor, and City Clerk, Betsy J. Driggers, are hereby authorized to execute and attest the Supplemental Joint Participation Agreement on behalf of the City of Palatka for the Design and Construction of the Main Access Road Rehabilitation project to fund the purchase of a fuel truck and amend the contract time to 9/30/2013 at the Palatka Municipal Airport, F.P. Number 42754919411.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign requests for Contract Time Extensions, as well as execute Assurances, Certifications, and all other documents as may be required in support of the project, and agrees to comply with all US Department of Homeland Security employment verification requirements contained within said Supplemental Joint Participation Agreement.

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

CITY OF PALATKA

Award of Jet Refueler Bid - 4-25-13

RESOLUTION No. 2013 – 9 - 106

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AWARDING THE BID FOR THE PURCHASE OF A JET REFUELER FOR THE PALATKA MUNICIPAL AIRPORT TO EASTERN AVIATION FUELS IN THE AMOUNT OF $60,000.00, AND TO AMEND THE FY 2012-13 GENERAL FUND BUDGET ACCORDINGLY

WHEREAS, the Palatka Municipal Airport issued an invitation to submit proposals for the purchase of a jet refueler; and

WHEREAS, upon review and comparison of the proposals received; it has been determined that Eastern Aviation Fuels has submitted the most responsive proposal; and

WHEREAS, the Palatka City Commission deems it reasonable to award the bid to Eastern Aviation Fuels for the purchase of the jet refueler truck currently being leased by the City for the purchase price of $60,000.00, contingent upon receipt of an FDOT Joint Participate Agreement pledging REDI funds in the amount of $56,978.93 towards this purchase, with the remainder of $3,021.07 being funded through the Airport Operating Budget; and

WHEREAS, the City Commission therefore finds it necessary to amend the FY 2012-13 General Fund budget accordingly in order to effectuate the purchase of said vehicles.

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

Section 1: That the City of Palatka hereby awards the bid for the Palatka Municipal Airport Jet Refueler to Eastern Aviation in the amount of $60,000 for the purchase of a 2004 Ford F-650, which is currently under lease to the Palatka Municpal Airport;

Section 2: That the award of this bid is contingent upon the City's receipt of an executed FDOT Joint Participation Agreement pledging REDI funds in the amount of $56,971.93 towards the purchase of the Airport Jet Refueler Truck; and

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

REVENUES:		Last	Recommended	As
Revenue Number	*Description*	Approved	Amendments	Amended
005-00-389-3-8900	FDOT GRANT AQG14	$ 52,268	$ 45,980	$ 98,248
	TOTAL REVENUES AMENDED:	$ 52,268	$ 45,980	$ 98,248

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

Original JPA- 9/13/2012

RESOLUTION NO. 9-11

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A *'JOINT PARTICIPATION AGREEMENT'* WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR DESIGN AND CONSTRUCTION MAIN ACCESS ROAD REHABILITATION, DRAINAGE, SIGNAGE, LANDSCAPING, AUTO PARKING IMPROVEMENTS, UTILITIES, LANE MODIFICATION, SIDEWALK AND CONSTRUCTION MANAGEMENT AND TESTING AT PALATKA'S KAY LARKIN MUNICIPAL AIRPORT

WHEREAS, the City of Palatka and the Florida Department of Transportation have reached an agreement for the Design and Construction Main Access Road Rehabilitation, Drainage, Signage, Landscaping, Auto Parking Improvements, Utilities, Lane Modification, Sidewalk and Construction Management and Testing at the Palatka Municipal Airport, and

WHEREAS, the Florida Department of Transportation has proposed a Joint Participation Agreement with the City of Palatka for the above project identified as F.P. Number 42909719412; and

WHEREAS, the total project cost for the above described project at Kay Larkin Municipal Airport is $365,000.00 with the Florida Department of Transportation funding 100% or $365,000.00; and

WHEREAS, it is in the best interest of the City of Palatka to go forward with the Joint Participation Agreement.

NOW THEREFORE, be it resolved that the Mayor, Vernon Myers, and City Clerk, Betsy J. Driggers, are hereby authorized to execute and attest the Joint Participation Agreement on behalf of the City of Palatka for the Design and Construction Main Access Road Rehabilitation, Drainage, Signage, Landscaping, Auto Parking Improvements, Utilities, Lane Modification, Sidewalk and Construction Management and Testing at the Kay Larkin Municipal Airport, F.P. Number 42909719412.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign requests for Contract Time Extensions, as well as execute Assurances, Certifications, and all other documents as may be required in support of the project.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida this 8th day of September, 2011.

CITY OF PALATKA

BY:_____

Its Mayor

ATTEST:

_____

City Clerk

Florida Department of Transportation

RICK SCOTT
GOVERNOR

2198 Edison Ave.
Jacksonville, FL 32204-2730

ANANTH PRASAD, P.E.
SECRETARY

June 3, 2013

Mr. Michael J. Czymbor
City Manager, City of Palatka
201 North 2nd Street
Palatka, Fl. 32177

RE: F.P. 42754919411

Dear Mr. Czymbor:

We are pleased to enclose an original Supplemental Joint Participation Agreement (SJPA) for the above referenced project for your review and signature.

> *"There has been new language added the SJPA that the agency has to agree with. The language is in paragraph 5.00. It requires state agencies under the direction of the Governor to include in all state contracts a requirement that contractors utilize the E-Verify system to verify the employment eligibility."*

Before returning the SJPA to my office please ensure the SJPA is signed and a resolution is enclosed.

If you have any questions concerning this project, please feel free to contact me.

Sincerely,

Gene Lampp
District Aviation Specialist
2198 Edison Ave. M/S 2813
Jacksonville, Fl. 32204
gene.lampp@dot.state.fl.us

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

Number 2

Financial Project No.: 429097-1-94-12 (item-segment-phase-sequence)	Fund: DDR	FLAIR Approp.: 088719
	Function: 637	FLAIR Obj.: 750004
	Federal No.: 315135	Org. Code: 55042010228
Contract No.: AQG14	DUNS No.: 80-939-7102	Vendor No.: VF596000401002
CFDA Number:	CSFA Number: 55.004	

THIS AGREEMENT, made and entered into this _____ day of _____

by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida,

hereinafter referred to as the Department, and City of Palatka

4015 Reid Street Palatka, FL 32177

hereinafter referred to as Agency.

W I T N E S S E T H :

WHEREAS, the Department and the Agency heretofore on the 28 th day of September , 2011 entered into a Joint Participation Agreement; and

WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended hereto; and

WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment "A" for a total Department Share of $ 365,000.00

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended and supplemented as follows:

1.00 Project Description: The project description is amended

Design & Const. Main Access Rd. Rehabilitation, Draindage, Signage, Landscaping, Sidewalk & Construction Management

2.00 Project Cost:

Paragraph 3.00 of said Agreement is ● increased ❍ decreased by $ 365,000.00 bringing the revised total cost of the project to $ 365,000.00

Paragraph 4.00 of said Agreement is ● increased ❍ decreased by $ 365,000.00 bringing the Department's revised total cost of the project to $ 365,000.00

3.00 Amended Exhibits:

Exhibit(s) B & D of said Agreement is amended by Attachment "A".

4.00 Contract Time:

Paragraph 18.00 of said Agreement 9/30/2013 .

5.00 E-Verify:

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and

2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

Financial Project No. 429097-1-94-12

Contract No. AQG14

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated 9/28/2011 and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

AGENCY

City of Palatka
AGENCY NAME

Michael J. Czymbor
SIGNATORY (PRINTED OR TYPED)

SIGNATURE

City Manager
TITLE

ATTEST:

CITY CLERK

FDOT

See attached Encumbrance Form for date of Funding Approval by Comptroller

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

James Bennett, PE
DEPARTMENT OF TRANSPORTATION

Urban Transportation Development Manager
TITLE

Financial Project No. 429097-1-94-12

Contract No. AQG14

Agreement Date

ATTACHMENT "A"
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and City of Palatka

4015 Reid Street Palatka, FL 32177

dated 9/28/2011

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

Pruchase Fuel Truck and adding additiaonal time to contract.

		As Approved	As Amended	Net Change
I.	Project Cost	$0.00	$365,000.00	$365,000.00

		As Approved	As Amended	Net
II.	Fund	DDR	DDR	DDR
	Department:	$0.00	$365,000.00	$365,000.00
	Agency:	$0.00	$0.00	$0.00
	Federal:	$0.00	$0.00	$0.00
	Total Project Cost	$0.00	$365,000.00	$365,000.00

Comments:

This project is being funded under the REDI program.

ATTACHMENT "A"
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

III. MULTI-YEAR OR PREQUALIFIED PROJECT FUNDING

If a project is a multi-year or prequalified project subject to paragraphs 4.10 and 17.20 of this agreement, funds are programmed in the Department's Work program in the following fiscal year(s):

FY	Amount
	$

Agenda Item

3e

CITY COMMISSION AGENDA ITEM

SUBJECT: **Code Enforcement Board Appointment**

DEPARTMENT: **Admin/Clerk**

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

SUMMARY: There are three openings on the Palatka Code Enforcement Board. These openings are experience-specific. One is for an individual with Real Estate Experience. Members serve 3-year terms and must live within the City limits.

Staff has received an application from Sandra H. Smith, a professional Real Estate agent. She has been informed of this Board's function, responsibilities and meeting attendance requirements and comes with a recommendation for appointment from Staff. She lives in the City and is otherwise qualified to serve on this Board in this voluntary capacity.

RECOMMENDED ACTION: Appoint Sandra H. Smith to the Palatka Code Enforcement Board as representative with real estate experience to serve the remainder of a three-year term expiring September, 2013, and for an additional three-year term to expire September, 2016.

DEPARTMENT HEAD	Submitted: Betsy Driggers, City Clerk	Date: 06/03/13
	Requested Agenda Consent	Date: 06/13/13
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/3/13

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

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

CITY OF PALATKA
FLORIDA

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

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

CITY OF PALATKA ADVISORY BOARD APPLICATION

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

APPLICANT: Sandra M. Smith **(Must be at least 18 yrs. old)**
Residence (911 Address) 415 Olive St. **Phone:** 386-983-3514 **Fax:**
Business Name & Address Watson Real Estate **Phone:** **Fax:**
(City Residents or business/property owners will be given preference when board member residency is not specified by statute or city ordinance)
Preferred Mailing Address: 415 Olive St. Palatka Fl 32177

E-mail: smsmith1338@gmail.co **Daytime Phone:** 386-983-3514

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

Real estate sales
notary Public

OTHER COMMENTS OR INFORMATION:

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

Sandra M Smith 5/30/13
SIGNATURE OF APPLICANT **DATE**

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

Updated April 17, 2013

CODE ENFORCEMENT BOARD

7 Members - 3-Yr. Terms

Appt. Date		Term Expires
10/27/11	Vacant (Sub-contractor Rep.)	Sept. 2012
11/11/04	Pat A. Wilson (Engineering Rep.) 516 River Street (H)325-7736 (F)325-9306 wilson9318@bellsouth.net (W)937-7158	Sept. 2013
7/23/09	Michael Gagnon (General Contractor Rep.) 703 Emmett St. (H)325-9418 captainclub0607@yahoo.com	Sept. 2013
8/26/10	Vacant (Real Estate Rep.)	Sept. 2013
02/10/11 (mailing) (home)	Leroy Miles, III (Attorney Rep.) 400 Hwy. 19 N., Suite 42 (C)916-8241 607 S. Moody Rd., Apt. 11A (W)329-2506 Leroymiles3@aol.com	Sept. 2014
	Vacant (Architectural Exp. Sub. Rep.)	Sept. 2014
10/27/05(alt) 10/26/06 (mailing) 10/09/08(alt) (home)	John A. Lyon (Alternate #1) (C)937-4679 308 Kirkland Street (W)325-0419 (H)325-6667 308 Kirkland St. steamboatwillies1@yahoo.com	Sept. 2014
9/25/03	LaSandra Williams (Business Rep.) 1424 Ocean Street (H)328-1071 (Day) 904-823-4205 williamL@dor.state.fl.us or jwilljr@comcast.com	Sept. 2015
9/13/12	Johnny Maurice Brown (Alternate #2) 107 S. 9th St. (C)972-9612 Japbrown3@aol.com (W)325-4543	Sept. 2015

Created by Ordinance #87-24 dated 9/10/87;
Ord. passed 1/9/92 allows for successive terms upon Commission approval
Ord. 02-01 Passed 1/10/02 adding two alternates
Ord. 04-24 Passed 9/9/04 amending jurisdiction & powers
Meets 4th Wednesday, 4 PM at City Hall

Agenda Item

3f

CITY COMMISSION AGENDA ITEM

SUBJECT: Memorandum of Voting Conflict – Commissioner Mary Lawson Brown
May 30, 2013 Agenda Item #3(c)

DEPARTMENT: Admin/Clerk

ATTACHMENTS: ___ Ordinance ___ Resolution ___ Motion
___ Support Documents _X__ Other Form 8B

SUMMARY: Florida law requires elected or appointed officials serving on boards or commissions to file a Division of Ethics Form 8B, Memorandum of Voting Conflict, when that official is presented with a voting conflict of interest under Section 112.3143, Florida Statutes. This form must be filed with the Clerk and entered into the record of the meeting.

At a special called meeting held on May 30, 2013, Commissioner Mary Lawson Brown declared the appearance of a voting conflict of interest citing her appointment as a Trustee to the Florida League of Cities Florida Mutual Insurance Trust and recused herself from voting on Item 3(c), the Resolution to designate Brown & Brown, Daytona, as the City's Agent of Record for Property/Casualty Insurance and Employee Benefits Consultant

---

RECOMMENDED ACTION: Incorporate this form into the minutes of the meeting.

DEPARTMENT HEAD	Submitted: MB B. Driggers Requested Agenda Consent	Date: 06-03-13 Date: 06/13/13
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/3/13

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

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Brown, Mary Lawson	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Palatka City Commission
MAILING ADDRESS 201 N. 2nd Street	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY Palatka COUNTY Putnam	NAME OF POLITICAL SUBDIVISION: City of Palatka
DATE ON WHICH VOTE OCCURRED May 30, 2013	MY POSITION IS: ☑ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Mary Lawson Brown, hereby disclose that on May 30, 20 13:

(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

3 *c. Adopt Resolution No. 2013-9-120 to designate Brown & Brown as Property-Casualty Insurance/Risk Management/Employee Benefits Consultant/Broker per results of RFP dated 4/29/13.

I am appointed by the Florida League of Cities to serve as a Trustee on its Florida Mutual Insurance Trust, with whom the City is insured, and receive a stipend for my service.

Date Filed _____ Signature _____

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

Agenda Item

3g

CITY COMMISSION AGENDA ITEM

SUBJECT: **Designate Voting Delegate for FLC 2013 Annual Conference Business Meeting**

DEPARTMENT: **Admin/Clerk**

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

SUMMARY: Each year in advance of the annual Conference, the Florida League of Cities asks the City to appoint one of its members as the City's voting delegate for the FLC annual conference business meeting.

Vice Mayor Brown has agreed to serve as voting delegate to the 2013 FLC Annual Conference. Commissioner Leary has agreed to serve as Alternate Delegate.

RECOMMENDED ACTION: Designate Vice Mayor Brown as voting delegate and Commissioner Leary as alternate voting delegate to the 2013 FLC Annual Conference in Orlando FL

DEPARTMENT HEAD	Submitted: B. Driggers, City Clerk Requested Agenda Consent	Date: 06-04-13 Date: 06-13-13
FINANCE DEPARTMENT	Budgeted ___Yes ___No _X_N/A	Date: 06-04-13
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/6/13

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

FLORIDA LEAGUE OF CITIES, INC.
301 South Bronough Street • Suite 300 • P.O. Box 1757 • Tallahassee, FL 32302-1757 • (850) 222-9684 • Fax (850) 222-3806 • www.floridaleagueofcities.com

TO: Municipal Key Official

FROM: Michael Sittig, Executive Director

DATE: May 29, 2013

SUBJECT: 87th Annual FLC Conference – "Great Cities Make a Great State"
VOTING DELEGATE AND RESOLUTION INFORMATION
August 15-17, 2013 – World Center Marriott, Orlando

As you know, the Florida League of Cities' Annual Conference will be held at the World Center Marriott, Orlando, Florida on August 15-17. This year we are celebrating Great Cities Make a Great State which will provide valuable educational opportunities to help Florida's municipal officials serve their citizenry more effectively.

It is important that each municipality designate one official to be the voting delegate. Election of League leadership and adoption of resolutions are undertaken during the business meeting. One official from each municipality will make decisions that determine the direction of the League.

In accordance with the League's by-laws, each municipality's vote is determined by population, and the League will use the Estimates of Population from the University of Florida for 2012, which are the same as the 2012 Census.

Registration materials will be sent to each municipality the week of June 1st. Materials will also be posted on-line. Call us if you need additional copies. The League adopts resolutions each year to take positions on commemorative, constitutional or federal issues. We have attached the procedures your municipality should follow for proposing resolutions to the League membership. A resolution is not needed to become a voting delegate. If you have questions regarding resolutions, please call Allison Payne at the League at (850) 701-3602 or (800) 616-1513, extension 3602. Proposed resolutions must be received by the League no later than July 10, 2013.

If you have any questions on voting delegates, please call Gail Dennard at the League (850) 701-3619 or (800) 616-1513, extension 3619. Voting delegate forms must be received by the League no later than August 12, 2013.

Attachments: Form Designating Voting Delegate
Procedures for Submitting Conference Resolution

President **Manny Maroño,** Mayor, Sweetwater
First Vice President **P.C. Wu,** Council President, Pensacola • Second Vice President **Lori C. Moseley,** Mayor, Miramar
Executive Director **Michael Sittig** • General Counsel **Harry Morrison, Jr.**

Procedures for Submitting Resolutions
Florida League of Cities' 87th Annual Conference
World Center Marriott
Orlando, Florida
August 15-17, 2013

In order to fairly systematize the method for presenting resolutions to the League membership, the following procedures have been instituted:

(1) Proposed resolutions must be submitted in writing, to be received in the League office by July 10, 2013, to guarantee that they will be included in the packet of proposed resolutions that will be submitted to the Resolutions Committee.
(2) Proposed resolutions will be rewritten for proper form, duplicated by the League office and distributed to members of the Resolutions Committee. (Whenever possible, multiple resolutions on a similar issue will be rewritten to encompass the essential subject matter in a single resolution with a listing of original proposers.)
(3) Proposed resolutions may be submitted directly to the Resolutions Committee at the conference; however, a favorable two-thirds vote of the committee will be necessary to consider such resolutions.
(4) Proposed resolutions may be submitted directly to the business session of the conference without prior committee approval by a vote of two-thirds of the members present. In addition, a favorable weighted vote of a majority of members present will be required for adoption.
(5) Proposed resolutions relating to state legislation will be referred to the appropriate standing policy committee. Such proposals will not be considered by the Resolutions Committee at the conference; however, all state legislative issues will be considered by the standing policy councils and the Legislative Committee, prior to the membership, at the annual Legislative Conference each fall. At that time, a state Legislative Action Agenda will be adopted.

