

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



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

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

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

AGENDA CITY OF PALATKA June 9, 2011

CALL TO ORDER:

- a. Invocation – Sister Sheila McCoy, Pastor, God's Manna
- b. Pledge of Allegiance
- c. Roll Call

APPROVAL OF MINUTES – 05/23/11 Pre-Budget Workshop; 5/23/11 Regular Meeting

1. PUBLIC RECOGNITION/PRESENTATIONS:

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

3. CONSENT AGENDA:

- *a. **Authorize execution of a contract with Fred Fox Enterprises, Inc. in the amount of \$60,000 for General Administration Services for the Florida Energy Efficiency Conservation Block Grant #ARS027, per results of a Request for Qualifications**
- *b. **Authorize execution of a Conservation Easement granted to FDEP to offset impacts to wetlands and other surface waters and protect a mitigation area by retaining a suitable habitat for fish, plants or wildlife, in connection with the Riverfront Park Dock and Boat Ramp Improvements FDEP Permit, per City Manager's recommendation/FDEP Requirements**
- *c. **Reappoint Lynda Little Crabill to the Palatka Historic Preservation Board for a three-year term to expire June, 2014 (sole applicant).**
- *d. **Designate Phil Leary as voting delegate and Mary Lawson Brown as alternate voting delegate to the 2011 FLC Annual Conference, August 11 - 13, 2011**

** 4. ACCEPT CRA RECOMMENDATIONS for TIF Expenditures/Business as follows:

- *a. **FUND** Palatka Elks Lodge 2010 Building Improvement Grant (BIG) Program application (CBD) – Tabled from 10/14/10 - Jonathan Griffith, Acting Main Street Mgr.
- *b. **RE-ALLOCATE** \$16,200 from 2010 marketing budget to fund Billboard Campaign on I-95 (CDB) – Angela Murtagh, Downtown Palatka, Inc.
- *c. **AUTHORIZE** \$12,000 be set aside for installation of traffic actuators at signalized intersections on St. Johns Avenue (CBD) – Woody Boynton, CRA Director
- *d. **ALLOCATE** \$15,000 to assist with funding the cost of 4th of July Fireworks Display at the Riverfront Park (CBD) – Woody Boynton, CRA Director
- *e. **APPROVE** changes to Building Improvement Grant (BIG) Program (CBD)– Jonathan Griffith, acting Main Street Manager
- *f. **APPROVE** Main Street Manager Job Description and authorization advertisement of position opening (CBD) – Woody Boynton, CRA Director

AGENDA - CITY OF PALATKA

June 9, 2011

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- ** 4. **ACCEPT CRA RECOMMENDATIONS** for TIF Expenditures/Business (Continued):
 - *g. **AUTHORIZE** transfer of Central Business District TIF funds in the amount of \$200,000 to Better Place Fund for a one-time payment on the Frank George Apartments Purchase/Demolition Loan (CBD) – Woody Boynton, City Manager
 - *h. **APPROVE** SHNA Live Here, Work Here Program (SHD) – Michael Gagnon
- * 5. **RESOLUTION** supporting the Federal Recreational Trails/Safe Routes to School Programs and opposing the modification of federal funding to these programs - Adopt
- * 6. **ORDINANCE** amending Chapter 42, Article III of the Palatka Municipal Code to revise the "False Alarm" Ordinance – 1st Reading
***** STAFF RECOMMENDATION TO TABLE 1ST READING TO JUNE 23, 2011**
- 7. **ADMINISTRATIVE REPORTS**
 - a. **Project Prioritization Workshop** in preparation for USDA Community Visioning Meeting – City Manager & Staff
- 8. **COMMISSIONER COMMENTS**
- 9. **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:

July 4, 2011 – Independence Day Celebration – Palatka Riverfront
July 4, 2011 – City offices closed to observe Independence Day
July (TBD), 2011 – USDA Visioning/Community Development Day
August 11 – 13, 2011 – FLC Annual Conference, Orlando, FL
Sept. 5, 2011 – City offices closed to observe Labor Day

Board Openings:

Code Enforcement Board: 1 Vacancy (Sub-Contractor)
Fire Pension Board 1 Vacancy ("5th member")
Historic Preservation Board: 1 alternate
Putnam Co. Library Board: 1 Member (at large)

Agenda
Item

3a

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

City of Palatka
Office of the City Manager

To: Mayor Myers, Commissioners

From: Woody Boynton, City Manager 

Date: June 1, 2011

RE: Administrative Services for Energy Grant

On February 4, 2011, the City of Palatka advertised for consultants to submit qualification statements to provide engineering services for the energy grant recently awarded to the City of Palatka. Two qualification statements were received by the City of Palatka: Fred Fox Enterprises, Inc. and Guardian Community Resource Management, Inc. As you may recall Fred Fox Enterprises, Inc was ranked first. The attached scope and fee of \$60,000.00 is the result of negotiations between representatives of Fred Fox Enterprises, Inc and myself.

The attached administrative services scope and fee will provide the necessary oversight of the project to ensure compliance with both State and Federal guidelines. I have reviewed the scope and fee and take no exception to the amount requested and recommend approval of the request.

The cost of this work will be primarily funded by the grant received from the Department of Energy.

Should you have any questions, please call.



**FRED FOX
ENTERPRISES, INC**

Providing Grant Writing and Administration Services

June 1, 2011

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

RE: General Administration Contract
EECBG #ARS027

Dear Mr. Boynton:

Please find enclosed two (2) sets of the General Administration Contract for the City's Energy Efficiency Conservation Block Grant (EECBG) project referenced above. Please review the documents. If they are acceptable, have the contracts executed where indicated and return one (1) copy to our office.

If you have any questions regarding this, please feel free to contact me at (904) 810-5183.

Sincerely,

Fred D. Fox

Fred D. Fox
Administrator

FDF/mnf

Enclosure

GENERAL ADMINISTRATION CONTRACT

This General Administration Contract entered into as of this ____ day of _____, 2011, by and between Fred Fox Enterprises, Incorporated, hereinafter referred to as the Administrator and the City of Palatka hereinafter referred to as the Local Government.

WITNESSETH THIS RECITAL:

WHEREAS, the Local Government has been awarded an Energy Efficiency Conservation Block Grant, grant #ARS027 by the Executive Office of the Governor (EOG) Florida Energy and Climate Commission; hereinafter referred to as the "Project", and the local Government desires to implement that Project; and,

WHEREAS, the Administrator is now available, willing, and qualified to perform professional services in connection with the Project, to serve the Local Government to which this contract applies, and to give consultation, advice, and direction for such Project, and

WHEREAS, the Local Government being desirous that the Administrator perform such services regarding the Project does now engage Administrator to perform such services noted above on the EOG Florida Energy and Climate Commission SEP Program and Administrator agrees to perform such services.

To provide technical assistance in various program areas, and
To serve the local government as its professional representative and coordinator in all phases of the Project to which this General Administration Contract applies, and
To coordinate, monitor, and evaluate the Project, and
To provide, at a minimum, monthly updates to the Local Government, and
To establish and maintain bookkeeping and financial management aspects of the Project and submit financial status reports to the Local Government on a monthly basis.

NOW THEREFORE, the parties hereto agree as follows:

ARTICLE 1

A. GENERAL ADMINISTRATION

SCOPE OF THE SERVICES OF THE ADMINISTRATOR

The Administrator shall provide the following services for the general administration aspects of this project;

1. Coordinate, monitor, and evaluate the direct costs of the overall program, including but not limited to the multiple activities outlined in the subsections of the contract below.
2. Respond to all citizen's questions and complaints concerning the project in a

timely manner.

3. Disseminate to the public, including all community organizations, information on the program that involve citizen's participation, including but not limited to providing program information, technical assistance to community groups, and dissemination of materials.

4. Establish and maintain general and related files as required by the Florida Energy and Climate Commission.

5. Prepare the Environmental Review including any required Public Notices and the "Request for Release of Funds".

6. Establish procedures relating to the procurement and implementation of services all pursuant to United States Department of Energy (USDOE) and Florida Energy and Climate Commission requirements and regulations.

7. Review and determine if professional services contracts are consistent with all OMB Circular A-102 ordinances.

8. Provide technical assistance to the Local Government in procuring professional service contracts.

9. Establish and maintain bookkeeping systems that are acceptable to both The Florida Energy and Climate Commission and The Auditor General's Office.