Municipalities unable to formally adopt a resolution before the deadline may submit a letter to the League office indicating their city is considering the adoption of a resolution, outlining the subject thereof in as much detail as possible, and this letter will be forwarded to the Resolutions Committee for consideration in anticipation of receipt of the formal resolution.

87th Annual Conference
Florida League of Cities, Inc.
August 15-17, 2013
Orlando, Florida

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. Municipalities do not need to adopt a resolution to designate a voting delegate.

Please fill out this form and return it to the League office so that your voting delegate may be properly identified. Voting delegate forms must be received by the League no later than August 12, 2013.

Designation of Voting Delegate

Name of Voting Delegate: _____

Title: _____

Municipality of: _____

AUTHORIZED BY:

_____
Name

_____
Title

Return this form to:
Gail Dennard
Florida League of Cities, Inc.
Post Office Box 1757
Tallahassee, FL 32302-1757
Or Fax to Gail Dennard at (850) 222-3806

Important Dates

May 24, 2013
Notice to Local and Regional League Presidents and Municipal Associations regarding the Resolutions Committee

June 22
Appointment of Resolutions Committee Members

July 10
Deadline for Submitting Resolutions to the League office

August 15
League Legislative Policy Committee Meetings
Resolutions Committee Meeting
Voting Delegates Registration

August 17
Immediately Following Breakfast – Pick Up Voting Delegate Credentials
Followed by Annual Business Session

Agenda Item

3h

CITY COMMISSION AGENDA ITEM

SUBJECT: **City Commission/CRA Meeting Schedule Changes for June, 2013**

DEPARTMENT: **City Hall Administration**

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

SUMMARY: The City Commission adopted its annual meeting calendar in December, 2012. The pre-budget workshop was originally shown as being held on June 13, 2013 at 2:00 p.m. This will advise that this workshop has been rescheduled to be held on Thursday, June 27, 2013 at 2:00 p.m. A workshop call follows this Summary..

Also, the regular Community Redevelopment Agency meeting scheduled for June 13 was cancelled and rescheduled to be held on Thursday, June 27, 2013 at 5:00 p.m. A legal notice advising of this meeting schedule change appeared in the Palatka Daily News on Friday, June 7, 2013, in accordance with Florida Statute special district meeting requirements. A call for this meeting was issued on June 6, 2013, a copy of which also follows this Summary

The revised meeting calendar reflects these changes.

RECOMMENDED ACTION: **No action required – for information only.**

DEPARTMENT HEAD	Submitted: Betsy Driggers, City Clerk Requested Agenda Consent	Date: 06-06-13 Date: 06-13-13
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/6/13

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

2013 PALATKA CITY COMMISSION CALENDAR

Rev. 6/6/13

January 1 – June 30, 2013

JANUARY

1 - City offices closed in observance of New Year's
3 - Staff mtg. 2:30 p.m.
7 - Swearing in Ceremony 7:30 p.m.
10 - Staff mtg. 9:00 a.m.
10 - City Commission mtg. 6:00 p.m. - City Hall
21 - City offices closed in observance of Martin Luther King, Jr. Day
17 - Staff mtg. 9:00 a.m.
17 - NEFLC Meeting @ St. Augustine
24 - Staff mtg. 9:00 a.m.
24 - City Commission mtg. 6:00 p.m. - City Hall
31 - Staff mtg. 9:00 a.m.

FEBRUARY
Black History Month

7 - Staff mtg. 2:30 p.m.
14 - Staff mtg. 9:00 a.m.
14 - CRA mtg. 5:00 p.m. - City Hall
14 - City Commission mtg. 6:00 p.m. - City Hall
21 - Staff mtg. 9:00 a.m.
21 - NEFLC Meeting - Green Cove Springs
28 - Staff mtg. 9:00 a.m.
28 - City Commission mtg. 6:00 p.m. - City Hall

MARCH
Women's History Month

1 - Azalea Fest. Mayor's Reception
7 - Staff mtg. 2:30 p.m.
14 - Staff mtg. 9:00 a.m.
14 - City Commission mtg. 6:00 p.m. - City Hall
19-20 - FLC Legislative Action Day, Tallahassee
21 - Staff mtg. 9:00 a.m.
21 - NEFLC Meeting – Lake Butler
28 - Staff mtg. 9:00 a.m.
28 - City Commission mtg. 6:00 p.m. - City Hall

APRIL

4 - Staff mtg. 2:30 p.m.
11 - Staff mtg. 9:00 a.m.
11 - CRA mtg. 5:00 p.m. - City Hall
11 - City Commission mtg. 6:00 p.m. - City Hall
18 - Staff mtg. 9:00 a.m.
18 - NEFLC Meeting – Starke
25 - Staff mtg. 9:00 a.m.
25 - City Commission regular meeting 6:00 p.m. - City Hall

MAY

2 - Staff mtg. 2:30 p.m.
9 - Staff mtg. 9:00 a.m.
9 - City Commission mtg. 6:00 p.m. - City Hall
16 - Staff mtg. 9:00 a.m.
16 - NEFLC Meeting - The Beaches
23 - Staff mtg. 9:00 a.m.
23 - City Commission mtg. 6:00 p.m. - City Hall
27 - City offices closed in observance of Memorial Day Holiday
30 - Staff mtg. 9:00 a.m.

JUNE

6 - Staff mtg. 2:30 p.m.
13 - Staff mtg. 9:00 a.m.
~~13 - Pre-Budget Workshop - 2:00 p.m./CRA Mtg. – 5:00 p.m. – City Hall~~
13 - City Commission mtg. 6:00 p.m. - City Hall
20 - Staff mtg. 9:00 a.m.
20 - NEFLC Meeting – Orange Park
27 - Staff mtg. 9:00 a.m.
27 - Pre-Budget Workshop - 2:00 p.m./CRA Mtg. – 5:00 p.m. – City Hall
27 - City Commission 6:00 p.m. - City Hall

Upcoming Events & Conferences: **March 19-20, 2013 - Legislative Action Day, Tallahassee**
August 15-17 - FLC Annual Conference, World Center Marriott, Orlando

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

June 6, 2013

TO CRA MEMBERS: MARY LAWSON BROWN, ALLEGRA KITCHENS, PHIL LEARY, JAMES NORWOOD, Jr., KARL N. FLAGG AND ALEX SHARP:

You are hereby notified that a meeting of the Community Redevelopment Agency is called to be held at the regular meeting place of the Palatka City Commission, 201 N. 2nd Street, Palatka, on Thursday, August 27, 2013 at 5:00 p.m.

The purpose of the meeting is to hold the June 2013 CRA meeting, which is regularly scheduled to be held on the 2nd Thursday of the month, but which was cancelled and called to be rescheduled on the 4th Thursday of the month.

/s/ Vernon Myers
Vernon Myers, MAYOR/Chairman

We acknowledge receipt of a copy of the foregoing notice of a special meeting on the 6th day of June, 2013.

/s/ Mary Lawson Brown
COMMISSIONER

/s/ Allegra Kitchens
COMMISSIONER

/s/ James Norwood, Jr.
COMMISSIONER

/s/ Phil Leary
COMMISSIONER

/s/ Alex Sharp
PRESIDENT
DOWNTOWN PALATKA, Inc.

/s/ Karl N. Flagg
PUTNAM COUNTY BOCC
DISTRICT 3 COMMISSIONER

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

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

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

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

June 13, 2013

TO COMMISSIONERS: **MARY LAWSON BROWN, ALLEGRA KITCHENS, PHIL LEARY AND JAMES NORWOOD, Jr.:**

You are hereby notified that a workshop meeting of the Palatka City Commission is called to be held on June 27, 2013, at the regular meeting place of the Palatka City Commission, Palatka City Hall, 201 N. 2nd Street, Palatka, Florida, to commence at 2:00 p.m.

The purpose of the meeting is to hold a pre-budget workshop for FY 2013-14.

/s/ Vernon Myers
Vernon Myers, MAYOR

We acknowledge receipt of a copy of the foregoing notice of a special meeting on the 13th day of June, 2013.

/s/ Mary Lawson Brown
COMMISSIONER

/s/ Phil Leary
COMMISSIONER

/s/ James Norwood, Jr.
COMMISSIONER

/s/ Allegra Kitchens
COMMISSIONER

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

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

Agenda Item

4

CITY of Palatka FLORIDA

AGENDA ITEM

SUBJECT: A Resolution of the City of Palatka, Florida, selecting Bates & Hewitt (Palatka) as Broker/Agent of Record for Employee Benefits and Brown & Brown (Daytona Beach) as Broker/Agent of Record for Property/Casualty and Risk Management Services, and authorizing the City Manager to negotiate contracts for services

DEPARTMENT: Finance

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

SUMMARY: On March 28, 2013, the City submitted a request for proposals (RFP) for brokerage/consulting services for employee benefits, property/casualty insurance and risk management services. The goal of the RFP was to select a broker/consultant relationship that would assist the City in making informed and quality decisions in regards to the benefits package that the City offers to its employees as well as all other lines of general liability, automotive, in-land marine and property insurance. The broker/consultant will provide personalized customer service, proactively meet the City's needs, solicit most cost competitive quotes, listen to the City's issues and concerns, understand the business and respond in a timely and accurate manner when assisting the City with these lines of insurance.

The City's general liability, property/casualty and workers compensation insurance policies are currently with the Florida Municipal Insurance Trust through the Florida League of Cities. Our current broker for employee benefits is Bates, Hewett & Floyd who has obtained quotes in the past on the City's behalf from Blue Cross & Blue Shield (Florida Blue), United Healthcare and Cigna however the City is currently with Blue Cross & Blue Shield (Florida Blue) and has been for many years.

The RFP specified that a selection committee, appointed by the City Manager, was to review and evaluate all responses to the RFP and make a recommendation for award to the City Manager. The selection committee consisted of seven members: Finance Director Matt Reynolds, City Clerk Betsy Driggers, Palatka Gas Authority Manager Don Kitner, Police Chief Gary Getchell, Fire Chief Mike Lambert, Water Plant Superintendent Melvin Register and Streets/Sanitation Superintendent Ed Chandler. The committee held several meetings to review, evaluate and rank the nine firms that responded to the RFP.

The selection committee ranked the respondents on eight different categories: market knowledge & access, client knowledge, depth of staff, technical knowledge of staff, scope of services, account management, communication and past performance. The selection committee's rankings are included with this summary. The top five ranked respondents were the Florida League of Cities followed by Brown & Brown (Daytona Beach), Harden, Ascension and Bates, Hewett & Floyd. However, the Florida League of Cities differs in several aspects from all other brokers that responded. One aspect is that the League will only obtain quotes from the Florida Municipal Insurance Trust (FMIT). Another significant difference between the League and other brokers is that they do not charge a commission fee for administering all lines of insurance placed through them with the FMIT. The FMIT also very rarely allows other brokers to obtain quotes and administer insurance policies. These differences pose a

potential issue for the City in that if we utilize only one broker, they may be unable to obtain quotes from the Florida Municipal Insurance Trust. Another issue is that if they are able obtain a quote from the FMIT, a commission will be included whereas if the City were to obtain a quote directly from the Florida League of Cities there will be no commission.

After thorough discussions, the evaluation committee felt that the best course for the City is to obtain quotes directly from the Florida Municipal Insurance Trust through the Florida League of Cities as well as select a broker which will obtain quotes on the City's behalf from all other potential providers for both employee benefits and general liability, property/casualty and workers compensation. This will ensure that the City is receiving competitive quotes from every potential provider for all lines of insurance. This was the Selection Committee's recommendation to the City Manager: that the most responsive broker, Brown & Brown (Daytona Beach), be selected as the broker for the City of Palatka; however, the agreement between the City and Brown & Brown must contain the stipulation that the City will be obtaining quotes directly from the Florida Municipal Insurance Trust via the Florida League of Cities and if the City decides to select the Florida Municipal Insurance Trust as its provider for any or all lines of insurance there will be no commission paid to Brown & Brown for those lines of insurance placed with the Florida Municipal Insurance Trust. The City Manager concurred on the Selection Committee's recommendation and placed proposed Resolution No. 2013-9-120 on the Palatka City Commission 5/30/13 special meeting agenda for adoption in order to effectuate this recommendation.

After discussion and deliberation during special session on May 30, 2013, the City Commission voted to reject the Selection Committee's recommendation contained in Resolution No. 2013-9-120 by a majority vote and endorsed Bates & Hewitt (Palatka) as the most responsive for Employee Benefits Agent of Record/Broker, and Brown & Brown (Daytona Beach) as most responsive for Property/Casualty Insurance Agent of Record/Broker, with the stipulation made in both brokerage contract agreements that the City will be obtaining quotes from the FLC Florida Municipal Insurance Trust for all lines of coverage, and should one or more of those coverages be placed with FLC FMIT, no commission will be paid to that respective broker for that coverage. A proposed resolution is attached which reflects the Commission's majority decision on the award of the RFP for Agent of Record/Brokerage Services, and which also authorizes the City Manager to negotiate an agreement with both Bates & Hewitt and Brown & Brown, which will be brought back to the City Commission for final approval.

RECOMMENDED ACTION: Adopt of Resolution 2013-9-127 selecting Bates & Hewitt (Palatka) as Employee Benefits Agent of Record/Broker and Brown & Brown (Daytona Beach) to serve as Property/Casualty Insurance Agent of Record/Broker for the City of Palatka and authorizing the City Manager negotiate an agreement with both Agencies for services.

DEPARTMENT HEAD	Submitted: Michael Czymbor, City Manager Requested Agenda: Consent	Date: 06-06-13 Date: 06-13-13
FINANCE DEPARTMENT	Budgeted ☐ Yes ☐ No ☒ N/A	Date: 06-06-13
CITY ATTORNEY	Approved as to Form and Correctness	Date: _____
CITY MANAGER	Approved Agenda Item For:	Date: 6/6/13

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 - 127

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, SELECTING BATES & HEWITT (PALATKA) AS THE CITY'S AGENDA OF RECORD (BROKER) FOR EMPLOYEE BENEFITS, AND BROWN & BROWN (DAYTONA BEACH) AS THE AGENDA OF RECORD (BROKER) FOR PROPERTY AND CASUALTY INSURANCE, AND AUTHORIZING THE NEGOTIATION OF AN AGREEMENT WITH BATES & HEWITT (PALATKA) AND BROWN & BROWN (DAYTONA BEACH) TO PROVIDE BROKERAGE SERVICES

WHEREAS, the City of Palatka advertised and accepted Requests for Proposals (RFP) for Property & Casualty and Employee Benefits Insurance brokerage services on April 29, 2013; and

WHEREAS, the Selection Committee reviewed and ranked each response to the RFP and determined that Brown and Brown (Daytona Beach) was the most responsive broker; and

WHEREAS, the Selection Committee has also determined that it is in the best interest of the City to obtain quotes directly from the Florida Municipal Insurance Trust through the Florida League of Cities; and

WHEREAS, the Palatka City Commission by majority vote rejected the Selection Committee's recommendation contained in Resolution 2013-9-120 and endorsed Bates & Hewitt (Palatka) as the most responsive for Employee Benefits, and Brown & Brown (Daytona Beach) as the most responsive for property & casualty coverage.

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

1. That the City of Palatka selects Bates & Hewitt (Palatka) as the Employee Benefits Agent of Record (Broker) and Brown and Brown (Daytona Beach) as the Property & Casualty Insurance Coverage Agent of Record (Broker) for the City of Palatka.

2. That the City Manager is hereby authorized to negotiate an agreement with Bates & Hewitt (Palatka) and Brown and Brown (Daytona Beach) to provide said respective brokerage services for the City of Palatka

3. That the agreement contains the stipulation that if the quotes obtained directly from the Florida Municipal Insurance Trust through the Florida League of Cities are determined to be in the best interest of the City of Palatka, that there will be no commission paid to Bates & Hewitt (Palatka) or to Brown and Brown (Daytona Beach) for those lines of insurance placed with the Florida Municipal Insurance Trust.

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

CITY OF PALATKA

By: Its MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM
AND CORRECTNESS:

CITY ATTORNEY

Evaluation Sheet for Responses to the RFP for Brokerage/Consulting Services for Employee Benefits, Property/Casualty and Risk Management Services

	FIRM:	Florida League of Cities	Brown & Brown - Daytona	Harden	Ascension	Bates, Hewett & Floyd	Marsh & McLennan	Hylant Group	Insurance Office of America	My Florida Insurance Team
		TOTAL POINTS	TOTAL POINTS	TOTAL POINTS	TOTAL POINTS	TOTAL POINTS	TOTAL POINTS	TOTAL POINTS	TOTAL POINTS	TOTAL POINTS
1	Matt Reynolds	83	81	78	72	79	78	77	70	51
2	Betsy Driggers	95	91	85	84	69	81	61	68	72
3	Don Kitner	77	69	68	72	56	70	69	0	0
4	Gary Getchell	100	93	94	78	94	50	72	67	45
5	Mike Lambert	77	84	76	76	78	79	77	76	68
6	Melvin Register	85	82	78	79	78	80	83	81	63
7	Ed Chandler	78	67	72	65	71	66	64	63	30
	TOTAL	85.00	81.00	78.71	75.14	75.00	72.00	71.86	60.71	47.00

Agenda Item

5a

CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION 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 are companion rezoning and Future Land Use Map amendment actions for the property for consideration at this meeting. The .34-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:
Approve adoption

DEPARTMENT HEAD	Submitted: Thad Crowe	Date: 5/28/2013
	Requested Agenda Regular	Date: 6/13/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/3/13

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 -

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 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.

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

Section 1.

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;

Section 2. NOW THEREFORE, be it enacted by the people of the City of Palatka, Florida, 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.

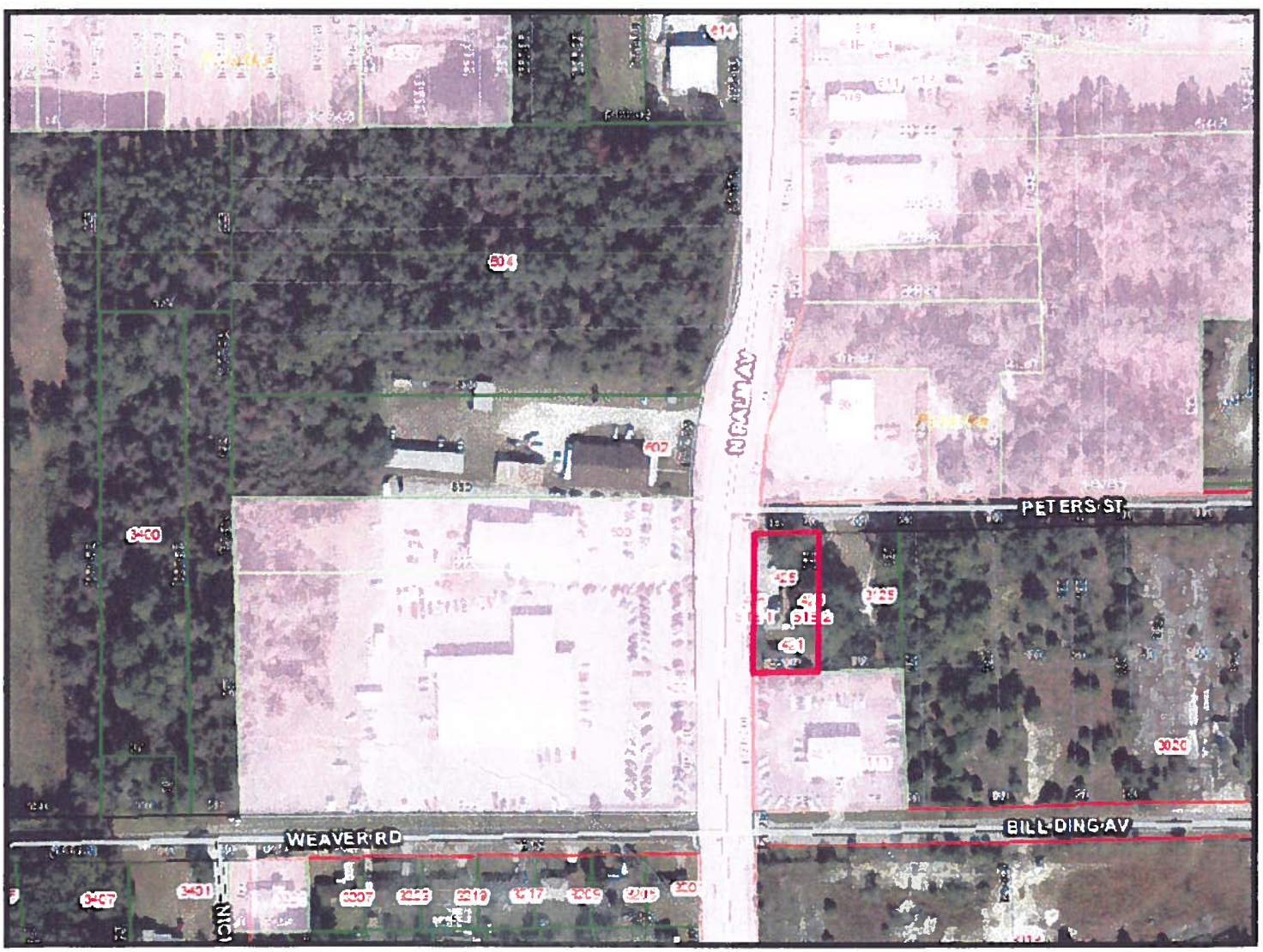


Figure 1: Site and Vicinity Map (red shaded area represents city limits)

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).

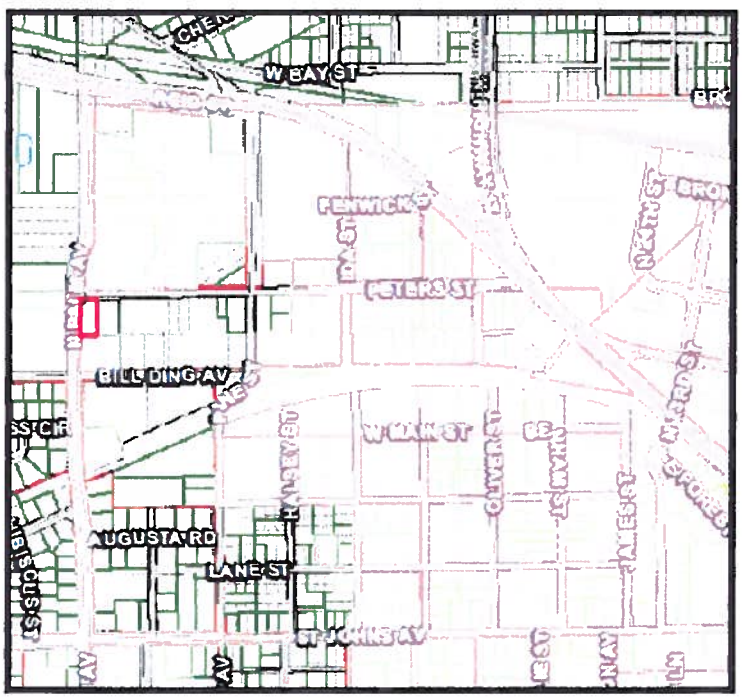


Figure 4: Enclave Area (purple area is City)

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.

Agenda Item

5b

CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION OF ORDINANCE AMENDING COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR 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. The property owner is requesting the Commercial FLUM designation, which is comparable to the present County Urban Service designation. There are companion annexation and rezoning actions for the property for consideration at this 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:
Approve adoption

DEPARTMENT HEAD	Submitted: Thad Crowe	Date: 5/28/2013
	Requested Agenda Regular	Date: 6/13/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/3/13

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 - 23

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO THE FOLLOWING PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE): FROM PUTNAM COUNTY US (URBAN SERVICES) TO CITY COM (COMMERCIAL) FOR 421 AND 425 NORTH PALM AVENUE (SECTION 1, TOWNSHIP 10 SOUTH, RANGE 26 EAST); 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 for certain amendment to the Comprehensive Plan Future Land Use Map of the City of Palatka, Florida, and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides for the amendment of an adopted comprehensive plan, and

WHEREAS, Section 163.3187(1(b), Florida Statutes, as amended, provides that a local government may amend its adopted comprehensive plan to change the land uses of up to 120 acres by small scale amendments annually, and

WHEREAS, Section 163.3187(2), Florida Statutes, as amended, provides that small scale development amendments require only one public hearing before the governing board, which shall be an adoption hearing, and

WHEREAS, the Planning Board conducted a public hearing on April 2, 2013 and recommended approval of this amendment to the City Commission, and

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

Section 1. Adopted Small Scale Amendment

That the Future Land Use Map of the adopted Comprehensive Plan of the City of Palatka is hereby amended to provide that the Future Land Use of the parcel of land listed in Table 1 below shall be changed as designated and that the Future Land Use Map shall be amended to show the change.

TABLE 1
ADOPTED SMALL SCALE AMENDMENT

Property Tax Number	Acreage	Current Future Land Use	Amended Future Land Use
01-10-26-8650-0030-0400	0.34	County US (Urban Services)	COM (Commercial)

Section 2. Effect on the Comprehensive Plan

The remaining portions of said adopted comprehensive plan of the City of Palatka, Florida, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 3. Severability

Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

Section 4. Effective date

This Ordinance shall become effective thirty-one (31) days after its final passage by the City Commission of the City of Palatka, Florida.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 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.

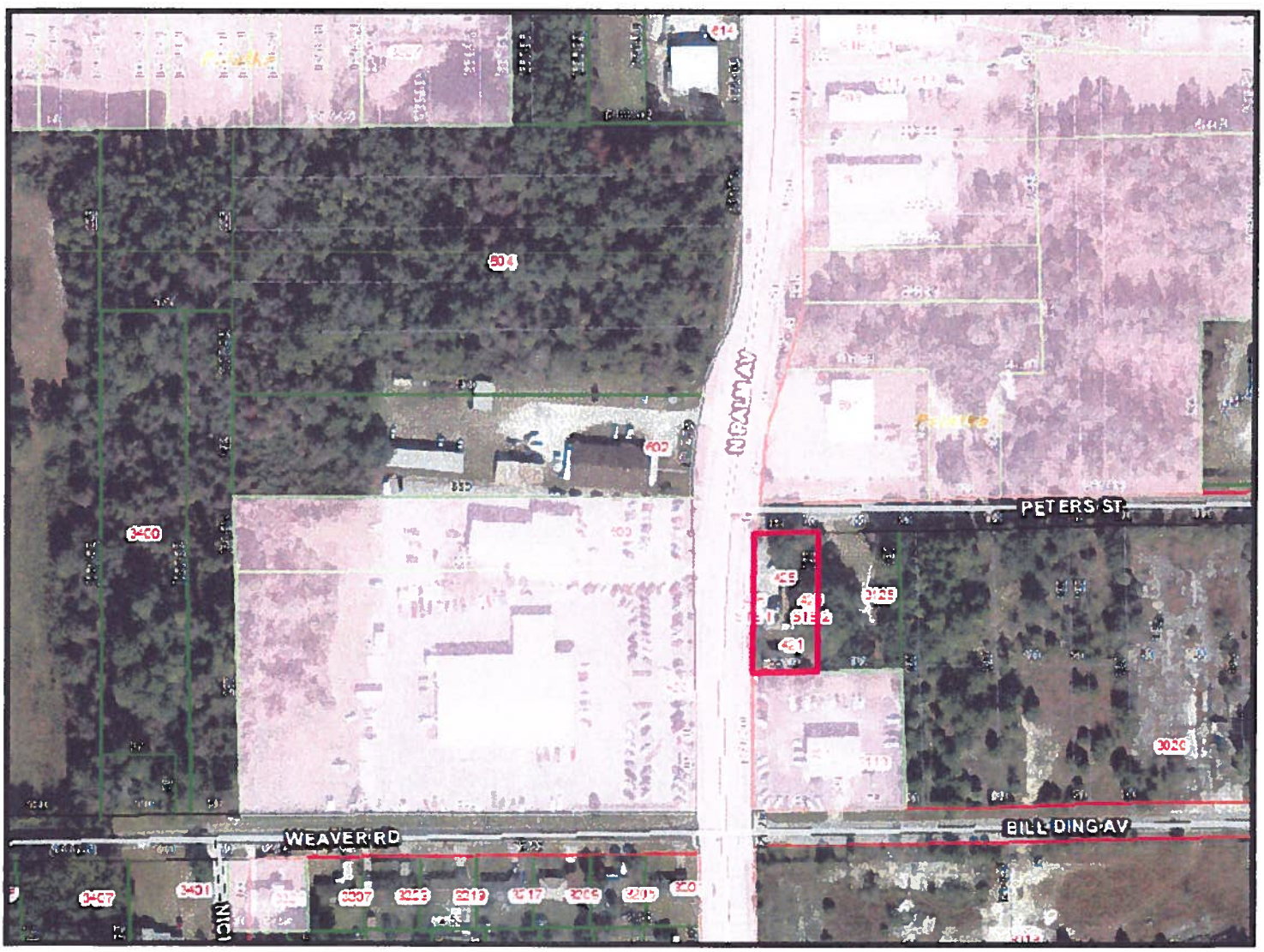


Figure 1: Site and Vicinity Map (red shaded area represents city limits)

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).

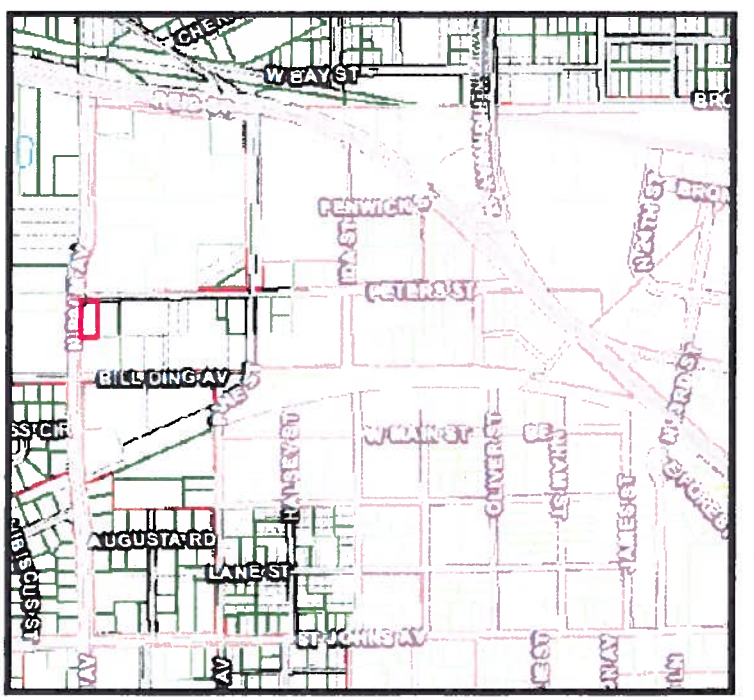


Figure 4: Enclave Area (purple area is City)

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.

Agenda Item

5c

CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION OF ORDINANCE REZONING 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. The Applicant has requested C-2 (Intensive Commercial) zoning, which is less intensive than to the current County industrial zoning. There are companion annexation and Future Land Use Map amendment actions for the property for consideration at this 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:
Approve adoption

DEPARTMENT HEAD	Submitted: Thad Crowe	Date: 5/28/2013
	Requested Agenda Regular	Date: 6/13/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/3/13

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 1, TOWNSHIP 10 SOUTH, RANGE 26 EAST, INCLUDING 421 and 425 NORTH PALM AVENUE FROM PUTNAM COUNTY LI (LIGHT INDUSTRIAL) TO CITY 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 13-10: 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.

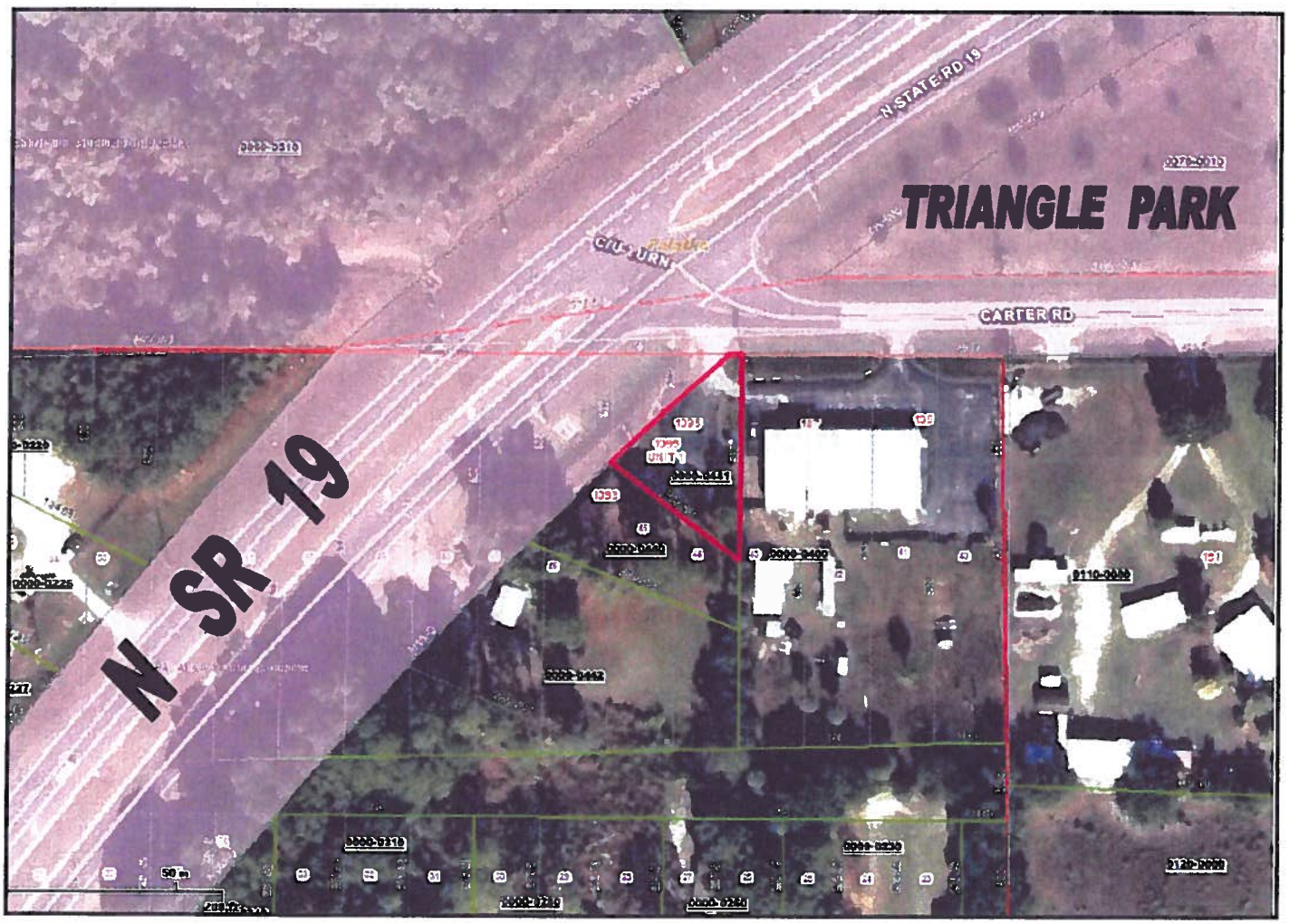


Figure 1: Site and Vicinity Map (red shaded area represents city limits)

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.*

[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.

Agenda Item

6a

CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION 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 are companion rezoning and Future Land Use Map amendment actions for the property for consideration at this meeting. The .69-acre property is located at the northeast corner of North State Road 19 and Carter Street and contains an office building with a bail bonds business. The owner has requested City water.

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

RECOMMENDED ACTION:
Approve adoption

DEPARTMENT HEAD	Submitted: Thad Crowe	Date: 5/29/2013
	Requested Agenda Regular	Date: 6/13/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/3/13

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 2, 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.

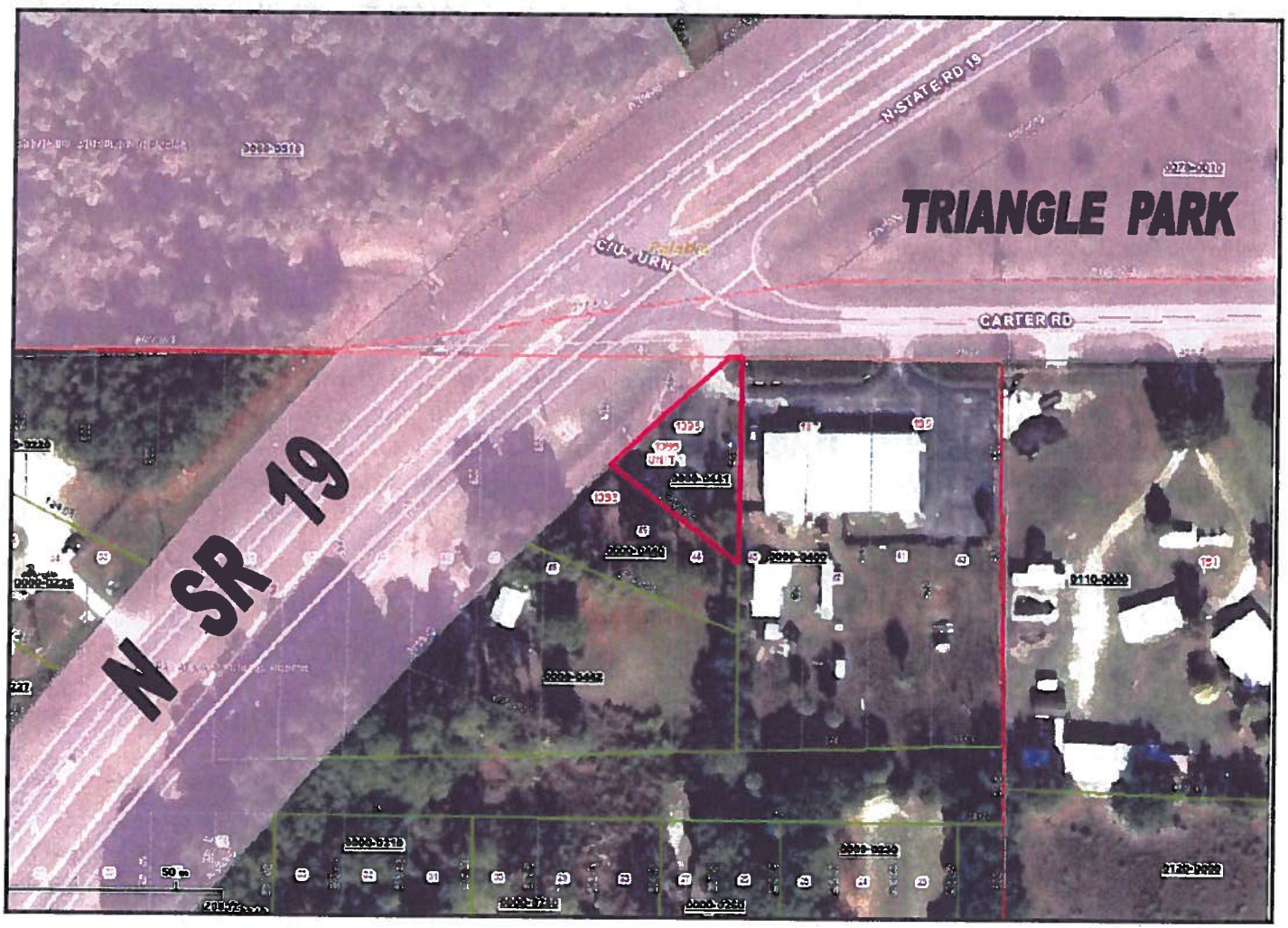


Figure 1: Site and Vicinity Map (red shaded area represents city limits)

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).