10. Monitor the various subsections of the Project (i.e.) the retrofit of seven

(7) city buildings, the replacement of the lighting fixtures in two hundred and fifty (250) period street lights, and the retrofiting of the aeration system at the city's wastewater treatment plant in regard to all USDOE and Florida Energy and Climate Commission regulations and prepare all necessary and all requested responses to inquiries from Local, State, and Federal governmental units.

11. Evaluate the various subsections of the Project according to USDOE and Florida Energy and Climate Commission regulations and prepare all final reports to the Florida Energy and Climate Commission.

12. Establish adequate advertising regarding all aspects of the Project to ensure active citizen participation, including but not limited to the environmental aspects of the project.

13. This contract is to complete the work as outlined in the Florida Energy and Climate Commission contract #ARS027 or as the contract may be amended.

14. The Consultant shall attend all meetings related to implementation of the SEP grant, including but not limited to, public hearings, staff meetings, public informational meetings, etc.

15. Provide monthly progress report to the local government in sufficient detail to indicate accomplishments and tasks completed.

16. Provide additional progress reports to the local government if requested.

17. Provide all reports relating to the project as required by the Florida Energy and Climate Commission.

19. Prepare all required or requested program amendments including the preparation of advertisements, conducting required public hearings and updating Environmental Reviews.

B. PUBLIC FACILITIES

SCOPE OF SERVICES OF THE ADMINISTRATOR

The Administrator shall provide the following services for the public facilities unit of this project:

1. Coordinate, monitor, and evaluate the direct costs of such facilities.
2. Establish and maintain adequate bookkeeping systems for this subsection of the project.
3. Evaluate this subsection according to USDOE and Florida Energy and Climate Commission regulations and prepare all reports to the Commission.
4. Establish and maintain construction contract files.
5. Establish procedures relating to the procurement and implementation of contractual services, all pursuant to USDOE and Florida Energy and Climate Commission requirements and regulations.
6. Review and determine if professional service contracts are consistent with OMB

Circular A-102 Attachment O and any other regulations from any other agencies as may be required.

7. Provide technical assistance to the Local Government in procuring professional service contracts.

8. Review all bid packages for USDOE and Florida Energy and Climate Commission contract compliance.

9. Evaluate bids received for inclusion of all required information.

10. Establish and maintain labor standards compliance files for the Local Government.

11. Obtain wage decision from the Department of Labor (DOL) and/or the United States Department of Energy (DOE) and/or Florida Energy and Climate Commission and submit same to the Local Government.

~~12. Schedule and coordinate pre-construction conferences.~~

13. Review the contractor's weekly payrolls for compliance with Davis/Bacon and other Federal contract requirements.

14. Insure all ARRA buy American provisions are followed.

15. Establish and maintain the Local Government's equal opportunity files for the Project.

16. Establish architect/engineer community development terms and conditions for

incorporation in the bid package.

17. Obtain for the Local Government DOL/DOE/Florida Energy and Climate Commission contractor clearances.

18. Prepare Notice of Award to DOL, DOE, or Florida Energy and Climate Commission as required.

19. Prepare and send notice on behalf of the Local Government to DOL, DOE or Florida Energy and Climate Commission that the construction has commenced.

20. Approve all payment requests to insure the payments are appropriate and the proper documentation is included.

21. Be present at all DOE and Florida Energy and Climate Commission monitoring and prepare the Local Government's response(s) to DOE and Florida Energy and Climate Commission monitoring letters.

22. Complete and maintain files pertaining to the public facilities subsection of the project for use by the Local Government and interested citizens.

23. Represent the Local Government before any State or Federal boards or meetings regarding the public facilities subsection of the Project.

24. Perform all closeout activities, including the submission of reports as well as responding to requests for follow up information.

25. Provide monthly and occasional progress report as requested by the City or

required by the Florida Energy and Climate Commission.

26. Attend all public meetings with the local government related to this grant.

27. Present all bids to the City Council for approval.

28. Provide reports to be distributed in public meetings explaining the projects and their progress.

ARTICLE 2

A. GENERAL ADMINISTRATION

LOCAL GOVERNMENT'S RESPONSIBILITY

The Local Government's responsibility in regard to the subsection GENERAL ADMINISTRATION shall be:

1. To instruct the personnel of the Local Government to cooperate and assist the Administrator in the execution of the necessary financial data and procedures in order to comply with all DOE and/or Florida Energy and Climate Commission requirements.

2. To provide assistance in implementation of contractual services necessary to the Project per the requirements of any and all DOE or Florida Energy and Climate Commission requirements.

3. Establish and maintain rapport with individual citizens and community groups regarding the Project.

4. Assist the Administrator in negotiations necessary for all subsections of the

Project.

5. Review and implement all contracts necessary to ensure efficient progress of the

Project.

B. PUBLIC FACILITIES

LOCAL GOVERNMENT'S RESPONSIBILITY

The Local Government's responsibility in regard to the subsection PUBLIC FACILITIES shall be:

1. To assist the Administrator in placing at its disposal all available information pertinent to the sites of the Project including previous reports and any other data relative to design and construction of the Project.
2. To furnish the Administrator, when available, reports regarding property, boundary, right-of way, topographic surveys, laboratory tests, core borings, probings and sub-surface explorations, hydrographic surveys, and inspection of sample and materials with the Administrator may rely on in performing its services.
3. Assist the Administrator in obtaining right-of entry and release of liability of property owners.
4. Designate a member of the Local Government who will act as a contact person with the Administrator as to facilitate and transmit instructions, receive information, and generally assist as may be necessary and submit each person's name to

the Administrator within ten (10) days of the signing of the contract.

5. Give prompt notice to the Administrator whenever the Local Government observes or otherwise becomes aware of any defects or problems with the Project.

6. Inform the Administrator of all meetings involving personal service contracts with architects and/or engineers regarding this Project.

ARTICLE 3

PERIOD OF PERFORMANCE

The period of performance under this Project shall begin upon the signing of this contract and shall be completed upon final completion of the City's Energy Efficiency and Conservation Block Grant project and the issuance of a "Notice of Administrative Closeout" for the project by the Florida Energy and Climate Commission.

ARTICLE 4

COMPENSATION

The Local Government agrees to pay, from the funding set forth in Article Sixteen (16) herein, the Administrator and its associates in the following manner:

Compensation for the Administrator shall be the total sum of Sixty Thousand and 00/100 Dollars (\$60,000.00). Payment shall be made in ten (10)

equal monthly payments of Five Thousand Four Hundred Fifty Four Dollars and Fifty Four Cents (\$5,454.54). An eleventh payment, which shall constitute the final payment, in the amount of Five Thousand Four Hundred Fifty Four Dollars and Sixty Cents (\$5,454.60) shall be due upon the acceptance of the grant closeout report by the Florida Energy and Climate Commission. If extension of the grant is requested and approved by The Florida Energy and Climate Commission monthly payment will be reduced accordingly to correspond with the remaining portion of the contract. Payments will commence thirty (30) days after the effective date of the contract between the Florida Energy and Climate Commission and the Local Government.

At the end of the sixth month of this contract, the Local Government and the Administrator shall review the progress of the project to determine if the project is proceeding on schedule. If the project is determined not to be progressing on schedule, a revised payment schedule shall be developed that is acceptable to both parties.

If the grant contract obligations are met and the grant closes out prior to the sixteen month ending date the administrator can be paid the sum remaining in the contract upon issuance of a "Notice of Administrative Closeout" for the project by the Florida Energy and Climate Commission.

All requests for payment shall be submitted by the Administrator in detail sufficient for a proper pre-audit and post-audit review.

ARTICLE 5

CITIZENS PARTICIPATION

It is understood between the parties that both the local Government and the Administrator shall encourage continuous participation in the Project by the citizens of the area. It is further understood that both the Local Government and the Administrator shall be responsible for adequate advertising of the Project. It is understood that funds for such advertising shall be paid from grant funds.

ARTICLE 6

LOCAL GOVERNMENT CONTACT PERSON

The contact person who will represent the local Government in all matters pertaining to the Project shall be Mr. Elwin C. Boynton, City Manager or his designee.

ARTICLE 7

EXCLUSIVE REPRESENTATION

It is understood between the parties that a representative of the Local Government and a representative of Fred Fox Enterprises, Incorporated, will represent this Project before any and all Florida Energy and Climate Commission

or DOE meetings.

ARTICLE 8

CONFLICT OF INTEREST

The Local Government having being so advised by the Administrator does hereby recognize that the Administrator has provided similar area services in the past to Local Governments and to area governmental bodies and may be so engaged in a similar Project at this time or in the future and the parties agree that administration of these Projects by the Administrator do not constitute a conflict of interest with the Project.

ARTICLE 9

SOCIAL SECURITY

The Local Government is not liable for Social Security contributions pursuant to Section 481, 42 U.S. Code, relative to the compensation of the Administrator or any other participants during the period of this contract.

ARTICLE 10

CONTRACT AMENDMENT

The terms and conditions of this contract may be changed at any time by mutual agreement of the parties hereto. All such changes shall be incorporated as written amendments to this contract.

ARTICLE 11

TERMINATION

Termination (cause and/or Convenience)

1. This contract may be terminated in whole or in part in writing by either party in the event of substantial failure by the other to fulfill its obligations under this contract provided that no termination may be effected unless the other party is given (1) not less than ten (10) calendar days written notice (delivered by hand or by certified mail, return receipt requested) of intent to terminate and (2) an opportunity for consultation with the terminating party during said 10 day period prior to termination.

2. This contract may be terminated in whole or in part in writing by the local government for its convenience, provided that the other party is afforded the same notice and consultation opportunity specified in 1 above.

3. If termination for default is effected by the local government, an equitable adjustment in the price for this contract shall be made, but (1) no amount shall be allowed for anticipated profit on unperformed services or other work, and (2) any payment due to the Administrator at the time of termination may be adjusted to cover any additional costs to the local government because of the Administrator's default.

If termination for convenience is effected by the local government, the equitable adjustment shall provide for payment to the Administrator for services rendered and expenses incurred prior to receipt of the notice of intent to terminate, in addition to termination settlement costs reasonably incurred by the Administrator relating to commitments (e.g., suppliers, subcontractors) which had become firm prior to receipt of the notice of intent to terminate, if any, and upon proper documentation submittal.

4. Upon receipt of a termination action under paragraphs (1) or (2) above, the Administrator shall (1) promptly discontinue all affected work (unless the notice directs otherwise) and (2) deliver or otherwise make available to the local government all data, drawings, reports specifications, summaries and other such information, as may have been accumulated by the Administrator in performing this contract, whether completed or in process.

5. Upon termination, the local government may take over the work and award another party a contract to complete the work described in this contract.

6. If, after termination for failure of the Administrator to fulfill contractual obligations, it is determined that the Administrator had not failed to fulfill contractual obligations, the termination shall be deemed to have been for the convenience of the local government. In such event, adjustment of the contract

price shall be made as provided in paragraph (3) above.

ARTICLE 12

EQUAL OPPORTUNITY

The Administrator warrant that there shall be no discrimination against employees, applicants for employment, those to whom services are rendered, and applicants for such services under this contract because of race, color, age, sex, religion, national origin, place of birth, ancestry, handicap, or familial status.

During the performance of the function described herein, the Administrator agree to the following conditions pertaining to the recognition and protection of the civil rights of employees, applicants for employment, those to whom services are rendered, and applicants for such services:

1. The Administrator will comply with the provisions of Title VI of the Civil Rights Act of 1964, P.L. 88-352, as amended, and rules and regulations published pursuant thereto, all of which are made a part hereof as if fully incorporated herein;

2. The Administrator will comply with the provisions of Presidential Executive Order Number 11246 of September 24, 1965, as amended, Title 3, Code of Federal Regulations, Chapter 4, which is made a part hereof as if fully incorporated herein, the provisions of Section 204 of which executive order must

be set forth verbatim, to wit: During the performance of this contract, the Administrator agree as follows: The Administrator will not discriminate against any employee or applicant for employment because of race, color, age, sex, religion, national origin, place of birth, ancestry, handicap, or familial status. Such action shall include, but not limited to the following: employment, upgrading, demotion, transfer, recruitment, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Administrator agrees to post in conspicuous place, available to employees and applicants for employment, notice to be provided by the contracting officer setting for the provisions of the non-discrimination clause.

3. The Administrator will, in all solicitations or advertisements for employees placed by or on behalf of the Administrator; state that all qualified applicants will receive consideration for employment without regard to race, color, age, sex, religion, national origin, place of birth, ancestry, handicap, or familial status.

4. The Administrator will send to each labor union or representative or workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or worker's representative of the contractor's commitments under

Section 204 of Executive Order Number 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

5. The Administrator will comply with all provisions of Executive Order Number 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

6. The Administrator will furnish all information and reports required by Executive Order Number 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

~~7. In the event of the Administrator non-compliance with the non-discrimination clauses of this contract or with such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order Number 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order Number 11246, of September~~

24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

8. The Administrator will include the provisions of paragraphs one (1) through seven (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the secretary of Labor issued to Section 204 of Executive Order Number 11246 of September 24, 1965, so that such provisions will be binding upon subcontractors or vendors. The Administrator will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for non-compliance; provided however, that in the event the Administrator become involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Administrator may request the United States to enter into such litigation to protect the interest of the United States.

9. The Administrator shall not discriminate in solicitations or advertisements for employees placed by and on behalf of the contractor or against any employee or applicant for employment because of race, color, age, sex, religion, national origin, place of birth, ancestry, handicap, or familial status.

ARTICLE 13

DOE/FLORIDA ENERGY AND CLIMATE COMMISSION AUDITS

If DOE or the Florida Energy and Climate Commission finds that any sums received by the Administrator are unreasonable, then those sums shall be refunded by the Administrator to the Local Government as required by 24 C.F.R., Section 570.200. Administrator agree to reimburse to the Local Government any funds expended for transactions approved by the Administrator which are disallowed by the Florida Energy and Climate Commission, due to the malfeasance, misfeasance, or nonfeasance of the administrator. All records will be made available to the Local Government auditors at their request as pre-audit and post-audit requirements.

ARTICLE 14

ADMINISTRATOR'S NOTICE

REGARDING ENGINEER OR ARCHITECT

It is understood between the Local Government and the Administrator that the Administrator will not be responsible for any Federal, State, or Local requirements that must be completed and supervised by the engineer and/or architect.

ARTICLE 15

ADMINISTRATORS NOTICE

REGARDING LEGAL FEES AND AUDITS

It is understood between the Local Government's and the Administrator that the Administrator will not be responsible for legal or audit costs associated with this project.

ARTICLE 16

SOURCE OF FUNDING

The sole source of payment for this contract is the funding received through the SEP program and/or portion of any other funding grants leveraged from it.

ARTICLE 17

REMEDIES

Unless otherwise provided in this contract, all claims, counter claims, disputes and other matters in question between the local government and the contractor, arising out of or relating to this contract, or the breach of it, will be decided by the appropriate court in Putnam County, Florida.

ARTICLE 18

ACCESS TO RECORDS

The local government, the Florida Energy and Climate Commission, the U.S. Department of Energy, the Comptroller General of the United States, and any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Administrator which are directly pertinent to this contract for the purpose of making audit, examination, excerpts, and transcriptions.

ARTICLE 19

RETENTION OF RECORDS

The Administrator shall retain all records relating to this contract for six (6) years after the local government makes final payment and all other pending matters are closed.

ARTICLE 20

ENVIRONMENTAL COMPLIANCE

If this contract exceeds \$100,000, the Administrator shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and U.S. Environmental Protection

Agency regulations (40 C.F.R. Part 15). The Administrator shall include this clause in any subcontracts over \$100,000.

ARTICLE 21

IMMIGRATION AND NATIONALITY ACT COMPLIANCE
(Section 274 A(e))

The employment of unauthorized aliens by the Administrator, is considered a violation of Section 274A(e) of the Immigration and Nationality Act. If the Administrator knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of this Agreement. The Administrator shall be responsible for including this provision in all subcontracts with private organizations issued as a result of this Agreement.

ARTICLE 22

DISCRIMINATION - PURSUANT TO
SUBSECTION 287.134(2)(a), FLORIDA STATUTES,

The Administrator hereby acknowledges they have not been placed on the discriminatory vendors list. The Administrator further acknowledges they have received notification that an entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or

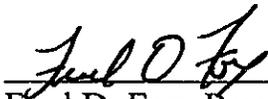
repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals:

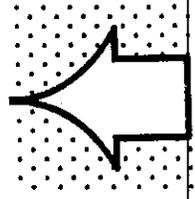
LOCAL GOVERNMENT:

Vernon Myers, Mayor
City of Palatka

ADMINISTRATOR:



Fred D. Fox, President
Fred Fox Enterprises, Inc.