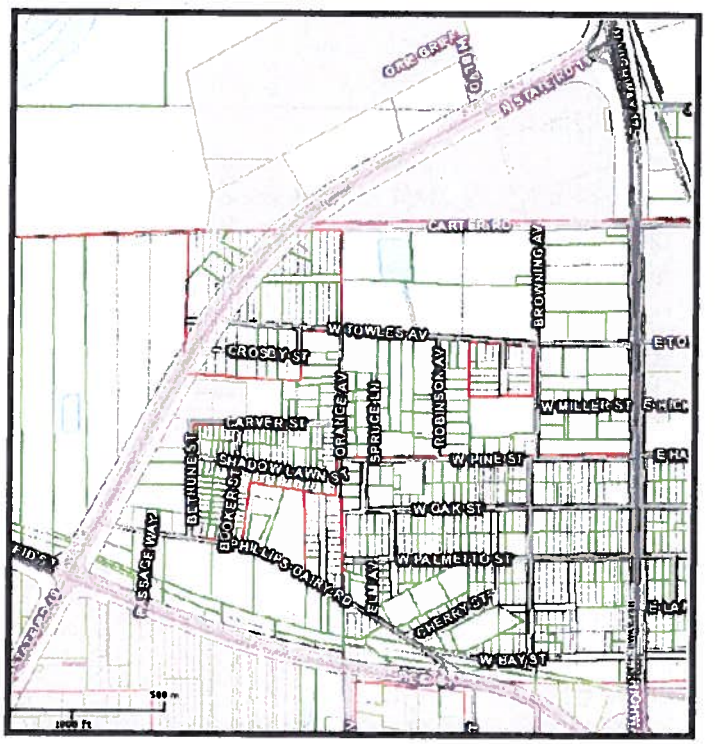


Figure 4: Enclave Area Between Reid St., N SR 19, & US 17

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.*

---

[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.

Agenda Item

6b

CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION OF ORDINANCE AMENDING COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR 1095 N SR 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. The property owner is requesting the Commercial FLUM designation, which is comparable to the present County Urban Service designation. There are companion annexation and rezoning actions for the property for consideration at this meeting. The 0.69-acre property is located at the northeast corner of SR 19 and Carter Street and has a office building with a bail bonds business. The owner has requested City water.

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

RECOMMENDED ACTION:
Approve adoption

DEPARTMENT HEAD	Submitted: Thad Crowe	Date: 5/28/2013
	Requested Agenda Regular	Date: 6/13/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/3/13

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 - 26

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO THE FOLLOWING PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE): FROM PUTNAM COUNTY US (URBAN SERVICES) TO CITY COM (COMMERCIAL) FOR 1095 NORTH STATE ROAD 19 (SECTION 2, TOWNSHIP 10 SOUTH, RANGE 26 EAST); 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 for certain amendment to the Comprehensive Plan Future Land Use Map of the City of Palatka, Florida, and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides for the amendment of an adopted comprehensive plan, and

WHEREAS, Section 163.3187(1(b), Florida Statutes, as amended, provides that a local government may amend its adopted comprehensive plan to change the land uses of up to 120 acres by small scale amendments annually, and

WHEREAS, Section 163.3187(2), Florida Statutes, as amended, provides that small scale development amendments require only one public hearing before the governing board, which shall be an adoption hearing, and

WHEREAS, the Planning Board conducted a public hearing on April 2, 2013 and recommended approval of this amendment to the City Commission, and

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

Section 1. Adopted Small Scale Amendment

That the Future Land Use Map of the adopted Comprehensive Plan of the City of Palatka is hereby amended to provide that the Future Land Use of the parcel of land listed in Table 1 below shall be changed as designated and that the Future Land Use Map shall be amended to show the change.

TABLE 1
ADOPTED SMALL SCALE AMENDMENT

Property Tax Number	Acreage	Current Future Land Use	Amended Future Land Use
02-10-26-6870-0000-044	0.69	County US (Urban Services)	COM (Commercial)

Section 2. Effect on the Comprehensive Plan

The remaining portions of said adopted comprehensive plan of the City of Palatka, Florida, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 3. Severability

Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

Section 4. Effective date

This Ordinance shall become effective thirty-one (31) days after its final passage by the City Commission of the City of Palatka, Florida.

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

CITY OF PALATKA

By:_____
Its Mayor

ATTEST:

_____
City Clerk

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.

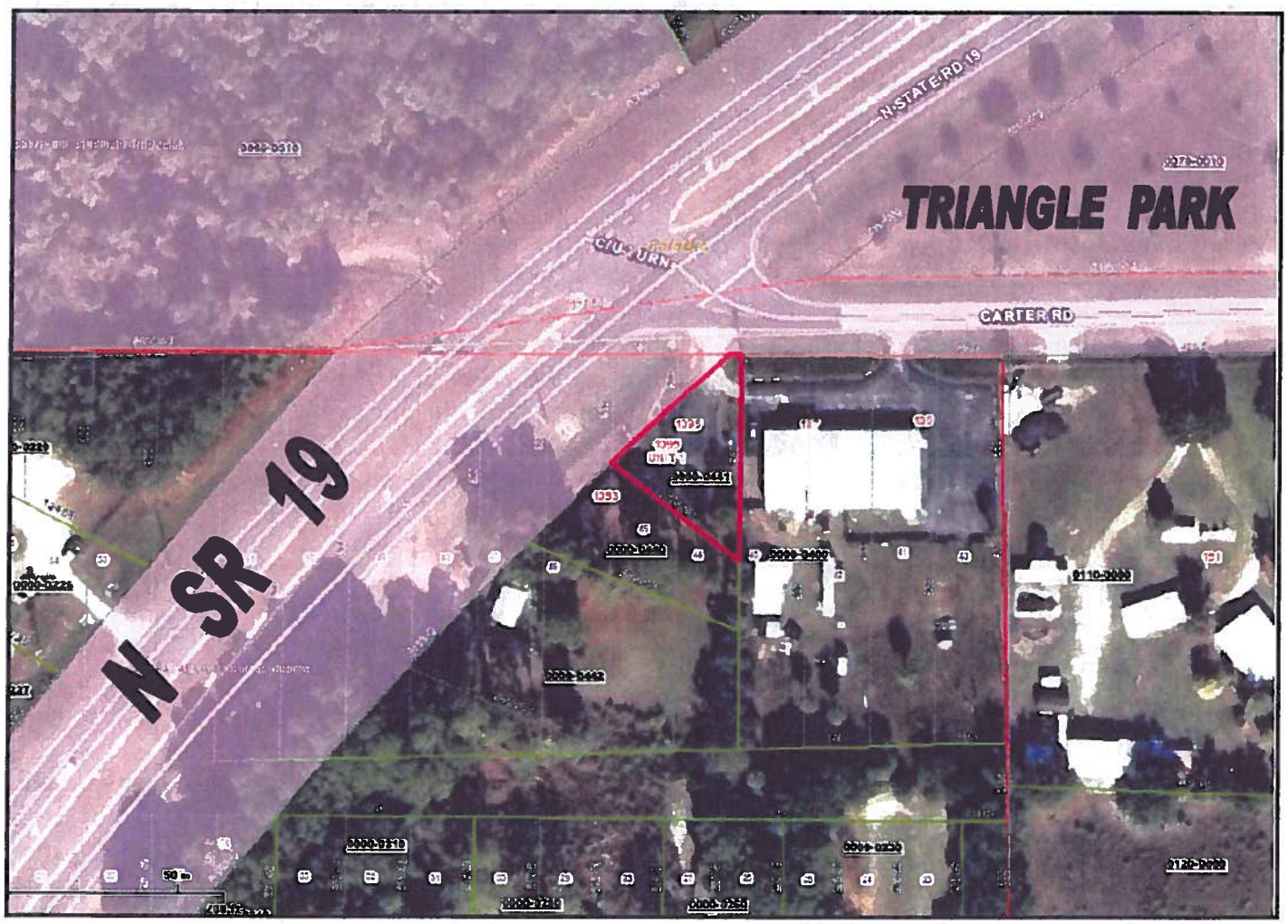


Figure 1: Site and Vicinity Map (red shaded area represents city limits)

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.*

[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.

Agenda Item

6c

CITY COMMISSION AGENDA ITEM

SUBJECT: ADOPTION OF ORDINANCE REZONING 1095 SR 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. The Applicant has requested C-2 (Intensive Commercial) zoning, which is comparable to the current County commercial zoning. There are companion annexation and Future Land Use Map amendment actions for the property for consideration at this meeting. The 0.69-acre property is located at the northeast corner of SR 19 and Carter Street and has an office building with a bail bonds business. The owner has requested City water.

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

RECOMMENDED ACTION:
Approve adoption

DEPARTMENT HEAD	Submitted: Thad Crowe	Date: 5/28/2013
	Requested Agenda Regular	Date: 6/13/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No ___N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/13/13

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 - 27

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 2, TOWNSHIP 10 SOUTH, RANGE 26 EAST, IDENTIFIED AS 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

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.

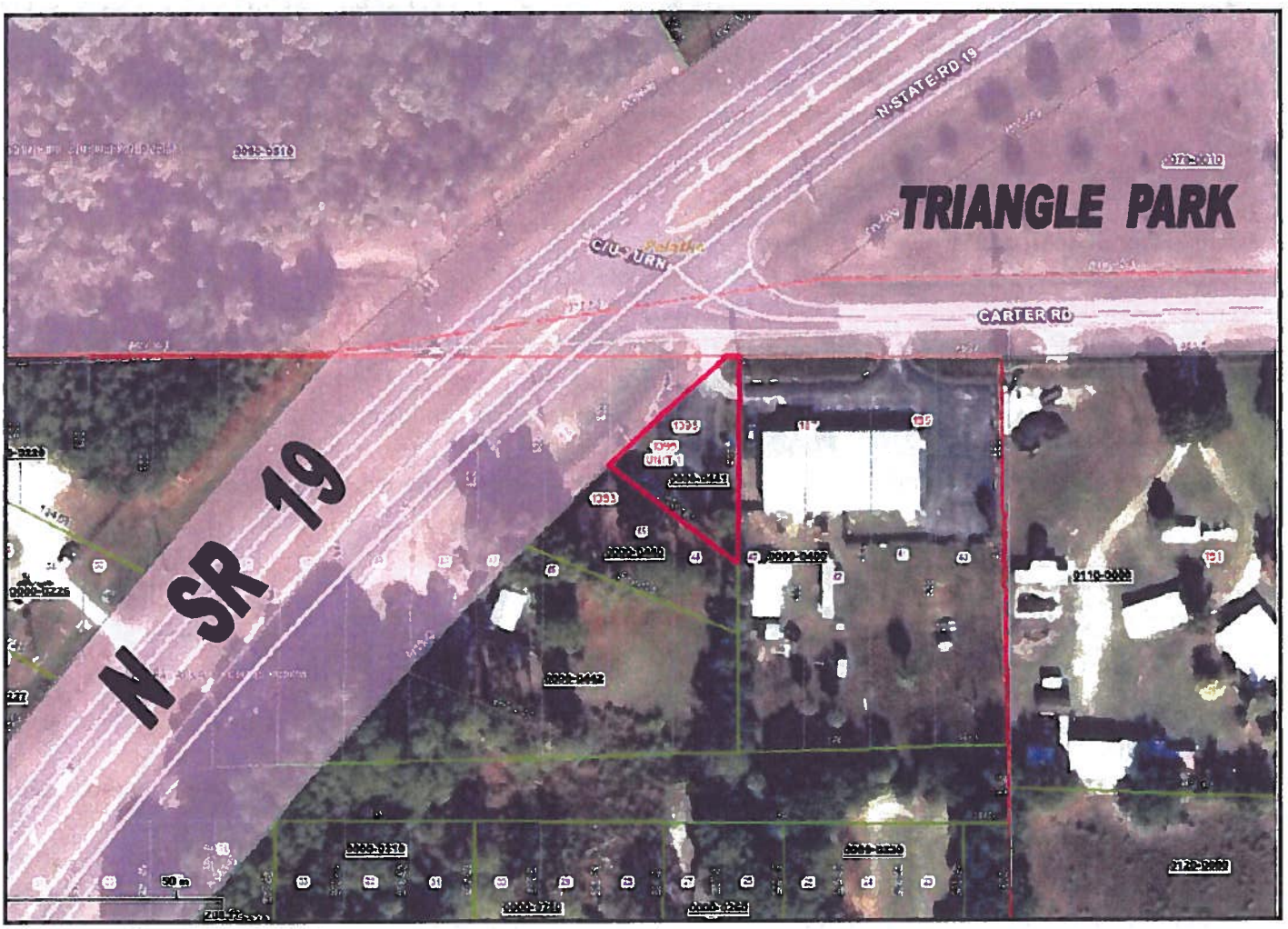


Figure 1: Site and Vicinity Map (red shaded area represents city limits)

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.*

---

[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.

Agenda Item

7

CITY COMMISSION AGENDA ITEM

SUBJECT: COUNTY REVISION OF SCHOOLS INTERLOCAL AGREEMENT

DEPARTMENT: BUILDING AND ZONING

ATTACHMENTS: _____Ordinance _____Resolution ___ Motion
__X___Support Documents __X___Other (Discussion Item)

SUMMARY:
The Putnam County Board of County Commissioners has recently directed its Planning Staff to revise the Schools Interlocal Agreement (attached) between the County, municipalities, and County School Board. The agreement, along with the Public Schools Facilities Element of the Comprehensive Plan, codify levels of service for schools, require City review & comment (no veto authority) for school boundary changes, require coordination of schools capital improvement program with County and municipalities, and require payment from residential development if school capacity is not available – payment goes toward needed new facilities. The Agreement also establishes a staff working group to monitor its implementation. The County Commission is proposing to revise the Agreement and Element to eliminate the provisions detailed above and retain a cooperative and voluntary working arrangement between the parties. Given that: 1) school enrollment is declining and ample school capacity is available, 2) and significant residential development is unlikely to occur to create school capacity problems; 3) the City has very little say about school boundary changes; and also 3) the process requires unnecessary investment of staff time on all fronts, Staff agrees with the recommendation to amend the Agreement as proposed.

RECOMMENDED ACTION:
Discussion

DEPARTMENT HEAD	Submitted: Thad Crowe	Date: 5/30/2013
	Requested Agenda Regular	Date: 6/13/2013
FINANCE DEPARTMENT	Budgeted ___Yes ___No __N/A	Date:
CITY ATTORNEY	Approved as to Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item For:	Date: 6/13/13

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

Thad Crowe

From: lanny harker [lanny.harker@putnam-fl.com]
Sent: Thursday, May 16, 2013 1:28 PM
To: Thad Crowe
Cc: brian hammons; mike brown
Subject: School Element & Interlocal Agreement

Good Afternoon Thad:

This is a follow up to the telephone conversation that you had with Brian this morning concerning rescinding of the School Element and the adoption of a revised Interlocal Agreement that is consistent with the 2011 statute. Earlier this morning I tried to e-mail you the "draft" documentation but apparently it was too larger and failed to transmit. Therefore, I'll be hand delivering the information to your office later this afternoon.

Upon review you will notice that certain reference and signature lines have been eliminated for the local jurisdictions as we have no idea at this time which ones will be joining the County going through the process. We are reaching out to all entities and will change the agreement as we receive confirmation of their intent to adopt the amendment.

If you find question or concern with any of the documentation please be sure to give us a call.

Regards;

Lanny

Lanny Harker, AICP
Planning Manager, Putnam County
2509 Crill Avenue, Suite 300
Palatka, FL 32177
Tel. (386) 329-1902 Fax. (386) 329-1213

DISCLAIMER NOTICE:
This email, along with any included attachment(s), is intended for use only by the person(s) or entity to which it is addressed. This message may contain confidential, proprietary, and/or legally privileged information. If you are not the intended recipient of this message, we apologize for any inconvenience this may have caused. You are hereby notified that you are prohibited from printing, copying, storing, disseminating or distributing this communication. If you received this communication in error, please notify the sender by email. All record of the communication you received in error (electronic or otherwise) should be destroyed in its entirety. Thank you for your cooperation and assistance in this matter.

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Thad Crowe

From: lanny harker [lanny.harker@putnam-fl.com]
Sent: Monday, May 20, 2013 1:23 PM
To: Thad Crowe
Subject: Proposed Interlocal Agreement
Attachments: Interlocal School 2013.pdf

Good Afternoon Thad:

Attached you will find a "clean version" of the proposed interlocal agreement with the School Board to go along with the items delivered on Friday. You will notice that the jurisdictional cities/ towns have not been included as we are unsure who all will be joining us in the endeavor at this point. We have contacted the RPC as they provide assistance to three of the local jurisdictions. All of their communities have indicted interest. Patrick has also expressed interest and we will follow up with him as well.

Regards;

Lanny

Lanny Harker, AICP
Planning Manager, Putnam County
2509 Crill Avenue, Suite 300
Palatka, FL 32177
Tel. (386) 329-1902 Fax. (386) 329-1213

DISCLAIMER NOTICE:
This email, along with any included attachment(s), is intended for use only by the person(s) or entity to which it is addressed. This message may contain confidential, proprietary, and/or legally privileged information. If you are not the intended recipient of this message, we apologize for any inconvenience this may have caused. You are hereby notified that you are prohibited from printing, copying, storing, disseminating or distributing this communication. If you received this communication in error, please notify the sender by email. All record of the communication you received in error (electronic or otherwise) should be destroyed in its entirety. Thank you for your cooperation and assistance in this matter.