ATTESTED BY:

Betsy Jordan Driggers, City Clerk
City of Palatka

ATTESTED BY:



Melissa N. Fox, Grants Compliance
Fred Fox Enterprises, Inc.

SWORN STATEMENT UNDER SECTION 287.133(3)(a)
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

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

1. This sworn statement is submitted with the Enterprises General Administration Agreement for Fred Fox, Inc., and the City of Palatka.
2. This sworn statement is submitted by Fred Fox Enterprises, Inc. whose business address is 26 Spanish Street, St. Augustine, Florida 32084, and (if applicable) its Federal Employer Identification Number (FEIN) is 59-2443697.
3. My name is Fred D. Fox, and my relationship to the entity named above is President of the Corporation.
4. I understand that a "Public Entity Crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transactions 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 bid or contract for goods or services to be provided to any public entity or an 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(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without adjudication of guilt, in any federal or state trial court of record 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 ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among person when not for fair market value under

an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)

XX Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND (Please indicate which additional statement applies.)

_____ There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order.)

_____ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)

_____ The person or affiliate has not between placed on the convicted vendor list. (Please describe any action taken by or pending with the Department of General Services.)

Fred D. Fox
Fred D. Fox (Signature)

Date: 5/31/2011

STATE OF FLORIDA

COUNTY OF ST. JOHNS

PERSONALLY APPEARED BEFORE ME, the undersigned authority, Fred D. Fox, who, after first being sworn by me, affixed his signature in the space provided above on this 31st day of May, 2011.

Melissa N. Fox
NOTARY PUBLIC

My Commission Expires:



COST SUMMARY FOR NEGOTIATED CONTRACTS

GRANTEE: City of Palatka

GRANT NUMBER: #ARS027

NAME AND ADDRESS: Fred Fox Enterprises, Inc.
OF CONTRACTOR: 26 Spanish Street
P. O. Box 1047
St. Augustine, Florida 32085-1047

DATE OF PROPOSAL: May 31, 2011

TYPE OF SERVICE TO
BE FURNISHED: State Energy Program (SEP) Grant Administration

COST SUMMARY:

DIRECT LABOR: Estimated hrs x hrly rate = estimated cost

<u>Consultant/Director</u>	<u>150 hrs x \$100. = \$</u>	<u>15,000.00</u>
<u>Project Manager</u>	<u>150 hrs x \$ 75. = \$</u>	<u>11,250.00</u>
<u>Grants Compliance Specialist</u>	<u>150 hrs x \$ 60. = \$</u>	<u>9,000.00</u>
<u>Environmental Specialist</u>	<u>10 hrs x \$ 60. = \$</u>	<u>600.00</u>
<u>Clerical Support</u>	<u>150 hrs x \$ 40. = \$</u>	<u>5,600.00</u>

DIRECT LABOR TOTAL: \$ 41,450.00

INDIRECT COSTS: Fringes, G & A, etc., rate x base = cost

Fringes 35% x 41,450.00 = \$ 14,507.50

INDIRECT COST TOTAL: \$ 14,507.50

OTHER INDIRECT COST: describe

N/A

OTHER INDIRECT COST: \$ 0.00

TOTAL ESTIMATED COST: \$ 55,957.50

PROFIT: \$ 4,042.50

TOTAL PRICE: \$ 60,000.00

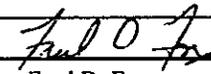
DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input checked="" type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: 3rd	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: State of Florida Executive Office of the Governor (EOG) Florida Energy and Climate Commission 600 South Calhoun Street, Suite 251 Tallahassee, Florida 32399-0001 Congressional District, if known: 2nd	
6. Federal Department/Agency: Department of Energy (DOE)	7. Federal Program Name/Description: American Recovery and Reinvestment Act (ARRA) CFDA Number, if applicable: _____	
8. Federal Action Number, if known: DE-EE0000241	9. Award Amount, if known: \$ \$1,240,000.00	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i> Fred Fox Enterprises 26 Spanish Street St. Augustine, Florida 32084	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i> Fox, Fred D.	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: <u></u> Print Name: <u>Fred D. Fox</u> Title: <u>President</u> Telephone No.: <u>(904) 810-5183</u> Date: <u>4/25/2011</u>	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

FLORIDA ENERGY AND CLIMATE COMMISSION
GRANT AGREEMENT NUMBER ARS027

CERTIFICATION REGARDING DEBARMENTS, SUSPENSION, INELIGIBILITY AND
VOLUNTARY EXCLUSION-LOWER TIER FEDERALLY FUNDED TRANSACTIONS

STATE OF FLORIDA
GRANT ASSISTANCE
PURSUANT TO
AMERICAN RECOVERY AND REINVESTMENT ACT
UNITED STATES DEPARTMENT OF ENERGY AWARDS

1. The undersigned hereby certifies that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. The undersigned also certifies that it and its principals:
 - (a) Have not within a three-year period preceding this certification 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 or local) transaction or contract under a public transaction: violation of Federal or State anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - (b) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 2.(a) of this Certification: and
 - (c) Have not within a three-year period preceding this certification had one or more public transactions (Federal, State or local) terminated for cause or default.
3. Where the undersigned is unable to certify to any of the statements in this certification, an explanation shall be attached to this certification.

Dated this 31st day of May, 2011

By: Fred D. Fox
Authorized Signature/Administrator

Fred D. Fox, President
Typed Name/Title

Fred Fox Enterprises
Recipient's Firm Name

26 Spanish Street
Street Address

Building Suite Number

St. Augustine, Florida 32084
City/State/Zip Code

(904) 810-5183
Area Code/Telephone Number

Agenda
Item

3b

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

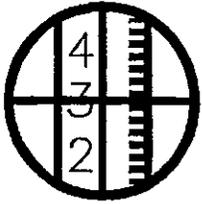
City of Palatka
Office of the City Manager

To: Mayor Myers, Commissioners
From: Woody Boynton, City Manager 
Date: April 21, 2011
RE: Conservation Easement – Boat Ramp Improvements

It was necessary for the City to set aside property adjacent to the existing boat ramp as a conservation easement due to wetland impacts associated with widening the ramp. This area was selected so as not to impede future growth. With this conservation easement the City will have completed the necessary requirements to obtain a permit from the FDEP for work associated with the boat ramp, floating docks and other water ward improvements anticipated in the Boating Improvement Grant that was solicited.

I am recommending approval of the easement.

Should you have any questions, please call.



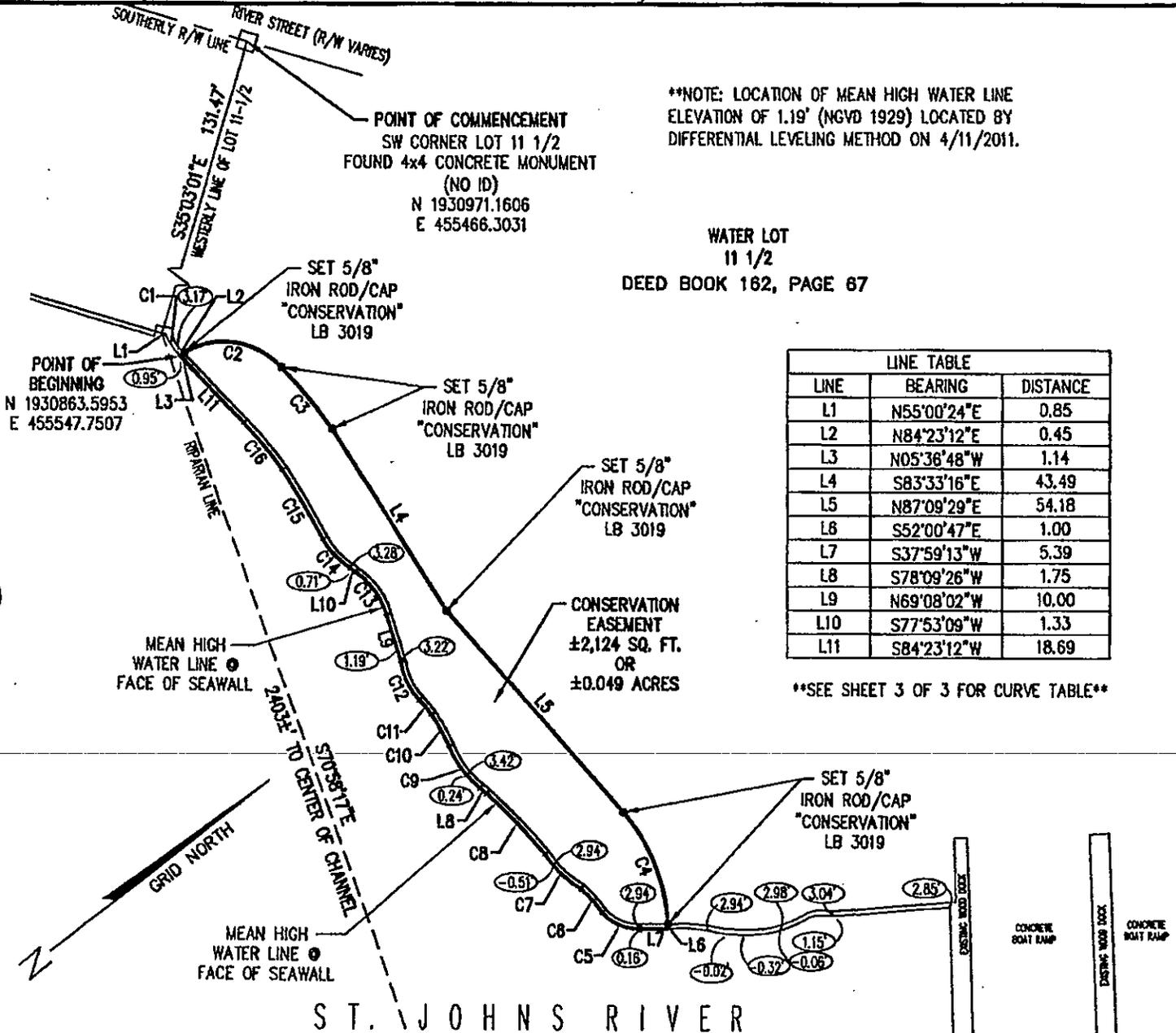
SLIGER & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