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Comprehensive Plan Discussion Items

(BOCC Workshop April 16, 2013)

BACKGROUND AND SUMMARY HIGHLIGHTS:

In 2011 the Florida Legislature amended Chapter 163, Part II, Florida Statutes which among various actions rescinded Chapter 9J-5, Florida Administrative Code (Minimum Criteria Rule), revised the Elements required to be adopted in the Comprehensive Plan, and modified the public facilities and services mandated to be addressed for Concurrency.

Specifically, only four (4) items remain for Statewide Concurrency evaluation. Those are impacts associated with provision of sanitary sewer, solid waste, drainage, and potable water. The former items related to transportation, recreation and open space, and public school facilities are no longer mandated for impact analysis. In addition the Public Schools Facilities Element is no longer required as a Comprehensive Plan Element and only the Interlocal Agreement portion of the legislation remains.

Historically, in 2005 the Florida Legislature amended s.163.3180, F.S., and mandated the implementation of public school concurrency. The legislature's requirements included the addition of a Public School Facilities Element (PSFE) to the Comprehensive Plan supported by Data and Analysis, as well as amendments to the Map Series, Capital Improvement Element (CIE) and Intergovernmental Coordination Element (ICE) of the Comprehensive Plan and the adoption of an Interlocal Agreement for school planning and school concurrency.

The County formally transmitted the Public School Facilities Element, required associated amendments and adopted Interlocal Agreement to the former Florida Department of Community Affairs (FDCA) on November 13, 2007 and subsequently received approval of the amendments on August 4, 2008.

Recognizing the Public School Facilities Element and Concurrency evaluation are no longer required the County staff has revised the existing Interlocal Agreement for compliance with current legislation. The agreement still contains the applicable mechanisms which jointly establish the specific ways in which the plans and processes of the district school board and the local County governments are to be coordinated.

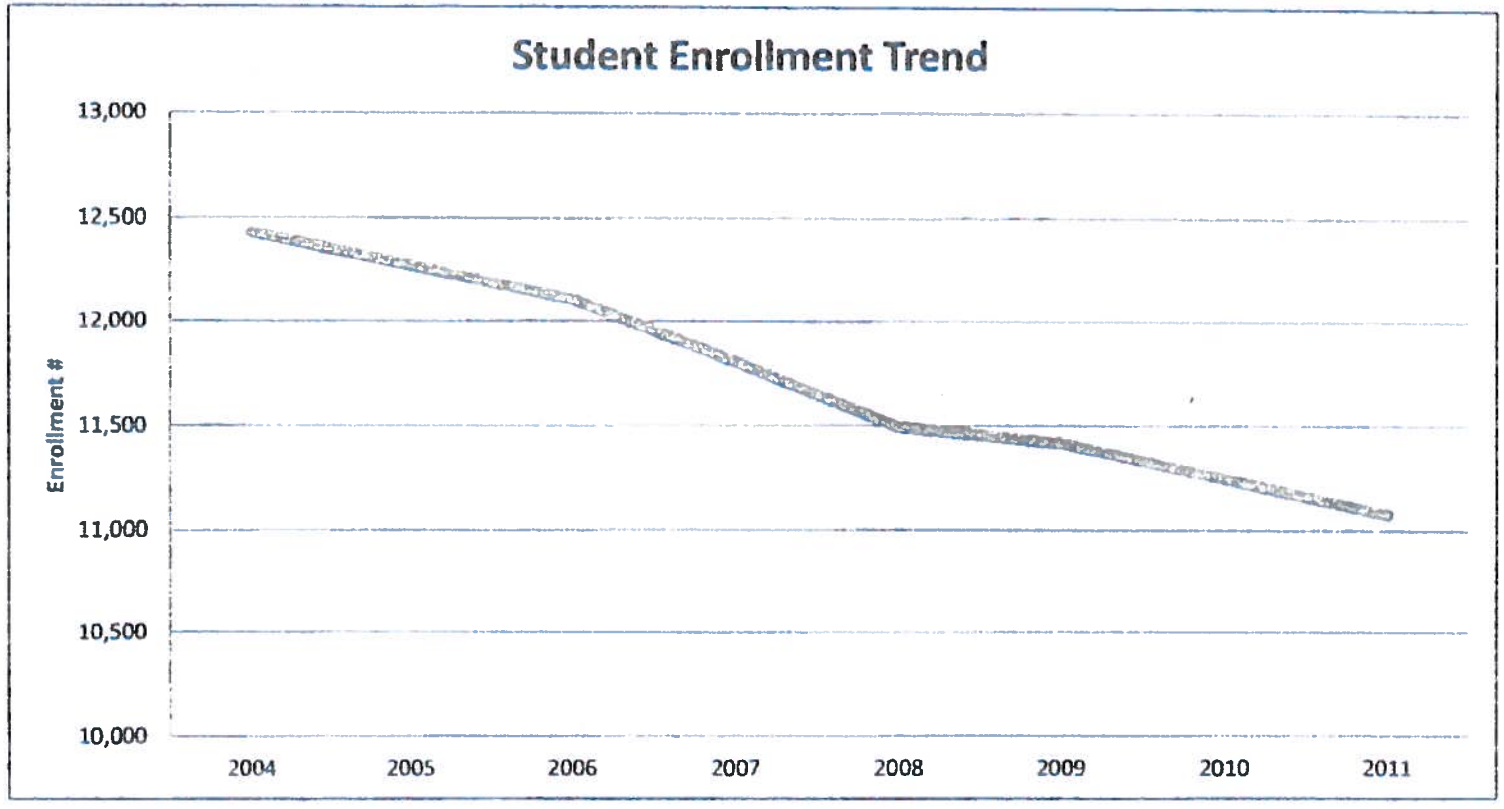
The attached graphics show Student Enrollment Trends and Demographic (population) trends for Putnam County from 2003/04 through 2011/12. Essentially, both indicate a decline in population and enrollments. Current figures (2012-13) are in process of being obtained from the Putnam County School Board and the Bureau of Economic and Business Research (BEBR) at the University of Florida.

Upon evaluation of the current trends and the current mandated legislation from the State the County staff would request formal direction to proceed with amendment of the Comprehensive Plan to rescind the Public School Facilities Element and begin the process for adoption of a new Interlocal Agreement. Inclusive to the amendment would be repeal of the associated map series, amendment of Intergovernmental Coordination Element policies, and amendment of similar policies and accountabilities within the Capital Improvements Element. Specifically, the mechanisms for responsible coordination between the School Board and the Board of County Commissioners will remain in place without the legislative and financial obligations necessitated by the former legislation.

Demographic Trends Putnam County

YEAR	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Population	71,809	72,720	73,451	74,198	74,863	75,028	74,714	74,364	74,052	73,158
Births	923	965	1,034	1,072	1,077	1,009	971	896	840	N/A
Net Migration	567	874	678	610	515	29	-436	-376	-224	N/A

Source: Bureau of Economic and Business Research



YEAR	2004	2005	2006	2007	2008	2009	2010	2011
ENROLLMENT	12,431	12,268	12,103	11,808	11,493	11,418	11,246	11,074

Source: Department of Children and Family, Florida Kids Count

CITY OF PALATKA PUBLIC SCHOOLS FACILITIES ELEMENT (COMPREHENSIVE PLAN)

GOALS, OBJECTIVES, AND POLICIES

Goal I. 1 9J-5.025(3)(a)
In coordination with the Putnam County School District, Putnam County, Crescent City, The City of Palatka of Welaka, The City of Palatka of Interlachen, and Pomona Park, establish and maintain a public school system that offers a high quality educational environment, provides accessibility for all of its students, and ensures adequate school capacity to accommodate enrollment demand.

Objective I.1.1 9J-5.025(3)(b)1
The City of Palatka shall ensure the correction of existing school facility deficiencies to provide adequate student capacity, which shall not exceed the adopted level of service standards within the Putnam County School District and which will meet future capacity needs.

Policy I.1.1.1 9J-5.-25(3)(c)7
The City of Palatka hereby adopts 100% Level of Service (LOS) standards as shown for each school type as shown in Table I.1 below:

TABLE I.1 LEVELS OF SERVICE STANDARDS FOR SCHOOL FACILITIES

Type of School	Level of Service Number of Students
Existing Schools	FISH Capacity Based on Utilization Rate*
Elementary School	700
Middle School	1,000
K-8 (for middle school phase in)	1,000
High School	1,500
* FISH Capacity of Existing Schools as of the effective date of this Agreement is attached hereto as Appendix A.	

Source: Adopted Putnam ILA for Coordinated Land Use and Public School Facility Planning

Policy I.1.1.2 9J-5.-25(3)(c)1
The City of Palatka hereby designates the Staff Working Group (SWG) as the monitoring group for coordinated planning and school concurrency.

(a) The SWG shall discuss and share information on issues of mutual concern, including but not limited to population and student projections, School Concurrency Service Area (SCSA) boundaries, development trends, co-location, joint use opportunities, as well as ancillary infrastructure improvements needed to support each school and to ensure safe student access.

(b) The SWG shall oversee and prepare a written annual review of the implementation of school concurrency and the Public School Facilities Element, which will include the activities of the past year and be distributed to all Parties hereto and presented at a

public meeting of the School Board.

Policy I.1.1.3 9J-5.-25(3)(c)1
The City of Palatka hereby adopts the School District's current middle school attendance zones as the School Concurrency Service Area (SCSA) boundaries (see: Appendix 'A', Map I-1).

Policy I.1.1.4 9J-5.-25(3)(c)1
The City of Palatka shall use the following procedures for modifying the SCSA boundary maps, consistent with the School District and Putnam County:

(a) Any Party to the adopted Interlocal Agreement for School Planning may propose a modification to the SCSA boundary maps. Prior to adopting any change, the School District must verify that proposed modifications will:

1. Achieve the adopted level of service standards for each year of the five year planning period; and

2. Maximize school capacity to the greatest extent possible, while taking into account transportation costs, court approved desegregation plans and other relevant factors.

(b) If the School District determines that the SCSA change is appropriate under the standards in I.1.1.4 (a), the School District shall transmit the proposed boundaries, data and analysis, and maps to the Staff Working Group (SWG).

1. The SWG shall review the proposed boundary changes and send their comments to the School District within forty-five (45) days of receipt.

2. A change to a SCSA boundary shall become effective upon final approval by the School Board and shall be revised on SCSA maps.

Policy I.1.1.5 9J-5.-25(3)(c)1
The City of Palatka shall observe the following process to change the use of schools:

(a) If the School District determines that a school change is appropriate, the School District shall transmit the proposed school change and supporting data and analysis to the Staff Working Group.

(b) The Staff Working Group shall review the proposed changes to the school use and send their comments to the School District within forty-five (45) days of receipt.

(c) The change in school use shall become effective upon approval by the School Board.

Objective I.1.2 9J-5.025(3)(b)2
The City of Palatka shall require school concurrency review for residential development, to ensure that school facility capacity does not exceed the Level of Service (LOS) standards within the Public School Concurrency Service Area (SCSA) for each year of the five-year planning period.

Policy I.1.2.1 9J-5.-25(3)(c)4

The City of Palatka shall adopt school concurrency revisions into its Land Development Regulations.

Policy I.1.2.2 9J-5.-25(3)(c)1
The City of Palatka shall not issue a Certificate of Concurrency Determination for any non-exempt residential development application until the School District has issued a School Capacity Availability Determination Letter (SCADL) verifying that capacity is available to serve the development. The SCADL shall indicate a temporary commitment of school facility capacity for a period not to exceed six (6) months or until The City of Palatka issues a Final Development Order, whichever occurs first.

(a) Once The City of Palatka issues a Certificate of Concurrency Reservation as part of the Final Development Order, the school capacity necessary to serve the new development shall be considered vested for the life of the Concurrency Reservation and/or the Development Order.

(b) The City of Palatka shall notify the School District within fifteen (15) days of approval or expiration of a Concurrency Reservation for a residential development. No further determination of school capacity availability shall be required for the residential development before the expiration of the Certificate of Concurrency Reservation, except that any change in the density or intensity of a residential development that requires additional school capacity shall be subject to review and approval by the School District.

Policy I.1.2.3 9J-5.025(3)(c)1
The City of Palatka shall consider the following residential uses exempt from the requirements of school concurrency:

(a) Single family lots of record, existing at the time the school concurrency implementing ordinances becomes effective.

(b) Any new residential development that has a preliminary plat or site plan approval or the functional equivalent for a site-specific development order prior to the commencement date of the School Concurrency Program.

(c) Any amendment to any previously approved residential development that does not increase the number of dwelling units or change the type of dwelling units (single-family to multi-family, etc.).

(d) Age restricted communities with no permanent residents less than 18 years of age. Exemption of an age restricted community will be subject to a restrictive covenant limiting the age of permanent residents to 18 years and older.

Policy I.1.2.4 9J-5.025(3)(c)8
The City of Palatka, through its land development regulations, shall establish a process for school concurrency review for all residential projects that are not exempt under Policy I.1.2.3. The minimum process requirements are as follows:

(a) The City of Palatka shall determine that a residential development application is sufficient prior to transmittal to the School District for review.

(b) The School District shall review the application for available capacity, as follows,

and issue a School Capacity Availability Determination Letter (SCADL) to verify capacity:

1. If capacity is available within the affected SCSA, the School District shall verify available capacity.

2. If capacity is not available within the affected SCSA, the School District will review adjacent SCSAs for available capacity.

3. If capacity is available in the adjacent SCSAs, the School District shall verify available capacity.

(c) A SCADL shall remain valid for the timeframes referenced under Policy I.1.2.2.

Policy I.1.2.5 9J-5.025(3)(c)9
The City of Palatka, through its land development regulations, shall establish a process to notify the developer if capacity is not available under Policy I.1.2.4 as follows:

(a) The School District shall issue a School Capacity Availability Determination Letter indicating that the proposed residential development does not comply with the adopted LOS standard and may offer the applicant a 90-day negotiation period to mitigate its impacts on school capacity.

(b) The City of Palatka and the School District shall review mitigation options during the 90-day negotiation period. Mitigation may include but is not limited to:

1. Contribution of land in conjunction with the provision of additional school capacity;

2. Provision of additional permanent student stations through the donation or renovation of buildings for use as a primary or alternative learning facility; or

3. Construction of permanent student stations or core capacity; or

4. Construction of a school in advance of the time set forth in the School District's Five-Year Capital Facilities Plan.

Policy I.1.2.6 9J-5.-25(3)(c)9
The City of Palatka, with the School District, shall review development applications for proportionate share mitigation projects to add the school capacity necessary to satisfy the impacts of a proposed residential development.

(a) If mitigation is approved, The City of Palatka and the School District shall enter into an enforceable binding agreement with the developer.

(b) If mitigation is approved, it shall be identified and included in the school capacity improvement in the School District Five-Year Capital Plan.

(c) If mitigation is denied, The City of Palatka must deny an application based on unavailable school capacity.

Policy I.1.2.7 9J-5.-25(3)(c)9
The City of Palatka and the School District will base costs for mitigation options on the estimated cost of the improvement on the date that the improvement is programmed for construction. The City of Palatka and the School District will calculate future costs using estimated values at the time the mitigation is anticipated to commence.

Objective I.1.3 9J-5.025(3)(b)1 and 3
The City of Palatka's Five-Year Schedule of Capital Improvements shall include the School District's annual update of the five-year schedule of capital improvements, which shall include those projects necessary to achieve and maintain the adopted levels of service for the five year planning period that address existing deficiencies and future needs.

Policy I.1.3.1 9J-5.025(3)(c)2
No later than December 31st of each year, the City of Palatka shall adopt and incorporate into the Capital Improvements Element the School District's financially feasible Five-Year Capital Facilities Plan, adding a new fifth year. The Five-Year Capital Facilities Plan shall maintain the adopted level of service standard for the five-year planning period and shall be coordinated with the long-term planning period of Putnam county.

Policy I.1.3.2 9J-5.025(3)(c)6
The City of Palatka, in conjunction with the School District, shall maintain a long-range school facilities map series that includes the planned general location of schools and ancillary facilities for the five-planning period and the long-range planning period.

Objective I.1.4 9J-5.025(3)(b)4, 5, and 6
The long range public school facility map will be coordinated with the City of Palatka's Comprehensive Plan, including the Future Land Use Map series (FLUMs). The City shall ensure that any new public schools sited in Palatka or adjacent to Palatka will be located as community focal points near the existing and proposed residential areas that they will serve. To the extent possible, schools will be co-located with other appropriate public facilities, such as parks, libraries, and community centers, and will be coordinated with plans for supporting infrastructure. Public school planning will ensure safe access to schools through supporting infrastructure such as sidewalks, bicycle paths, turn lanes, and signalization.

Policy I.1.4.1 9J-5.025(3)(c)5 and 10
The Local Government or County, in conjunction with the School District, shall jointly ensure the compatibility and integration between public schools and surrounding land uses, by determining the need for and timing of on-site and off-site improvements necessary to support a new school.

Policy I.1.4.2 9J-5.025(3)(c)6
The City of Palatka shall work with the Putnam County School District to ensure that the long range public school facility map is coordinated with the City of Palatka's Comprehensive Plan, including the Future Land Use Map series (FLUMs).

Policy I.1.4.3 9J-5.025(3)(c)5
The City of Palatka shall enter into an agreement with the School Board that identifies the timing, location, and the responsible parties for constructing, operating, and maintaining off-site improvements needed to support new schools sited in Palatka.

Policy I.1.4.4 9J-5.025(3)(c)10
The City of Palatka shall encourage the location of schools near residential areas and will:

(a) Assist the School District in identifying funding and/or construction opportunities

FISH Capacity of Existing School Facilities in Putnam County – Year 2006-2007

(including developer participation or capital budget expenditures for sidewalks, traffic signalization, access, water, sewer, drainage, and other infrastructure improvements;

(b) Work with the School District to ensure compatibility of school sites and surrounding land uses;

(c) Work with the School District to determine the need for and timing of on-site and off-site improvements necessary to support a new school; and

(d) Review and provide comments on all new school sites.

Policy I.1.4.5 9J-5.025(3)(c)4
The Local Government or County, in conjunction with the School District, shall seek opportunities to co-locate public facilities with schools, such as parks, libraries, and community centers, as the need for these facilities is identified.