LICENSED BUSINESS CERTIFICATION NO. 3019

3921 NOVA ROAD
PORT ORANGE, FL 32127
(386) 761-5385

Copyright © 2011 Sliger & Associates, Inc.
www.sligerassociates.com

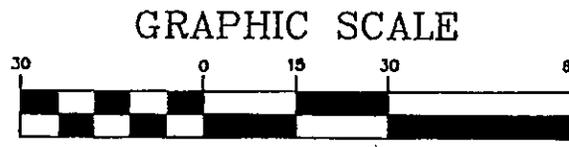


**NOTE: LOCATION OF MEAN HIGH WATER LINE ELEVATION OF 1.19' (NGVD 1929) LOCATED BY DIFFERENTIAL LEVELING METHOD ON 4/11/2011.

WATER LOT
11 1/2
DEED BOOK 162, PAGE 67

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N55°00'24"E	0.85
L2	N84°23'12"E	0.45
L3	N05°36'48"W	1.14
L4	S83°33'16"E	43.49
L5	N87°09'29"E	54.18
L8	S52°00'47"E	1.00
L7	S37°59'13"W	5.39
L8	S78°09'26"W	1.75
L9	N69°08'02"W	10.00
L10	S77°53'09"W	1.33
L11	S84°23'12"W	18.69

SEE SHEET 3 OF 3 FOR CURVE TABLE



GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

ABBREVIATIONS

(P)	PLATTED DIMENSION
(D)	DEEDED DIMENSION
(M)	MEASURED DIMENSION
(C)	CALCULATED DIMENSION
ID	IDENTIFICATION
A/C	AIR CONDITIONER
R/W	RIGHT OF WAY
CL	CENTERLINE
CA	CENTRAL ANGLE
R	RADIUS
L	ARC LENGTH
CB	CHORD BEARING
FP&L CO.	FLORIDA POWER & LIGHT COMPANY
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
U.S.C. & G.S.	UNITED STATES COAST AND GEODETIC SURVEY

SHEET 1 OF 3

LEGEND

●	IRON ROD WITH CAP
○	IRON PIPE
□	CONCRETE MONUMENT
■	PERMANENT REFERENCE MONUMENT
△	PERMANENT CONTROL POINT
(R)	RADIAL LINE
(NR)	NON-RADIAL LINE
○	EXISTING ELEVATION
□	PROPOSED ELEVATION

JOB #11-0385

SCALE: 1"=30' ELECTRONIC FIELD BOOK: 110254 & 110385 (.RWS; .TXT)

Return to:
Department of Environmental Protection
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256
c/o Sandra Marquez, ERP Section

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT is given this _____ day of _____ 2011, by The City of Palatka, having an address at 201 North 2nd Street, Palatka, Florida, (Grantor) to the State of Florida Department of Environmental Protection (DEPARTMENT), whose address is Department of Environmental Protection, 7825 Baymeadows Way, Suite 200 B, Jacksonville, Florida 32256. As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the Property (as hereinafter defined) and the term DEPARTMENT shall include any successor or assignee of the DEPARTMENT.

WITNESSETH

WHEREAS, the Grantor is the sole owner in fee simple of certain lands situated in Putnam County, Florida, more specifically described in Exhibit A attached hereto and incorporated herein (Property);

WHEREAS, the Grantor desires to construct Riverfront Park improvements including additional docking structures and a boat ramp (Project) at a site in Putnam County, which is subject to the regulatory jurisdiction of the Department under Part IV of Chapter 373 of the Florida Statutes;

WHEREAS, Department Permit No. 54-158986-004-EI (Permit) authorizes certain activities which affect waters in or of the State of Florida;

~~WHEREAS, this Permit requires that the Grantor preserve, enhance, restore or mitigate for impacts to wetlands, other surface waters, or uplands under the Department's jurisdiction; and~~

WHEREAS, pursuant to Section 373.414(1)(b), F.S., the DEPARTMENT agrees to accept this conservation easement and the Grantor agrees to grant this conservation easement as a condition of the Permit issued by the Department to offset or prevent adverse impacts to water quality and natural resources, such as fish, wildlife, and wetland or other surface water functions. Specifically, this conservation easement is intended to offset impacts to wetlands and other surface waters and protect a mitigation area.

NOW THEREFORE, in consideration of the above and the mutual covenants, terms, conditions and restrictions contained herein, together with other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, Grantor hereby voluntarily grants and conveys a perpetual conservation easement, as defined in Section 704.06, Florida Statutes, for and in favor of the DEPARTMENT upon the Property which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature and character of this conservation easement shall be as follows:

1. **Purpose.** The purpose of this conservation easement is to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland or upland areas included in the conservation easement that are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

2. **Rights of the DEPARTMENT.** To carry out this purpose, the following rights are conveyed to the DEPARTMENT by this easement:

a. The right to take action to preserve and protect the environmental value of the Property;

b. The right to prevent any activity on or use of the Property that is inconsistent with the purpose of this conservation easement, and to require the restoration of areas or features of the Property that may be damaged by any inconsistent activity or use;

c. The right to enter upon and inspect the Property in a reasonable manner and at reasonable times, including the right to use vehicles and all necessary equipment to determine if Grantor is complying with the covenants and prohibitions contained in this conservation easement; and

d. The right to enforce this conservation easement by injunction or proceed at law or in equity to enforce the provisions of this conservation easement and the covenants set forth herein, to prevent the occurrence of any of the prohibited activities hereinafter set forth, and the right to require Grantor to restore such areas or features of the Property that may be damaged by any inconsistent activity or use.

3. **Prohibited Uses.** Any activity on or use of the Property inconsistent with the purpose of this conservation easement is prohibited. Without limiting the foregoing, the following activities and uses are expressly prohibited, except for restoration, creation, enhancement, maintenance, and monitoring activities authorized by the Permit:

a. Construction or placing of structures on, above, or below the ground, including but not limited to: buildings, roads, docks, piers, boardwalks, billboards or other advertising; utilities; signs (other than those marking the conservation easement), or other structures.

b. Dumping or placing of soil or other substance or material as land fill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal, trimming, or destruction of trees, shrubs, or other vegetation, except nuisance, invasive, exotic, or nonnative species upon prior written approval by the DEPARTMENT;

d. Planting or seeding of exotic or nuisance species or other plants that are outside their natural range or zone of dispersal and have or are able to form self-sustaining, expanding, and free-living populations in a natural community with which they have not previously associated;

e. Exploration for or extraction of oil or gas, and excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

f. Surface use except for purposes that permit the land or water area to remain in its natural condition;

g. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking, dredging, and fencing;

h. Acts or uses detrimental to such aforementioned retention and maintenance of land or water areas;

i. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites, or properties of historical, architectural, archaeological, or cultural significance; and

j. The use of All-Terrain Vehicles, other than those used for land management activities

4. Reserved Rights. Grantor reserves to itself all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein, which are not inconsistent with any Department rule, criteria, permit, and the intent and purposes of this conservation easement.

5. Public Access. No right of access by the general public to any portion of the Property is conveyed by this conservation easement.

6. Responsibilities of Parties. Grantor hereby agrees to bear all costs and liabilities related to the operation, upkeep, or maintenance of the Property and Grantor does hereby indemnify and hold harmless the DEPARTMENT from same. In addition, the DEPARTMENT shall have no responsibility for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

7. Taxes. Grantor shall pay before delinquency any and all taxes, assessments, fees, and charges of whatever description levied on or assessed by competent authority on the Property, and shall furnish the DEPARTMENT with satisfactory evidence of payment upon request.

8. Liability. Grantor shall be responsible for any and all liability, loss, damage, expense, judgment or claim (including a claim for attorney fees) arising out of any negligent or willful action or activity resulting from the Grantor's use and ownership of or activities on the Property, the use by or activities of Grantor's agents, guests, lessees or invitees on the Property, or the use by or activities of third parties on the Property, and shall indemnify and hold the Department harmless from same. Neither Grantor nor any person or entity claiming by or through Grantor shall hold the DEPARTMENT liable for any damage or injury to person or personal property which may occur on the Property. Furthermore, the Grantor, shall indemnify and hold harmless the DEPARTMENT for all liability, any injury or damage to the person or property of third parties which may occur on the Property.

9. Hazardous Waste. Grantor covenants and represents that no hazardous substance or toxic waste exists nor has been generated, treated, stored, used, disposed of, or deposited in or on the Property, and that there are not now any underground storage tanks located on the Property. Grantor further indemnifies the DEPARTMENT for any and all liability arising from any subsequent placement or discovery of hazardous or toxic material on the property. In the event such material is discovered, Grantor shall be responsible for bringing the Property into compliance with all environmental laws related to hazardous substances and toxic wastes.

10. **Enforcement Discretion.** Enforcement of the terms, provisions and restrictions of this conservation easement shall be at the reasonable discretion of the DEPARTMENT, and any forbearance on behalf of the DEPARTMENT to exercise its rights hereunder in the event of any breach by Grantor, shall not be deemed or construed to be a waiver of the DEPARTMENT'S rights.

11. **Enforcement Costs.** If the DEPARTMENT prevails in an enforcement action, it shall be entitled to recover costs, including expert witness fees, as well as the reasonable cost of restoring the land to the natural vegetative and hydrologic condition existing at the time of execution of the conservation easement or to the vegetative and hydrologic condition required by the aforementioned Permit. These remedies are in addition to any other remedy, fine or penalty which may be applicable under Chapters 373 and 403, Florida Statutes, or at law or in equity.

12. **Assignment of Rights.** The DEPARTMENT agrees to hold this conservation easement exclusively for conservation purposes and that it will not assign its rights and obligations under this conservation easement except to another organization qualified to hold such interests under applicable state laws.

13. **Recording in Land Records.** Grantor agrees to record this conservation easement and any amendments hereto in a timely fashion in the Official Records of Putnam County, Florida. Grantor shall pay all recording costs and taxes necessary to record this conservation easement in the public records.

14. **Successors.** The covenants, terms, conditions and restrictions of this conservation easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property.

15. **Notices.** All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

16. ~~**Subsequent Deeds.** Grantor shall insert the terms and restrictions of this conservation easement in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property. Grantor further agrees to give written notice to the DEPARTMENT of the transfer of any interest at least twenty days prior to the date of such transfer. The failure of Grantor to perform any act required by this paragraph shall not impair the validity of this conservation easement or limit its enforceability in any way.~~

17. **Severability.** If any provision of this conservation easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this conservation easement shall not be affected thereby, as long as the purpose of the conservation easement is preserved.

18. **Alteration or Revocation.** This conservation easement may be amended, altered, released or revoked only by permit modification as necessary and written agreement between the parties hereto or their heirs, assigns or successors-in-interest, which shall be filed in the public records in Putnam County.

19. **Controlling Law.** The interpretation and performance of this conservation easement shall be governed by the laws of the State of Florida.

20. Baseline Documentation Report. The specific conservation values of the property are documented in the Baseline Documentation Report associated with this conservation easement. The Baseline Documentation Report consists of reports, maps, photographs, and other documentation that the parties agree provide, collectively, an accurate representation of the property at the time of this grant, and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant. The Baseline Documentation Report is maintained in the offices of the Florida Department of Environmental Protection and is incorporated by this reference. A copy of the Baseline Documentation Report is available from the Department on request.

TO HAVE AND TO HOLD unto the DEPARTMENT forever. The covenants, terms, conditions, restrictions and purpose imposed with this conservation easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said DEPARTMENT that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this conservation easement and all mortgages have been joined or subordinated; that Grantor has good right and lawful authority to convey this conservation easement; and that it hereby fully warrants and defends the title to the conservation easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has executed this Conservation Easement on the day and year first above written.

Signed, sealed and delivered in our presence as witnesses:

CITY OF PALATKA

By: [Signature]
Print Name Vernon Myers,
Title: Mayor

ATTEST:

CITY CLERK

STATE OF FLORIDA
COUNTY OF PUTNAM

The foregoing instrument was acknowledged before me this 20th day of May, 2011 by Vernon Myers and Betsy Driggers, Mayor and City Clerk of the City of Palatka, Florida. He/she is personally known to me or has produced n/a as identification.

(SEAL)

Notary Public Signature

Karen M. Venables
Printed/Typed Name of Notary

Commission No. _____
Commission Expires _____

Agenda
Item

3c



CITY OF PALATKA
Betsy Jordan Driggers
City Clerk
201 N. 2nd Street
Palatka FL 32177
Phone: 386-329-0100
Fax: 386-329-0106
e-mail: betsy@mail.qbso.net

Memorandum

To: City Commission
From: Betsy Driggers, City Clerk
Date: 6/3/2011
Re: Palatka Historic Preservation Board Appointments

Per City Commission policy, the City advertised that the Commission was seeking applicants for open and/or term expiration positions on the Palatka Historic Preservation Board. Those positions are (1) member with real estate experience (term expiration) and (1) alternate (open position).

Lynda Little Crabill, member with real estate experience, has applied for reappointment to this Board. She is the sole applicant.

Policy calls for applicants' interviews at the commission meeting prior to appointments. **Since Ms. Crabill is the sole applicants for this positions, it is Staff's recommendation to waive the 2nd meeting requirement and reappoint Lynda Little Crabill as member with real estate experience to the Palatka Historic Preservation Board for a three-year term, to expire June, 2014.**

KARL N. FLAGG
MAYOR-COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER



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

BETSY JORDAN DRIGGERS
CITY CLERK

RUBY M. WILLIAMS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

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

CITY OF PALATKA BOARD REAPPOINTMENT REQUEST

I wish to apply for reappointment to the Historic Preservation Board Board.
I understand that I will continue to serve in a volunteer capacity on this advisory board.

MEMBER: LYNDA LITTLE CRABILL # of years' prior service: 6 yrs

Residence (911 Address) 609 S. 14th ST. Phone: 386-326-1537
Fax:

Business Name DURSCHER REALTY Phone: 386-325-6248
& Address PO BOX 757 HOLLISTER FL 32149 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: PO Box 163 Palatka FL 32178

E-mail: lyndacrabill@a4.net Daytime Phone: 386-546-2400

AGREEMENT: By filing this document, I am indicating my desire to be reappointed to the advisory board upon which I currently serve. I also 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 each year covering my term of appointment.

Lynda L. Crabill
SIGNATURE OF APPLICANT

5/31/11
DATE

Chairman/Director:: Please return this form, together with a copy of this member's attendance record, to Betsy Driggers, City Clerk, 201 N. 2nd Street, Palatka, Florida.

CHAIRMAN/DIRECTOR'S COMMENTS (if any) Support
reapp.

Chairman's/Director's Signature [Signature]

Agenda
Item

3d



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: Palatka City Commission
From: Betsy Driggers, City Clerk
Date: June 3, 2011
Re: Election of Voting Delegate for 2011 FLC Annual Conference

Attached please find a memorandum from the Florida League of Cities requesting the City appoint one of its members as the City's voting delegate for the FLC annual conference business meeting.