Policy I.1.4.6 9J-5.025(3)(c)11
The City of Palatka, with the School District, shall identify issues relating to public school emergency preparedness, such as:

(a) The determination of evacuation zones, evacuation routes, and shelter locations;

(b) The design and use of public schools as emergency shelters; and

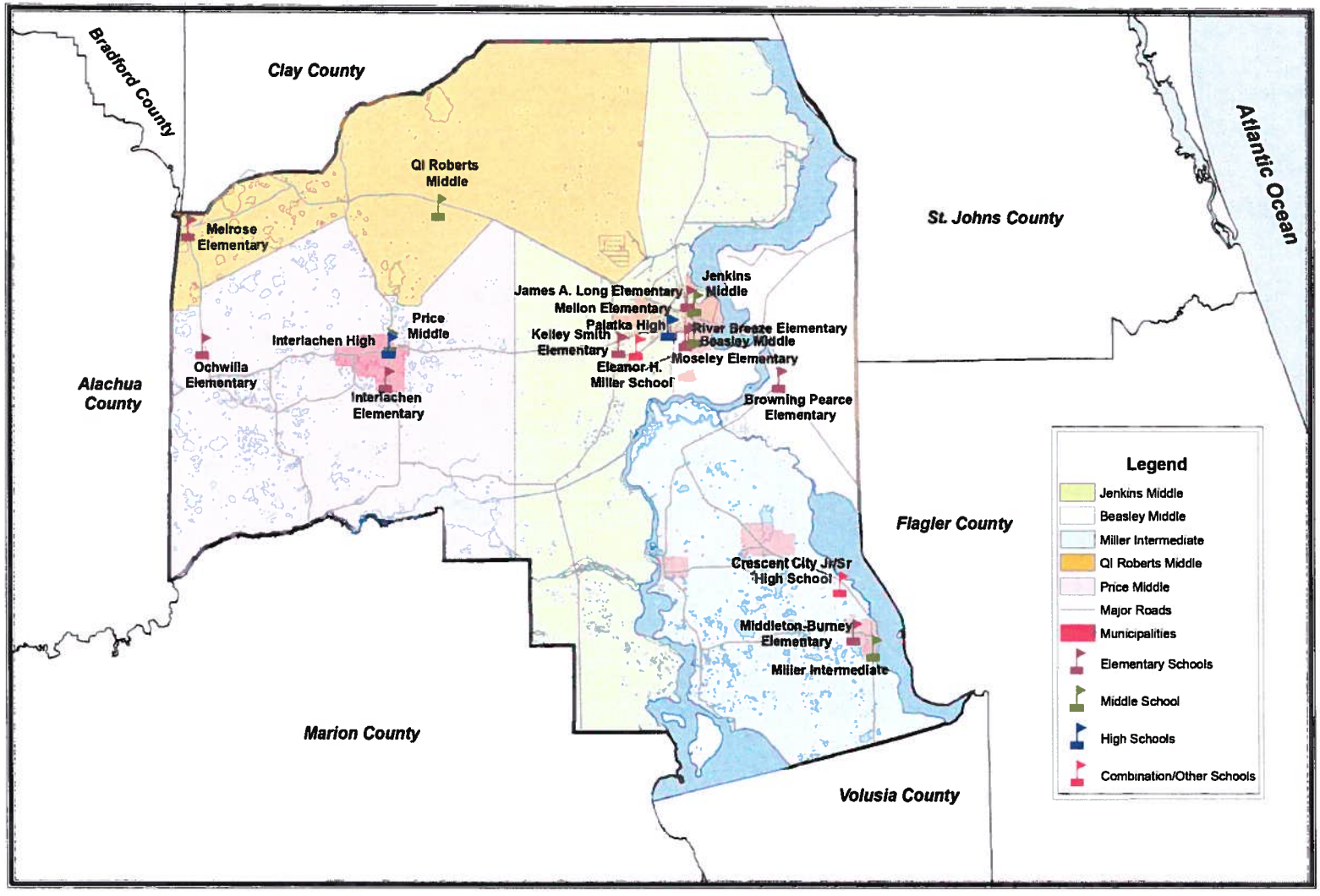
(c) The designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events.

Facility	FISH Capacity* (Permanent school capacity)	CO-FTE* (DOE proposed enrollment)	Percent Capacity Committed* (utilization)
Beasley Middle	806	637	79%
Moseley Elementary	409	356	87%
River Breeze Elementary	788	433	55%*
Mellon Elementary	576	408	71%
Kelley Smith Elementary	747	688	92%
Interlachen High	1,224	934	76%
Price Middle	803	608	76%
Melrose Elementary	561	312	56%
James A. Long Elementary	677	470	69%*
Jenkins Middle	912	708	78%
Interlachen Elementary	942	765	81%
Browning-Pearce Elementary	946	810	86%
G.C. Miller Intermediate	725	469	65%
Middleton-Burney Elementary	844	638	75%
Crescent City Jr./Sr. High	1,098	917	84%
Palatka High	2,106	1670	79%
E.H. Miller School ESE	261	105	40%
Ochwilla Elementary	627	400	64%
Q.I Roberts Middle	410	372	91%

APPENDIX 'A'

Prepared By: Kimley-Horn and Associates, March 2007

APPENDIX 'B'



Putnam County School Concurrency

Concurrency Service Area

PUTNAM COUNTY, FLORIDA
Contact: David DeYoung, AICP, (561) 640-0291

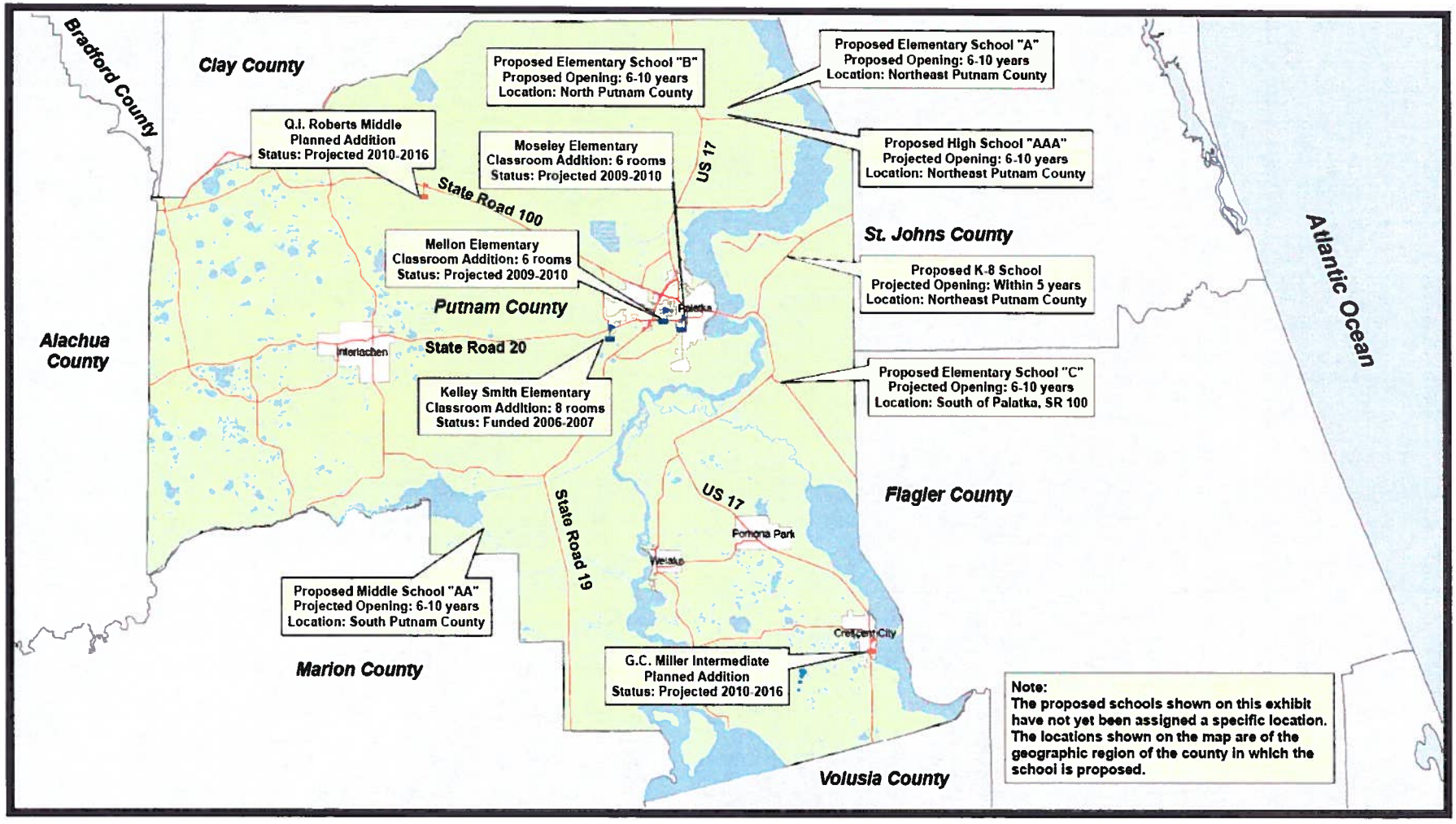
Miles
0 4 8

DATE: 30 May, 2007

© KIMLEY-HORN AND ASSOCIATES, INC 2007

N W E S

APPENDIX 'C



Putnam County School Concurrency

Future School Locations and Additions

PUTNAM COUNTY, FLORIDA

INTERLOCAL AGREEMENT BETWEEN SCHOOL DISTRICT, COUNTY, AND MUNICIPALITIES

INTERLOCAL AGREEMENT FOR COORDINATED LAND USE AND PUBLIC SCHOOL FACILITY PLANNING

This agreement is entered into between the Putnam County Board of County Commissioners (hereinafter referred to as the "County"), ~~the City Commission of the Cities of Crescent City and Palatka (hereinafter referred to as the "Cities"), the Town Council of the Towns of Interlachen, Pomona Park and Welaka (hereinafter referred to as "Towns")~~ and the School Board of Putnam County (hereinafter referred to as "School Board").

WHEREAS, the County, ~~Cities, Towns~~ and the School Board recognize their mutual obligation and responsibility for the education, nurture and general well-being of the children within their community; and

WHEREAS, the County~~, Cities, Towns~~ and the School Board recognize the benefits that will flow to the citizens and students of their communities by more closely coordinating their comprehensive land use and school facilities planning programs: namely (1) ensuring the availability of adequate school facilities to ~~provide the level of service necessary to~~ service the student population of incorporated and unincorporated Putnam County; (2) better coordination of new schools in time and place with land development; (3) greater efficiency for the school board and local governments by placing schools to take advantage of existing and planned roads, water, sewer, and parks, (4) improved student access and safety by coordinating the construction of new and expanded schools with the road and sidewalk construction programs of the local governments; (5) better defined urban form by locating and designing schools to serve as community focal points; (6) greater efficiency and convenience by co-locating schools with parks, ball fields, libraries, and other community facilities to take advantage of joint use opportunities; and (7) reduction of pressures contributing to urban sprawl and support of existing neighborhoods by appropriately locating new schools and expanding and renovating existing schools; and

WHEREAS, Sections 163.31777 and 1013.33, Florida Statutes, require each county and the non-exempt municipalities within that county to enter into an interlocal agreement with the district school board to establish jointly the specific ways in which the plans and processes of the district school board and the local governments are to be coordinated in order to achieve the above-described benefits; and

WHEREAS, the County~~, Cities, Towns~~ and the School Board enter into this agreement in fulfillment of the statutory requirement and in recognition of the benefits accruing to their citizens and students described above, and

WHEREAS, the School Board acknowledges statutory and constitutional obligation to provide a uniform system of free public schools on a countywide basis; and

WHEREAS, the County~~, Cities, Towns~~ and the School Board recognize the land use authority of local governments, including their authority to approve or deny comprehensive plan amendments and development orders;

NOW THERFORE, be it mutually agreed between the Putnam County School Board~~,~~ and The Board of County Commissioners of Putnam County, ~~the City Commissions of Crescent City and Palatka and the Town Councils of the Town of Interlachen, the Town of Pomona Park and the Town of Welaka~~ that the following procedures will be followed in coordinating land use and public school facilities planning:

~~**Section 1. Joint Meetings**~~

~~1.1 Semi-annual Meetings of the County and School Board. The County and the School Board will meet semi-annually in a joint workshop session. The County Administration and Superintendent of Schools will be responsible for making meeting arrangements and providing notification to the participants regarding the semi-annual joint workshop. The joint workshop session will be an opportunity for the parties to hear reports, discuss policy, set direction, and reach understandings concerning issues of mutual concern regarding coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities.~~

~~1.2 Annual Meetings of the Cities/Towns and School Board Representatives. The legislative bodies of the Cities and Towns will each meet in joint workshops with Superintendent of the School Board annually, as needed. The Mayor of each City or Town and the Superintendent of Schools will be responsible for making the meeting arrangements and providing sufficient notification to the participants regarding the joint workshop. The joint workshop session will be an opportunity for the parties to hear reports, discuss policy, set direction, and reach understandings concerning issues of mutual concern regarding coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities.~~

~~1.3 Quarterly Staff Meetings. Quarterly, the County, Cities, Towns and School Board staff ("Staff Working Group") shall meet collectively to discuss and share information concerning issues of mutual concern, including but not limited to population and student projections, development trends, school needs, co-location and join use opportunities, as well as ancillary infrastructure improvements needed to support each school and to ensure safe student access. The Staff Working Group shall be comprised of the County Administrator, the Superintendent of Schools, the City Managers, and the Town Clerks, or their designees.~~

~~1.4 Joint Meeting of All Parties. The legislative bodies of the County, Cities and Towns will meet together in a joint workshop with the School Board annually, to hear reports, discuss policy, set direction, and reach understandings concerning issues of mutual concern regarding coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities.~~

Section ~~2~~ 1. Student Enrollment and Population Projections

~~2~~1.1 In fulfillment of their respective planning duties, the County, Cities, Town and School Board agree to coordinate and base their plans upon consistent projections of the amount, type, and distribution of population growth and student enrollment.

~~2~~ 1.2 The School Board shall utilize student population projections based on information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.136, Florida Statutes. The School Board may request adjustment to the estimating conferences' projections to reflect actual enrollment and development trends. In formulating a request to adjust such projections the School Board will coordinate with the County~~, Cities, and Town~~ regarding development trends and future population projections.

~~2~~ 1.3 The School Board, working with the information provided by the County~~, Cities, and Towns~~ under paragraph ~~3~~2.3 below, will allocate projected student enrollment throughout the district to reflect development trends.

Section ~~3~~ 2. Coordinating and Sharing of Information

~~3~~2.1 Tentative District Educational Facilities Plan (Five Year District Facilities Work Program): On August 15th of each year, or no later than 30days prior to the scheduled hearing to approve the District Educational Facilities Plan, the Scholl Board shall submit to the County~~, Cities, and the Town~~ the tentative district educational facilities plan prior to adoption by the Board. The County~~, Cities, and the Town~~ shall review the plan and comment to the School Board within 30 days on the consistency of the plan with the local comprehensive plan, whether a comprehensive plan amendment will be necessary for any proposed educational facility, and whether the local government supports a necessary comprehensive plan amendment. The approved Work Program will be provided to the County~~, Cities and Towns~~ by October 1st of each year ~~to allow for adequate preparation of annual updates to the Capital Improvement Element of each jurisdiction's Comprehensive Plan~~.

~~3~~ 2.2 Educational Plant Survey: As part of its annual update to the District Education Facilities Plan, the School Board shall complete an Educational Plant Survey. The School Board shall submit a draft of the Educational Plant Survey to the County~~, Cities, and Town~~ prior to adoption by the School Board. The County~~, Cities, and T~~own will evaluate and make recommendations to the School Board within 30 days regarding the consistency of planned school facilities, including school renovations and closures, with the local government comprehensive plan.

~~3~~2.3 On or before June 1st of each year, the County~~, the Cities and the Towns~~ shall ~~each~~ provide the School Board with information on growth and development trends within their respective jurisdictions. The information should include the following:

(a) The type, number and location of residential units that have received zoning or site plan approval.

(b) Future land use map and zoning map changes that might impact school facilities (i.e. changes that could result in increased residential densities).

(c) Building permits for new residential units, including the location of the permitted units.

~~3~~2.4 Where the County has contracted to perform the building permit function of the planning function for ~~the~~ a City or Town, the County will proved the relevant information required in paragraph ~~3~~2.3 above on behalf of the City or Town.

Section ~~4~~3. School Site Selection, Significant Renovations, and Potential School Closures

~~4~~3.1 When the need for a new school is identified in the district educational facilities plan, the School Board will establish a Public Schools Advisory Committee ("PSAC") for the purpose of reviewing potential sites for new schools and proposals for significant renovation and potential closure of existing schools. The PSAC shall be comprised of School District Staff, elected members of the School Board, and at least one member of the Staff Working Group from the County and from the Cities and Towns ~~in~~ from the ~~concurrency service area(s)~~ jurisdiction where the school is proposed to be located. The meeting(s) of the PSAC shall be public meetings and the School Board shall be responsible for scheduling and providing proper notice of the meeting(s).

~~4~~3.2 The PSAC will develop a list of potential sites in the area of need. The list of potential sites for new schools and the list of schools identified in the district educational facilities plan for significant renovation and potential closure will be submitted to the local government with jurisdiction for an informal assessment regarding consistency with the local government comprehensive plan. Based on information gathered during the review, the PSAC will submit recommendations to the Superintendent or designee. Alternatively, the School Board may present the PSAC with a list of potential sites or a single site in the area of need, which shall be submitted to the planning staff for the jurisdiction where the site is located in advance of the PSAC meeting in order to obtain a determination of consistency with the jurisdiction's comprehensive plan and land development regulations.

~~4~~3.3 The following criteria shall be considered by the PSA, the School Board, as well as the County, Cities and Towns, when evaluating new school sites:

(a) The collocation of parks, recreation and community facilities in conjunction with school sites.

(b) The linkage of schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks.

(c) The location of school sites that will provide logical focal points for community activities and serve as the cornerstone for innovative urban design standards.

(d) Provide school sites and facilities within planned neighborhoods.

(e) The location of new elementary and middle schools internal to residential neighborhoods.

(f) The location of new elementary schools within reasonable walking distance of the dwelling units served by the school.

(g) The location of new high schools on the periphery of residential neighborhoods, with access to major roads.

(h) Ensure the compatibility of land uses adjacent to existing schools and reserved school sites.

(i) Ensure the development of traffic circulation plans to serve schools and the surrounding neighborhood.

(j) Provide off-site signalization, signage, access improvements and sidewalks to serve all schools.

(k) The development of design standards for school bus stops and turnarounds in new developments.

(l) Target community development improvements in older and distressed neighborhoods near schools.

~~(m) Review school impact fees to ensure that fees reflect the most recently available school cost, credits, and reviews data.~~

(~~n~~m) Encourage the private sector to identify and implement creative solutions to developing adequate school facilities in residential developments.

(~~o~~n) Give priority to scheduling county programs and capital improvements which are consistent with and which meet the capital needs identified in the School Board school facilities plan.

(~~p~~o) Give priority to developments or property owners who provide incentives including, but not limited to, donation of site(s), reservation or sale of school sites at pre-development prices, construction of new facilities or renovation to existing facilities, and providing transportation alternatives.

(~~q~~p) Work to address and resolve multi-jurisdictional public school issues.

(~~r~~q) Seek and consider School Board comments on comprehensive plan amendments and other land-use decisions.

(~~s~~r) Coordinate conversion of school sites to other uses, including to other public uses.

(~~t~~s) Consider the availability of centralized utilities.

(~~u~~t) Locating the facility on soils suitable for development outside hurricane storm surge areas and outside areas of special flood hazard.

(~~v~~u) The extent to which the school facility can serve as an emergency shelter.

(~~w~~v) Extent to which the proposed site is large enough to accommodate the required parking, circulations and queuing of vehicles on site.

43.4 At least 60 days prior to acquiring or leasing the selected property to be used for a new public educational facility, the School Board shall provide written notice to the P~~D~~SAC members and the mayor or board chairperson of the local government with jurisdiction over the use of the land. The notice shall include the parcel identification number of current ownership of the property, the acreage to be purchased or leased and a description of the facility anticipated to be located on the property. The PSAC shall meet and evaluate the selected property pursuant to the criteria in paragraph 43.3, above, and issue a written report and recommendation to the School Board within 45 days. The report shall include a statement indicating whether the proposed new school site is consistent with the land use regulations and comprehensive plan policies of the local government with jurisdiction over the land. The report shall also advise if the propped site would require a rezoning, future land use map amendment or any other formal consideration. This additional PSAC review is not required if the selected site was the only site presented to the PSAC under paragraph 43.2 above; only the written notice will be required.

43.5 In conjunction with the notice described at subsection 4.4 of this agreement, the school board and affected local governments will jointly determine the need for and timing of off-site improvements necessary to support each new school or the proposed significant renovation of an existing school, and will enter into a written agreement as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements.

43.6 The need for new school facility shall be presumed when, upon completion of its annual update to the Educational Plant Survey, the School Board determines that a given facility has reached 90% of its capacity, and the School Board shall establish the PSA~~V~~ C and begin the site selection and evaluation process outlined in this Section.

~~**Section 5 Public School Facilities Element and School Concurrency**~~

~~5.1 This section establishes the mechanisms for coordinating the development, adoption and amendment of the School Board's capital facilities plan, as well as the public school facilities elements, intergovernmental coordination elements and capital improvement elements of the County, Cities and Towns' Comprehensive Plans in order to implement a uniform district-wide school concurrency system, as required by State Law.~~

~~5.2 The parties agree to the following principles for School Concurrency within incorporated and unincorporated Putnam County~~

~~(a) The district-wide level of service standards will be 100% of permanent F.I.S.H. student stations, and shall be adopted as part of the County's Cities' and Towns' Comprehensive Plans:~~

~~(b) Initial capacity impacts for a given development shall initially be determined as follows:~~

~~Total Student Generation Rate per Dwelling Unit (PK—12)~~	~~Grade Distribution~~		~~Student Distribution Per Dwelling Unit~~	
	~~Grade~~	~~%~~	~~Grade~~	~~Student per Dwelling*~~
~~0.570~~	~~PK-5~~	~~0.506~~	~~PK-5~~	~~02.880~~
~~0.570~~	~~6-8~~	~~0.246~~	~~6-8~~	~~0.140~~
~~0.570~~	~~9-12~~	~~0.2474~~	~~9-12~~	~~0.141~~
~~*Student Generation Rate x Grade Distribution = Student Distribution per dwelling unit~~				

~~5.3 The parties agree that School Concurrency Service Areas (SCSA) for schools will be less than district-wide. Initially, the SCSA shall be co-terminus with the adopted School Board attendance zones for Middle Schools (See attached Appendix B). The impacts of a given development will be determined based on the Concurrency Service Area in which the development will be locating and the available capacity of the schools servicing same. The SCSA boundaries shall be reviewed for optimal utilization of school capacity and may be adjusted in accordance with paragraph 6.3 of the Agreement.~~

~~5.4 In the event that there is Insufficient Capacity for a proposed development in a affected Concurrency Service Area, proportionate share mitigation of the impacts will be required from the developer prior to issuance of a Development Order, unless exempt under paragraph 6.5 of this Agreement. Insufficient Capacity means a new development that will result in an enrollment that will exceed 100% of the level of service for any one of the facilities described in under paragraph 5.2(a), above.~~

~~5.5 Sections 6 and 7 of this Agreement established the program and the process for determining when a facility has exceeded capacity and a capital facilities cost per student, which shall be used to determine the proportionate share contribution for a specific development proposal that will result in Insufficient Capacity. The County, Cities and Towns shall adopt these methodologies into their public school facilities elements.~~

~~5.6 The parties shall use the processes and information sharing mechanisms outlines in this Agreement to~~

~~(a) adopt the initial public school facilities program and public school facilities elements;~~

~~(b) ensure that the school concurrency system is updated;~~

~~(c) ensure the School Board's capital facilities plan remains financially feasible; and~~

~~(d) Ensure that any desired modifications are made.~~

~~5.7 This Agreement establishes a public school concurrency system consistent with the requirements of Sections 163.3177 and 163.3180, Florida Statutes. The parties agree that the~~

~~timely delivery of adequate public school facilities at the adopted level of service requires close coordination among the parties at the level of land use planning, development approval, and school facility planning. IN order to further timely delivery of adequate public school facilities and coordination necessary to achieve the delivery of such facilities, the parties agree~~

~~(a) That new school facilities should be planned for and provided in proximity to those areas planned for residential development or redevelopment.~~

~~(b) That, within the County's jurisdiction and each City or Town's jurisdiction, residential Development Orders may be issued only if school capacity is available in public school facilities at the level of service specified in this Agreement or the development order is exempt under paragraph 6.5 of this Agreement.~~

~~(c) That a determination of whether school capacity is available to serve residential development shall be made by the School District, consistent with the adopted level of service standard. This determination shall be based upon the criteria established in this Agreement and the applicable local government's Public School Facilities Element.~~

~~5.8 The County and the Cities and Towns agree to transmit the following comprehensive plan amendments no later than March 1, 2008:~~

- ~~A Public School Facilities Element (PSFE) consistent with the requirements of Section 163.3180 Florida Statutes and this Agreement.~~

- ~~An amended the Intergovernmental Coordination Element as required by Section 163.3177(60(h)1 and 2., Florida Statutes and this Agreement.~~

~~Additionally, the County and the Cities and Towns shall amend the Capital Improvement Element to include "The School Board of Putnam County Capital Improvement Schedule." Beginning with the CIE update in December 2008, the CIE schedule for the County, Cities and Towns shall be updated annually consistent with the updated and adopted School District's Five-Year Capital Facilities Plan. This will ensure that the CIE uniformly sets forth a financially feasible public school capital facilities plan, consistent with the adopted Level of Service Standards for public schools.~~

~~5.9 When the comprehensive plan amendments adopted in accordance with this Agreement become effective, the County and Cities shall undertake the flowing activities:~~

~~(a) Adopt required school concurrency provisions into their land development regulations consistent with the timeframe established by law, the requirements of this Agreement, and the County and Cities' comprehensive plans.~~

~~(b) Withhold issuance of any site specific development order for new residential units not exempted under paragraph 6.5 of this agreement until the School District has reported, pursuant to paragraph 7.6 of this Agreement, that there is school capacity available to serve the development under review.~~

~~(e) Maintain data for approved new residential development. The data shall be provided to the School District on a quarterly basis and include, at a minimum, the following:~~

- ~~Development name and location~~
- ~~Total number of new permits for dwelling units by unit type (single-family, multi-family, etc.)~~
- ~~Impact fee calculation~~

~~5.10 By entering into the Agreement, the School District agrees to undertake the following activities:~~

~~(a) Annually prepare and update a financially feasible Five-Year Capital Facilities Plan containing enough capacity each year to meet the anticipated demand for student stations identified by the population projections so that no schools exceed the adopted level of service.~~

~~(b) Institute programs and/or School Concurrency Service Area boundary adjustments, as necessary, to maximize the utilization of capacity in order to ensure that all schools of each type (elementary, middle, high) in each School Service Area and each individual school operate at the adopted level of service.~~

~~(c) Construct the capacity enhancing and modernization projects necessary to maintain the adopted level of service specified in the School District Five-Year Capital Facilities Plan.~~

~~(d) Provide the County, Cities and Towns with any School District data and analysis relating to school concurrency necessary to amend or annually update the comprehensive plan.~~

~~(e) Adopt a ten and twenty year work program.~~

~~(f) Review proportionate share mitigation options for new residential development.~~

~~(g) Prepare annual reports on enrollment and capacity.~~

~~(h) Provide necessary staff and material support for meetings of the PSAC as required by this Agreement.~~

~~(i) Provide information to the County, Cities and Towns regarding enrollment projections, school siting, and infrastructure required to support public school facilities consistent with the requirements of this Agreement.~~

~~5.11 The parties understand that the provisions of this section are an initial effort to implement school facilities planning process and concurrency management system, and modifications and details may be added during the development of the Public School Facilities Elements for the County, Cities and Towns.~~

~~Section 6 School Concurrency Program~~

~~6.1 School Concurrency Program Overview~~

~~The School Concurrency Program requires that the County, the Cities, the Towns and the School Board maintain a minimum Level of Service Standard for public schools. The School Concurrency Program requires that all new residential development be reviewed to ensure that adequate school capacity will exist prior to or concurrent with the impact of the residential development, to support the additional student growth at the adopted level of service.~~

~~6.2 Commencement~~

~~The School Concurrency Program described in this Agreement shall commence on April 1, 2008. Nothing herein shall be interpreted to prohibit the consideration of available school capacity in a manner consistent with this Agreement when reviewing a proposed comprehensive plan amendment, rezoning, subdivision or other new development proposal prior to the adoption of a School Concurrency Element, if the proposal will result in an increase in residential density.~~

~~6.3 Modification of the SCSA for Schools~~

~~(a) Any Party may propose a modification to the SCSA boundaries. Prior to adopting any change, the School District must verify that as a result of the modification:~~

~~1. The adopted level of service standards will be achieved and maintained for each year of the five year planning period; and~~

~~2. The utilization of school capacity will be maximized to the greatest extent possible, taking into account transportation costs, court approved desegregation plans and other relevant factors.~~

~~(b) The Parties shall observe the following process for modifying SCSA Boundaries:~~

~~1. At such time as the School District determines that a SCSA change is appropriate considering the above standards, the School District shall transmit the proposed new boundaries and data and analysis to support the changes to the Staff Working Group.~~

~~2. The Staff Working Group shall review the proposed boundary changes and send their comments to the School District within forty five (45) days of receipt.~~

~~3. The change to a SCSA boundary shall become effective upon final approval of the new school boundaries by the School Board.~~

~~6.4 Level of Services (LOS)~~

~~The established LOS for determining available capacity of each school facility type is set forth in paragraph 5.2(a), above.~~

~~6.5 Exemptions~~

~~(a) The following residential uses shall be considered exempt from the requirements of school concurrency:~~

~~1. All single family lots of record at the time the School Concurrency implementing ordinance becomes effective.~~

~~2. Any new residential development that has a preliminary plat or site plan approval or the functional equivalent for a site specific development order prior to the commencement date of the School Concurrency Program.~~

~~3. Any amendment to any previously approved residential development, which does not increase the number of dwelling units or change the type of dwelling units (single-family to multi-family, etc.).~~

~~4. Any Age restricted community with no permanent residents under the age of eighteen (18). Exemption of an age restricted community will be subject to a restrictive covenant limiting the age of permanent residents to 18 years and older.~~

~~(b) Upon request by a developer submitting a land development application with a residential component, the School District shall issue a determination as to whether or not a development, lot or unit is exempt from the requirements of school concurrency.~~

~~(c) Nothing herein shall operate as a waiver to or exemption from impact fees that may apply to a proposed development.~~

~~6.6 School Concurrency Regulations~~

~~(a) By December 1, 2008, the County, Cities and Towns shall amend their land development regulations to adopt school concurrency provisions, which shall include procedures for review of development orders.~~

~~(b). In the event that any participating Cities or Towns does not, by December 1, 2008, adopt land development regulations consistent with this Agreement that government shall be deemed to have "opted in" to the County regulations and agrees to be bound by the terms and provisions therein until it adopts its own ordinance.~~

~~(c) At any time, any Local Government may opt out of the County's implementing ordinance through implementing its own ordinance.~~

~~**Section 7 School Concurrency Process**~~

~~7.1 Review Process~~

~~(a) The County, Cities, Towns and School Board shall ensure that the minimum Level of Service Standard established for each school type is maintained. No new residential comprehensive plan amendment, rezoning, conceptual plan, preliminary plat, site plan or functional equivalent may be approved by the County or Cities, unless the residential development is exempt form these requirements as provided in Section 6.5 of the Agreement, until a School Capacity Availability Determination Letter has been issued indicating that adequate school facilities exist. This shall not limit the authority of a local government to deny a development permit or its functional equivalent, pursuant to its home rule regulatory powers.~~

~~(b) Any developer submitting a development permit application (such as a land use map amendment, rezoning, site plan or preliminary plat) with a residential component that is not exempt under Section 6.5 of this Agreement is subject to school concurrency and must prepare and submit a School Impact Analysis to the local government, as applicable, for review by the School District. The School Impact Analysis must indicate the location of the development, number of dwelling units and unit types (single-family, multi-family, apartments, etc.), and age restrictions for occupancy, if any. The local government shall initiate the review by determining that the application is sufficient for processing. Upon determination that an application is sufficient, the local government shall transmit the School Impact Analysis to the School Districfor review. The School District will verify whether sufficient student stations for each type of school are available or not available to support the development. A flow chart outlining the school concurrency review process is included as Appendix "C". The process is as follows:~~

> ~~1. The School District shall review the School Impact Analysis for residential developments which have been submitted and deemed sufficient for processing by the applicable local government.~~
>
> ~~2. The School District shall review each School Impact Analysis in the order in which it is received and shall issue a School Capacity Availability Determination Letter to the applicant and the affected local government within fifteen (15) working days of receipt of the application.~~
>
> ~~3. The School District may charge the applicant a non-refundable application fee payable to the School District to meet the cost of review.~~

~~(c) In the event that there is not adequate capacity available in the SCSA in which the proposed development is located or in an adjacent SASA to support the development, the School Board shall entertain proportionate share mitigation pursuant to Section 7.7 of the Agreement and, if the proposed mitigation is accepted, enter into an enforceable and binding agreement with the affected local government and the developer pursuant to Section 7.7 of this Agreement.~~

~~(d) The local government shall be responsible for notifying the School District when a residential development has paid its school impact fees and when the development order for the residential development expires.~~

~~7.2 Student Generation Calculation~~

~~To determine a proposed development's projected students, the proposed development's projected number and type of residential units shall be converted into projected students for all schools of each type within the specific SCSA Boundary using the table in Section 5.2(b) of this Agreement.~~

~~7.3 Utilization Determination~~

~~(a)The School District shall create and maintain a Development Review Table (DRT) for each SCSA, and will use the DRT to compare the projected students form proposed residential developments to the SCSA's available capacity programmed within the first three years of the current five-year capital planning period. Student enrollment projections shall be based on the most recently adopted five year capital plan, and the DRT shall be updated to reflect these projections. Available capacity shall be derived using the following formula:~~

~~Available Capacity = School Capacity[1] – (Enrollment[2] + Vested[3])~~

~~NOTES: [1] School Capacity = FISH Capacity (As programmed in the first three (3) years of the School District's Five-Year Capital Facilities Plan.)~~
~~[2] Enrollment = Student enrollment as counted at the fall FTE.~~
~~[3] Vested = Students generated from residential developments approved after the implementation of school concurrency, where all school impact fees have been paid.~~

~~(b)At the Fall FTE, the vested number of students on the Development Review Table will be reduced by the number of students represented by the residential units that received certificates of occupancy within the previous twelve (12) month period.~~

~~7.4 The Three Year Rule~~

~~If new capacity within a School Concurrency Service Area boundary will be in place or under actual construction in the first three years of the School district's Five-Year Capital Facilities Plan, the new school capacity will be added to the capacity shown in the SCSA, and the utilization rate will be adjusted accordingly.~~

~~7.5 Adjacent School Concurrency Service Area Capacity~~

~~(a) If the projected student growth from a residential development causes the adopted LOS to be exceeded in a SCSA, and adjacent SCSA will be reviewed for available capacity. In conducting the adjacency review, the School District shall first use the adjacent SCSA with the most available capacity to evaluate projected enrollment and, if necessary, shall continue to the SCSA with the next most available capacity.~~

~~(b) If a proposed new development causes the LOS in the SCSA in which it is located to exceed the adopted LOS and there is available capacity in an adjacent SCSA, actual development impacts shall be shifted to the contiguous SCSA having available capacity, unless the shifting of impacts will violate the provisions of paragraph (c), below. This shift shall be accomplished~~

~~through boundary changes or by assigning future students from the development to an adjacent SCSA.~~

~~(c) Shifting of impacts to an adjacent SCSA shall not be an option for meeting adopted LOS if the shift will result in bus trips that exceed the maximum trip lengths outline in section 6A-3.0171(6)(e), Florida Administrative Code.~~

~~7.6 Issuance and Term of School Concurrency~~

~~(a) If the School District reviews a development project application and determines that sufficient capacity is available at the adopted LOS to necessitate the students projected to be generated from the development project, the School District shall issue a School Capacity Availability Determination Letter indicating that adequate school facilities exist to support the student impacts. Issuance of a determination letter identifying that adequate capacity exists indicates only that school facilities are currently available, and does not guarantee that school facilities will be available at the time of any subsequent concurrency review.~~

~~(b) The Local Government shall not vest approval of a residential development until receiving confirmation of available school capacity from the School District and the payment of school impact fees. Local government vesting of school concurrency for a residential development shall be valid for one (1) year after approval. This approval may be extended by the local government for up to a total of five (5) years, provided that the applicant signs a waiver of rights for the refund of school impact fees in exchange for the extension of the approval.~~

~~(c) The Local Government shall notify the School District within 10 (ten) days of vesting school concurrency for any residential development.~~

~~(d) The Local Government shall not issue a building permit or its functional equivalent for a residential development until receiving confirmation of available school capacity from the School District and the payment of school impact fees. Once the permit is issued, school concurrency vesting for the permitted residential development shall be considered valid as long as the building permit or its functional equivalent is active.~~

~~(e) The payment of school impact fees shall occur prior to the vesting of a residential development, or portion thereof.~~

~~(f) If the student impacts from a proposed development would cause the adopted Level of Service to be exceeded, the determination letter shall detail why the development is not in compliance, and the School District shall offer the applicant the opportunity to enter into the ninety (90) day negotiation period as described below.~~

~~7.6 Proportionate Share Mitigation~~

~~(a) In the event that there is not adequate capacity available to support a development, the School Board may entertain proportionate share mitigation options and, if accepted, shall enter into an~~

~~enforceable and binding agreement with the developer and the local government to mitigate the impact from the development through the creation of additional school capacity.~~

~~(b) When the student impacts from a proposed development would cause the adopted Level of Service to fail the developer's proportionate share mitigation for the development will be based on the number of additional student stations necessary to meet the stabled level of service. The amount to be paid will be calculated utilizing the cost per student station allocations for elementary, middle and high school, as established by the Florida Department of Education, plus a share of the land acquisition and infrastructure expenditures for school site as determined and published annually in the School District's Five Year Capital Facilities Plan. The methodology used to calculate a developer's proportionate share mitigation shall be as follows:~~

~~Proportionate Share = (Development students[a] – Available Capacity) x Total Cost[1] per student station~~

~~NOTES:~~

~~[a]Development students = Students generated by development that are assigned to that school.~~

~~[1]Total Cost = the cost per student station as determined and published by the State of Florida, plus a share of the land acquisition and infrastructure expenditures for school sites as determined and published annually in the School District's Five-Year Capital Facilities Plan.~~