Commissioner Phil Leary has agreed to serve as voting delegate to the 2011 FLC Annual Conference. Vice-Mayor Mary Lawson Brown has agreed to serve as Alternate Voting Delegate.

Please take action to designate Commissioner Leary as voting delegate and Vice Mayor Mary Lawson Brown as alternate voting delegate to the 2011 FLC Annual Conference in Orlando, FL



301 South Bronough Street • Suite 300 • P.O. Box 1757 • Tallahassee, FL 32302-1757 • (850) 222-9684 • Fax (850) 222-3806 • www.flcities.com

TO: Municipal Key Official

FROM: Michael Sittig, Executive Director

DATE: May 16, 2011

SUBJECT: 85th Annual FLC Conference – Cities Work
VOTING DELEGATE AND RESOLUTION INFORMATION
August 11-13, 2011 – 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 11-13. This year we are celebrating Cities Work 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 2010, which are the same as the 2010 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 6, 2011.

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 1, 2011.

Attachments: Form Designating Voting Delegate
Procedures for Submitting Conference Resolution

President **Joy Cooper**, Mayor, Hallandale Beach

First Vice President **Patricia J. Bates**, Mayor, Altamonte Springs • Second Vice President **Manny Maroño**, Mayor, Sweetwater
Executive Director **Michael Sittig** • General Counsel **Harry Morrison, Jr.**

**85th Annual Conference
Florida League of Cities, Inc.
August 11-13, 2011
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.

Designation of Voting Delegate

Name of Voting Delegate: Phil Leary

Title: Commissioner

Municipality of: Palatka

PLEASE NOTE THAT MARY LAWSON BROWN, VICE-MAYOR, CITY OF PALATKA,
IS APPOINTED AS ALTERNATE DELEGATE

AUTHORIZED BY:
PALATKA CITY COMMISSION DURING REGULAR SESSION 6/9/11

Name
Mayor

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

**Procedures for Submitting Resolutions
Florida League of Cities' 85th Annual Conference
World Center Marriott
Orlando, Florida
August 11-13, 2011**

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 6, 2011, 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.

Important Dates

May 27, 2011

Notice to Local and Regional League Presidents and Municipal Associations
regarding the Resolutions Committee

June 15

Appointment of Resolutions Committee Members

July 6

Deadline for Submitting Resolutions to the League office

August 11

League Standing Council Meetings
Resolutions Committee Meeting
Voting Delegates Registration (also available Aug. 12th)

August 13

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

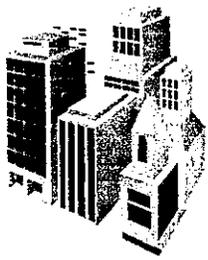
Agenda Item

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CRA Agenda

*Agenda
Item*

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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: bdriqgers@palatka-fl.gov

Memorandum

To: Palatka City Commission
From: Betsy Driggers, City Clerk
Date: June 3, 2011
Re: Resolution Protecting Federal Funding for Trails Programs

Attached please find proposed City of Palatka Resolution No. 09-03, which opposes the modification of federal funding for alternative transportation projects. You are being asked to adopt this because the Transportation Bill being crafted by the federal government contains a provision that removes the requirement to use 10% of federal transportation dollars to fund alternative transportation projects, such as the Florida Recreational Trails programs. If this change takes place, FDOT will be able to use these funds at their discretion on projects other than Trails projects. Bike Florida, the Federal Rails to Trails Program, and other Florida counties and municipalities have adopted similar resolutions.

The Putnam County Board of County Commissioners has adopted a similar resolution, a copy of which is attached, asking the federal government to consider leaving the existing language as-is. This will ultimately support Putnam County's and the City of Palatka's "green" trail economy. Once these trails are constructed, there will be an economic benefit to the City of Palatka, and specifically to Downtown Palatka, and jobs will be created.

If this resolution is adopted, a copy will be transmitted to Ken Brian, Director of the Federal Rails to Trails program, as well as the members of our federal congressional delegation.

RESOLUTION NO. 09-03

A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, SUPPORTING THE FEDERAL RECREATIONAL TRAILS PROGRAM AND SAFE ROUTES TO SCHOOL PROGRAM, OPPOSING THE MODIFICATION OF FEDERAL FUNDING FOR ANY OF THESE PROGRAMS TO A GENERIC BLOCK GRANT ALLOCATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, integrated public trails and intermodal pathways provide access for the people of Florida to countless areas and destinations throughout the state that would otherwise have limited pedestrian or bicycle access due to safety concerns or natural obstacles; and

WHEREAS, integrated trails and intermodal pathways provide the people of Florida with a choice of transportation modes while reducing demand and maintenance on the state's highway and local road systems; and

WHEREAS, the federal government has historically provided critical funding to the State of Florida for public trails through the Federal Recreational Trails Program, Transportation Enhancement Program and Safe Routes to School Program (hereinafter, collectively, the "Trails Program"); and

WHEREAS, Trails Program monies are currently allocated to the State of Florida specifically for trail and intermodal pathways that further pedestrian and bicycle access and safety; and

WHEREAS, federal lawmakers have recently discussed and pursued various methods and measures which would result in the allocation of some or all of the Trails program monies solely through a block grant to the Florida Department of Transportation (FDOT"); and

WHEREAS, the transfer of Trails Program monies from a dedicated allocation for trails or intermodal pathways to a generic block grant to FDOT would allow FDOT, in its sole discretion, to allocate these funds to projects which are totally unrelated to trails or intermodal pathways; and

WHEREAS, this undesirable modification to a generic block grant allocation system for Trails Program monies may severely limit the construction of trails or intermodal pathways in the State of Florida and Putnam County if FDOT determines, in its sole discretion, that such monies should be allocated to other projects; and

WHEREAS, it is the sense of this Board of Commissioners that the continued funding, construction and maintenance of integrated trails and intermodal pathways is critical to the health, safety and welfare of the citizens of Putnam County.

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

Section I. The City of Palatka opposes the conversion of the allocation system for any federal Trails Program monies to a generic block grant to the Florida Department of Transportation; and

Section II. The City of Palatka requests that the United States Congress and United States Department of Transportation oppose any measure which, if enacted or adopted, would result in the conversion of the allocation system for any federal Trails Program monies to a generic block grant; and

Section III. The City of Palatka requests that Trails Programs continue to receive dedicated funding as a part of any legislation adopted by the United States congress as successor legislation to current surface transportation law.

Section IV. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, during regular session on this 9th day of June, in the Year of Our Lord Two Thousand and Eleven.

CITY OF PALATKA

By: _____
Its **MAYOR**

ATTEST:

CITY CLERK

PUTNAM COUNTY
RESOLUTION NO. 2011-33

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF PUTNAM COUNTY, FLORIDA, SUPPORTING THE FEDERAL RECREATIONAL TRAILS PROGRAM AND SAFE ROUTES TO SCHOOL PROGRAM, OPPOSING THE MODIFICATION OF FEDERAL FUNDING FOR ANY OF THESE PROGRAMS TO A GENERIC BLOCK GRANT ALLOCATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, integrated public trails and intermodal pathways provide access for the people of Florida to countless areas and destinations throughout the state that would otherwise have limited pedestrian or bicycle access due to safety concerns or natural obstacles; and

WHEREAS, integrated trails and intermodal pathways provide the people of Florida with a choice of transportation modes while reducing demand and maintenance on the state's highway and local road systems; and

WHEREAS, the federal government has historically provided critical funding to the State of Florida for public trails through the Federal Recreational Trails Program, Transportation Enhancement Program and Safe Routes to School Program (hereinafter, collectively, the "Trails Program"), and

WHEREAS, Trails Program monies are currently allocated to the State of Florida specifically for trail and intermodal pathways that further pedestrian and bicycle access and safety; and

WHEREAS, federal lawmakers have recently discussed and pursued various methods and measures which would result in the allocation of some or all of the Trails program monies solely through a block grant to the Florida Department of Transportation ("FDOT"), and

WHEREAS, the transfer of Trails Program monies from a dedicated allocation for trails or intermodal pathways to a generic block grant to FDOT would allow FDOT, in its sole discretion, to allocate these funds to projects which are totally unrelated to trails or intermodal pathways; and

WHEREAS, this undesirable modification to a generic block grant allocation system for Trails Program monies may severely limit the construction of trails or

intermodal pathways in the State of Florida and Putnam County if FDOT determines, in its sole discretion, that such monies should be allocated to other projects; and

WHEREAS, it is the sense of this Board of Commissioners that the continued funding, construction and maintenance of integrated trails and intermodal pathways is critical to the health, safety and welfare of the citizens of Putnam County.