~~(c) The applicant shall be allowed to enter a ninety (90) day negotiation period with the School District in an effort to mitigate the impact from the development through the creation of additional school capacity. Upon identification and acceptance of a mitigation option deemed financially feasible by the School Board, the developer shall enter into a binding and enforceable agreement with the School Board and the local government with jurisdiction over the approval of the development order.~~

~~(d) A Mitigation contribution provided by a developer to offset the impact of a residential development must be directed by the School Board toward a school capacity project identified in the School District's Five-Year Capital Facility Plan. Capacity projects identified within the first three (3) years of the Five-Year Capital Facility Plan shall be considered as committed.~~

~~1. If capacity projects are planned in years four (4) or five (5) of the School District's Five-Year Capital Facility Plan within the same SCSA as the proposed residential development, the developer may pay his proportionate share to mitigate the proposed development in accordance with the formula provided in Section 7.7(b)(1).~~

~~2. If a capacity projects does not exist in the School District's Five-Year Capital Facility Plan, the School Board may add a capacity project to satisfy the impacts from a proposed residential development, as long as financial feasibility of the five-Year Capital Facilities Plan can be maintained. Mitigation options may include, but are not limited to:~~

~~i. Contribution of land in conjunction with the provision of additional school capacity;~~

~~ii. Provision of additional student stations through he donation of buildings for use as a primary or alternative learning facility; or~~

~~iii. Provision of additional student stations through the renovation of existing buildings for use as learning facilities; or~~

~~iv. Construction of permanent student stations or core capacity; or~~

~~v. Construction of a school in advance of the time set forth in the School District's Five-Year Capital Facilities Plan.~~

~~(e) For mitigation options provided above, the costs associated with the identified mitigation shall be based on the estimated cost of the improvement on the date that the improvement is programmed for construction. Future costs will be calculated using estimated values at the time the mitigation is anticipated to commence.~~

~~1. The cost of the mitigation required by the developer shall be credited toward the payment of the school impact fee.~~

~~2. If the developer's required mitigation cost is greater than the school impact gees for the development, the difference between the developer's mitigation costs and the impact fee credit is the responsibility of the developer.~~

~~(f) Upon conclusion of the ninety (90) days negotiation period, a new School Capacity Availability Determination Letter shall be issued identifying whether or not capacity has been identified to serve the development. IF mitigation has been agreed to, the School District shall identify in the School Capacity Availability Determination Letter that adequate capacity is available for the development, subject to those mitigation measures agreed to by the local government, developer and the School Board. Prior to vesting approval of the School Capacity Availability Determination Letter, the mitigation measures shall be memorialized in an enforceable and binding agreement, with the local government, the School Board and the developer, and impact fees must be paid. The mitigation agreement shall specifically detail mitigation provisions, identify the capacity project, indicate the financial contribution to be paid by the developer, proved a method of surety inform of a bond or letter of credit in the amount of the contribution, and include any relevant terms and conditions. If mitigation is not agreed to, the Determination Letter shall detail why any mitigation proposals were rejected and detail why the development is not in compliance with school concurrency requirements.~~

~~7.7 Appeal Process~~

~~(a) A person substantially affected by a School District's adequate capacity determination made as a part of the School Concurrency Process may appeal such determination through the process provided in Chapter 120, F.S. A School Capacity Determination Letter indicating either that~~

~~adequate capacity is available, or that there is no available capacity following the ninety (90) day negotiation period as described in Section 7.7 of this Agreement, constitutes final agency action by the School District for purposes of Chapter 120 F.S.~~

~~(b) A person substantially affected by a local government decision made as part of the School Concurrency Process may appeal such decision using the process identified in the local governments' regulations for appeal of development orders. This shall not apply to any decision subject to section (a) above.~~

Section ~~8~~ 4. Local Planning Agency, Comprehensive Plan Amendments, Rezoning, and Development Approvals

~~8~~4.1 The County~~, Cities, and Town~~ will include a nonvoting representative appointed by the School Board on the local planning agency (LPA), or equivalent agencies, to attend or provide comments at those meetings at which the agencies consider comprehensive plan amendments and rezoning that would, if approved, increase residential density on the property that is the subject of the application. The County~~, Cities and Town~~ may at their discretion grant voting status to the School Board member.

~~8~~4.2 The County will include a voting School Board representative on its Development Review Committee to attend and provide comments to site plan, subdivision plat and other development reviews that are presented to the Development Review Committee.

~~8~~4.3 The County~~, Cities, and Towns~~ agrees to give the School Board notification of comprehensive plan amendments, rezoning, and development proposals pending before them that may affect student enrollment. Within 15 business days after notification by the local government, the School Board will advise the local government of the school enrollment impacts anticipated to result from the proposed land use application or development proposal, and whether sufficient capacity exists or is planned to accommodate the impacts. School capacity will be reported consistent with State requirements for educational facilities~~, this Agreement and the public school facility elements of each jurisdiction's comprehensive plan~~.

~~8~~4.4 In reviewing and approving comprehensive plan amendments, rezoning and development proposals, the County~~, Cities and Towns~~ will consider the following:

(a) School Board comments;

(b) Available school capacity or planned improvements to increase school capacity;

(c) The provisions of school sites and facilities within planed neighborhoods;

(d) Compatibility of land uses adjacent to existing schools and reserved school sites;

(e) The co-location of parks, recreation and neighborhood facilities with school sites;

(f) The linkage of schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks for safe access;

(g) Traffic circulation plans which serve schools and the surrounding neighborhood;

(h) The provision of off-site signalization, signage, access improvements, and sidewalks to serve schools; and

(i) The inclusion of school bus stops and turnarounds.

~~8~~4.5 If sufficient capacity is not available or planned to serve the development at the time of impact, the School Board, local government, and developer will collaborate to find means to ensure sufficient capacity will exist at the time of impact to accommodate the development, such as, developer contributions, project phasing, or developer provided facility improvements.

Section ~~9~~ 5. Co-location and Shared Use

~~9~~5.1 Co-location and shared use of facilities are important to both the School Board and local governments. The School Board will look for opportunities to co-locate and share use of school facilities and civic facilities when preparing the District Educational Facilities Plan. Likewise, co-location and shared use opportunities will be considered by the local governments when preparing the annual update to the comprehensive plan's schedule of capital improvements and when planning and designing new, or renovating existing, community facilities. For example, opportunities for co-location and shared use with public schools will be considered for libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums. In addition, co-location and shared use of school and governmental facilities for health care and social services will be considered.

~~9~~5.2 A separate agreement will be developed for each instance of co-location and shared use, which addresses legal liability, operating and maintenance costs, scheduling of use, and facility supervision or any other issues that may arise from co-location and shared use.

Section ~~10~~ 6. Resolution of Disputes

~~10~~6.1 If the parties to this agreement are unable to resolve any issue covered in this agreement in which they may be in disagreement, such dispute will be resolved in accordance with governmental conflict resolution procedures specified in Chapter 164 or 186, Florida Statutes.

Section ~~11~~ 7. Oversight Process

~~11~~ 7.1 Annually, the Staff Working Group shall prepare a written report regarding the implementation of this Agreement including the activities of the past year, which will be distributed to all parties hereto and presented at a public meeting of the School Board. The purpose of the public meeting is to provide the public with an opportunity to participate and comment on the implementation of this Agreement. Notice in a local newspaper of general circulation specifically indicating the purpose of the meeting will be provided at least 15 days prior such meeting.

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by and on behalf of Putnam County~~, the Cities of Crescent City and Palatka, the Towns of Interlachen, Pomona Park and Welaka,~~ and the School Board of Putnam County of this _____ day of _____, 200~~8~~13.

ATTEST:

_____	_____
Chairman, School Board	Chairman, Board of County Commissioners
Date: _____	Date: _____
~~Mayor, City of Crescent City~~	~~Mayor, City of Palatka~~
~~Date:~~ _____	~~Date:~~ _____
~~Mayor, Town of Interlachen~~	~~Mayor, Town of Pomona Park~~
~~Date:~~ _____	~~Date:~~ _____
_____	
~~Mayor, Town of Welaka~~	
~~Date:~~ _____	

Section 10. Resolution of Disputes

10.1 If the parties to this agreement are unable to resolve any issue covered in this agreement in which they may be in disagreement, such dispute will be resolved in accordance with governmental conflict resolution procedures specified in Chapter 164 or 186, Florida Statutes.

Section 11. Oversight Process

11.1 Annually, the Staff Working Group shall prepare a written report regarding the implementation of this Agreement including the activities of the past year, which will be distributed to all parties hereto and presented at a public meeting of the School Board. The purpose of the public meeting is to provide the public with an opportunity to participate and comment on the implementation of this Agreement. Notice in a local newspaper of general circulation specifically indicating the purpose of the meeting will be provided at least 15 days prior such meeting.

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by and on behalf of Putnam County, the Cities of Crescent City and Palatka, the Towns of Interlachen, Pomona Park and Welaka, and the School Board of Putnam County of this 17th day of October 2006.

ATTEST:

Joann Barber
Chairman, School Board

Linda Myers
Chairman, Board of County Commissioners

Lee Kinsella
Mayor, City of Crescent City

Karl N. Flagg
Mayor, City of Palatka

John Lyles
Mayor, Town of Interlachen

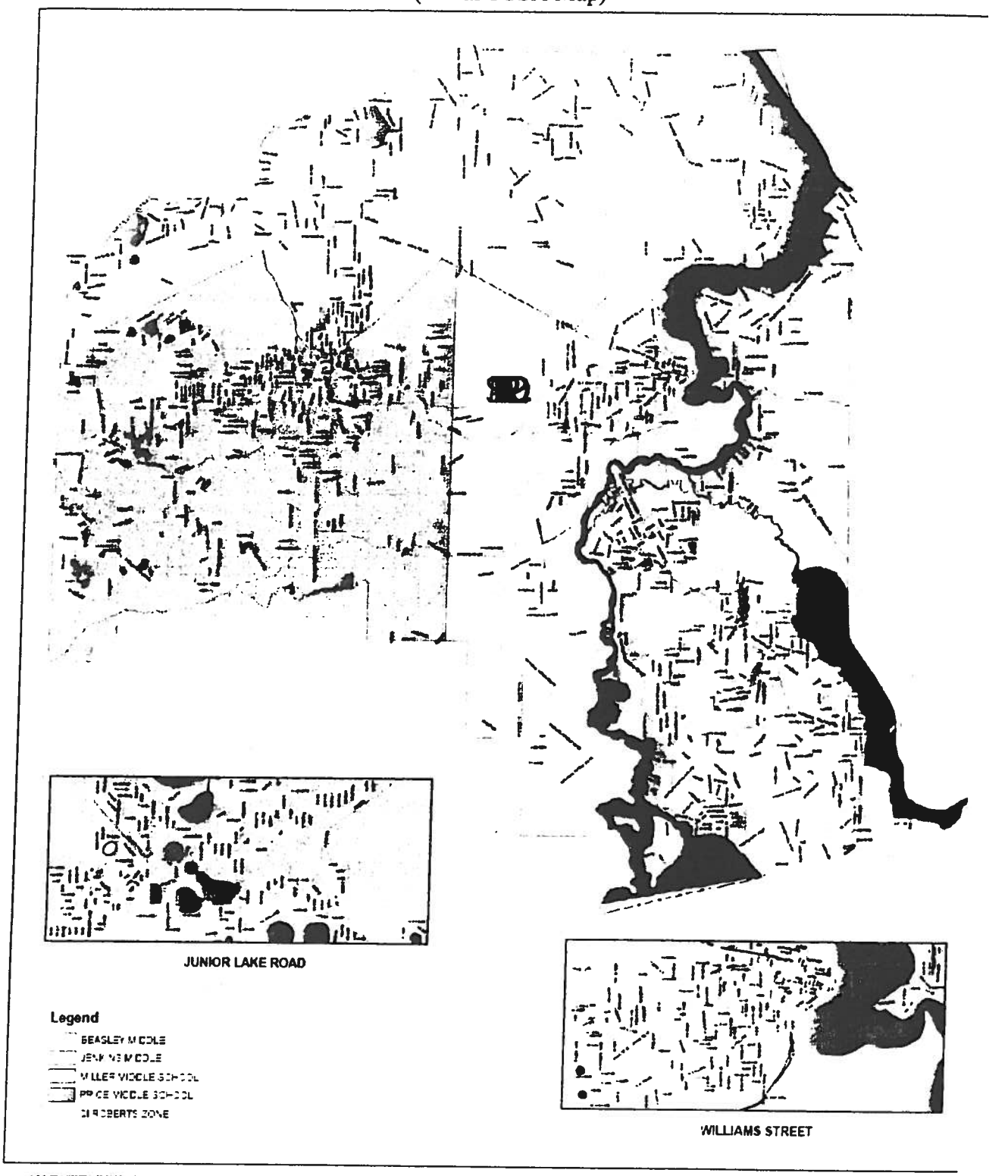
T. Alonzo Middleton
Mayor, Town of Pomona Park

Gordon Sands
Mayor, Town of Welaka

Appendix A

FISH Capacity of Existing School Facilities in Putnam County – Year 2006-2007			
Facility	LOS Capacity	Current Utilization	Percent Capacity Committed
Beasley Middle	806	637	79%
Moseley Elementary	409	356	87%
River Breeze Elementary	788	433	65%
Mellon Elementary	576	408	71%
Kelley Smith Elementary	747	688	92%
Interlachen High	1,224	934	76%
Price Middle	803	608	76%
Melrose Elementary	561	312	56%
James A. Long Elementary	677	470	89%
Jenkins Middle	912	708	78%
Interlachen Elementary	942	765	81%
Browning-Pearce Elementary	946	810	86%
Miller Intermediate	725	469	65%
Middleton-Burney Elementary	844	638	75%
Crescent City Jr./Sr. High	1,098	917	84%
Palatka High	2,106	1670	79%
E.H. Miller School ESE	261	105	40%
Ochwilla Elementary	627	400	64%
Q.I Roberts Middle	410	372	91%

Appendix B
(Initial SCSA Map)

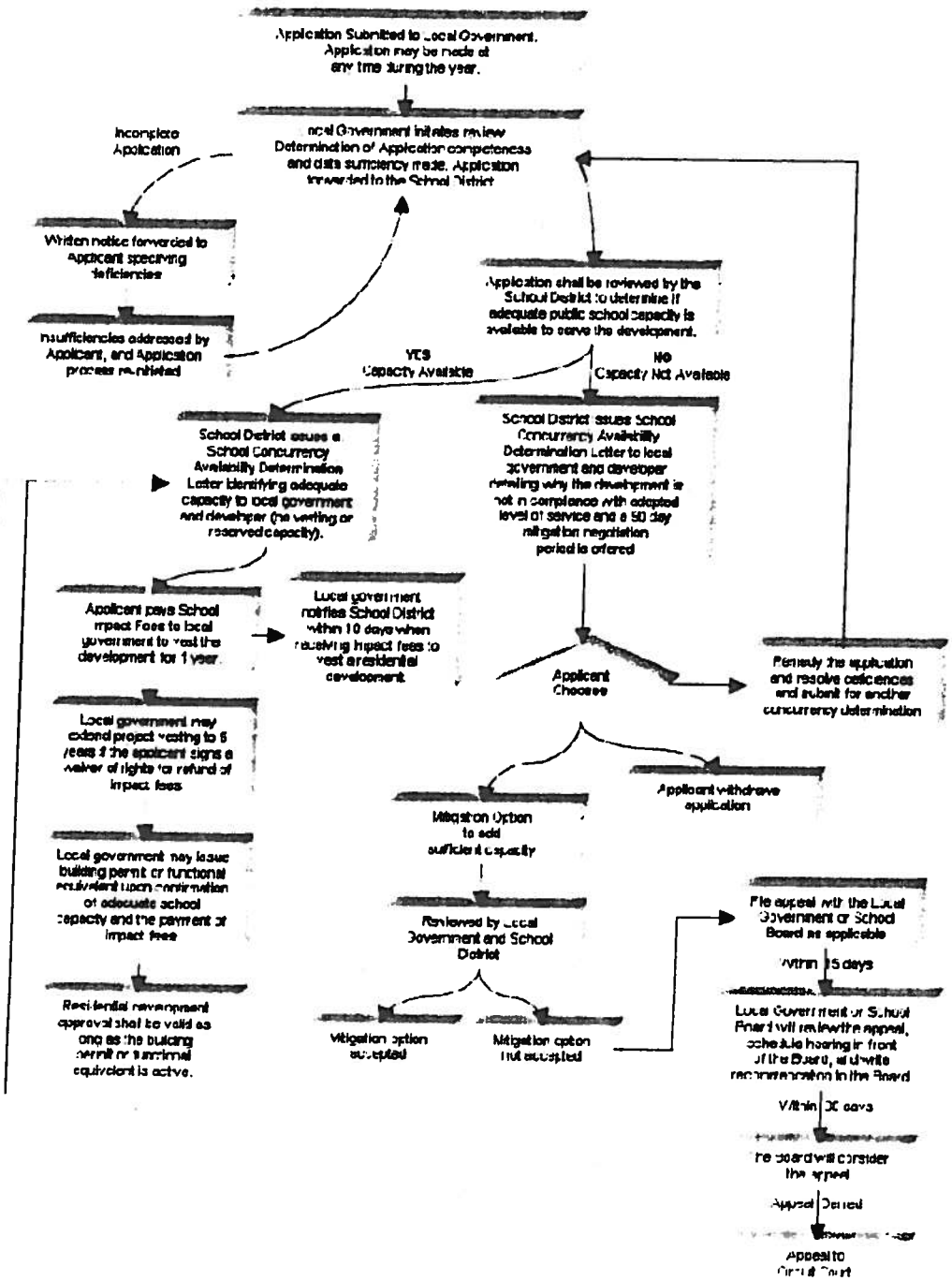


PUTNAM COUNTY, FLORIDA
Larry Pritchett - Property Appraiser

PUTNAM COUNTY
MIDDLE SCHOOL ZONES

Appendix C

School Concurrency Review Process Flow Chart



INTERLOCAL AGREEMENT FOR COORDINATED LAND USE AND

PUBLIC SCHOOL FACILITY PLANNING

CITY OF PALATKA ADDENDUM

WHEREAS, the City of Palatka has expressed an interest in actively participating in the Semi-annual workshops with the County and the School Board provided for under paragraph 1.3; and

WHEREAS, the City of Palatka has also expressed a interest in having their Planning Director specifically named as a member of the Staff Working Group;

NOW THEREFORE, be it understood that this Interlocal Agreement for Coordinated Land Use and Public School Facility Planning ("Agreement") shall be amended as follows:

A1. The City of Palatka elects to and shall be a participant in the semi-annual workshops held under paragraph 1.1 of this Agreement; and

A2. The City of Palatka's Planning Director shall be the designated participant for the City of Palatka in the Staff Working Group described under paragraph 1.3 of this Agreement.

IN WITNESS WHEREOF, this Addendum has been executed by and on behalf of the City of Palatka, Putnam County and the School Board of Putnam County of this _____ day of _____, 2006.

ATTEST:

_____ _____

Chairman, School Board Chairman, Board of County Commissioners

_____

Mayor, City of Palatka