NOW, THEREFORE, BE IT RESOLVED, by the Putnam County Board of Commissioners, in meeting assembled on the 24th day of May, 2011, as follows:

Section I. The County of Putnam opposes the conversion of the allocation system for any federal Trails Program monies to a generic block grant to the Florida Department of Transportation; and

Section II. The County of Putnam requests that the United States Congress and United States Department of Transportation oppose any measure which, if enacted or adopted, would result in the conversion of the allocation system for any federal Trails Program monies to a generic block grant; and

Section III. The County of Putnam requests that Trails Programs continue to receive dedicated funding as a part of any legislation adopted by the United States Congress as successor legislation to current surface transportation law.

Section IV. This resolution shall take effect immediately upon adoption.

DONE, ORDERED AND ADOPTED this 24th day of May, 2011.

BOARD OF COMMISSIONERS
PUTNAM COUNTY, FLORIDA

ATTEST:



Tim Smith, Clerk of Court

By Brad Purcell
Brad Purcell, Chairman

Agenda Item

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**REQUEST TO BE PLACED ON
CITY COMMISSION AGENDA**

NOTE: Regular City Commission meetings are held on the 2nd and 4th Thursdays of the month at 6:00 p.m. This request form, together with any attachments or backup material that that would help the Commission to better consider your request, should be submitted to the City Clerk's office *no later than 4:00 p.m. on the Friday prior to the next regularly scheduled Thursday City Commission meeting.* Meeting dates are subject to change. Please verify the closing date for agenda items with the Clerk's office.

Name of Individual, Organization or Group making presentation or request:

Palatka Police Department, Chief Gary Getchell

Name of Individual making presentation or request, if different:

GARY GETCHELL, CHIEF OF POLICE *g/h*

Address: 110 NORTH 11TH STREET

Daytime Phone 329-0110 Home ph. _____ Fax 329-0159

Requested meeting date for Agenda Item: 6/9/2011

Request for Commission Action or Presentation Only or no action required

Subject Matter you wish to address: Amendments/Revisions to be placed on Agenda –

Request for approval for first reading of attached revised False Alarm Ordinance.

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 288.105

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.

**Palatka Police Department
110 North 11th Street**

Memorandum

Date: May 17, 2011
To: City Commission, via City Clerk
From: Gary S. Getchell, Chief of Police 
Subject: Alarm Ordinance Revisions

BACKGROUND:

In 2003, the City of Palatka enacted an ordinance designed to encourage security alarm users and alarm businesses to maintain operational reliability and the proper use of alarm systems with the intent of limiting the unnecessary police response to false alarms/alarm malfunctions. The ordinance has been successful, but to a limited degree.

There were a total of two thousand, six hundred twenty-six (2,626) false alarm calls for service in 2003. That number has been reduced by forty-two percent (42%) to a total of fifteen hundred, thirty-four (1,534) false alarm calls for service in 2010. The reduction in the number of false alarm reports by the Palatka Police Department is significant when looking at this comparison, but the amount of time spent handling and processing these calls for service has not decreased significantly. In addition to officer time, the amount of time spent by clerical staff at the Palatka Police Department to administer the ordinance has been significant. It has been determined that approximately four (4) hours per day is spent by administrative staff on false alarm duties. Some of the cost associated with this time is recouped through fines and fees, but a significant amount of the cost is not recovered due to what we now consider lenient practices written into the existing alarm ordinance.

DISCUSSION:

Research into alarm ordinances throughout the State of Florida has shown that many communities that administer false alarm ordinances utilize more uniform fines and fees for all alarm users, not differentiating between residential and business alarms like the City of Palatka does now. As this is an inconsistent practice, it is recommended that the City of Palatka make all fines and fees uniform for false alarms whether the source is residential or business.

Research also shows that most communities with an alarm ordinance do not utilize a service affidavit program. This is an option the City of Palatka has in its' alarm ordinance that allows alarm users to verify repair service to the system or instruction to users on proper use after false alarms in lieu of enforcing a fine. Evidence indicates that this option was utilized most often by violators and had little or no effect on correcting the problematic false alarm notifications. It is recommended that this ineffective practice be limited to one (1) occurrence instead of unlimited use as the ordinance currently allows. In addition to other communities, it was also found that limiting it to one use is recommended by both the National Burglar and Fire Alarm Association and the False Alarm Reduction Association.

It has been found that the timely collection of fines and fees is an ongoing problem. Multiple notifications by mail in addition to telephone notification and in some cases, personal contact by administrative personnel has been necessary to collect on overdue fines and fees. We propose a two-step solution to this problem. The first step is to initiate a thirty-five percent (35%) increase in fines or fees that are not paid within 30 days of notification. The second step is to contract with a professional organization to administer all notifications and collections for the City of Palatka. In addition to being more efficient, this practice would eliminate the majority of time spent by police department clerical staff to administer the alarm ordinance.

A requirement in the ordinances of many communities at this time is referred to as Verified Alarm Response. This is the confirmation of an unauthorized and unlawful entry or attempted unauthorized or unlawful entry upon a premises, building or structure made by observation utilizing remote visual and/or audio equipment installed at the site. Many communities that have experienced significant economic impacts due to false alarm calls for service have made this a requirement for every alarm system. We do not propose that drastic a measure at this time, but do feel that it should be required at some point. It is recommended that Verified Alarm Response be required for any alarm site that has ten (10) or more false alarms for two (2) consecutive years. The alarm user would be required to install the technology or police response would remain suspended. In the absence of the technology, the police would only respond to an alarm call when an in progress crime is verified by persons at or near the scene.

Another issue identified over the past several years has been the inability to fill board positions on the Alarm Review Board established in the first draft of the ordinance. The board was established to review any suspension or revocation of alarm permits and hear appeals from alarm users in reference to fines or fees. The recommended change is to designate the Code Enforcement Board as the as the point of review and appeal. The board would have authority to hear all appeals in reference to all enforcement action in reference to the alarm ordinance. This will streamline the process and alleviate the problem of finding eligible board members.

Over the past several years since adopting the ordinance, staff at the Palatka Police Department has surveyed numerous alarm users and found that many of them found the language confusing in the original ordinance. Working with some of the alarm users we made recommended changes to parts of the ordinance that make it easier to understand without changing the intent or effect of the language.

RECOMMENDATION:

It is felt that these changes to the current ordinance will greatly enhance this program and result in fewer false alarm responses by police. This will also significantly reduce the economic costs and reduce the liability incurred by the City of Palatka.

The following contains statistical data that is relevant to the need for changes to the existing ordinance:

Statistical Data

	2003	2010
Total False Alarm Calls	2,626	1,618
Total hours on False Alarms	467	305

	2003	2010
Number of Businesses with 10 or more false alarms 2003 vs. 2010	16	5
Number of Residences with 10 or more false alarms in 2003 vs. 2010	2	0

Outstanding fines and fees as of December 2010 \$1,390.00

Active Alarm Sites registered as of December 2010 720

Active Alarm Sites not registered as of December 2010 18

Revoked Alarm Sites 21

Cc;

This instrument prepared by:
Betsy J. Driggers
201 N. 2nd Street
Palatka FL 32177

**ORDINANCE NO 09 –
entitled**

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CHAPTER 42 OF THE MUNICIPAL CODE OF THE CITY OF PALATKA, FLORIDA BY RESTATING ARTICLE III, BRUGLAR/PANIC/DURESS ALARMS, IN ITS ENTIRETY; AMENDING DEFINITIONS, AMENDING SECTIONS ENTITLED ALARM MONITORING COMPANIES, ALARM VERIFICATION CALLS REQUIRED, USE OF LICENSED CONTRACTORS, ALARM DISPATCH RECORDS, FALSE ALARM NOTIFICATIONS AND PENALTIES, SUSPENSION OF ALARM REGISTRATION, SUSPENSION OF RESPONSE, APPEAL OF DENIAL, SUSPENSION, OR REVOCATION OF A REGISTRATION, APPEAL OF DENIAL, SUSPENSION OR REVOCATION OF A REGISTRATION, REINSTATEMENT OF REGISTRATION, NO OBLIGATION TO RESPOND, AND ALARM SYSTEM FEES AND FINES SCHEDULE; ADDING A SECTION ENTITLED REGISTRATION PROCEDURES; AND DELETING SECTIONS ENTITLED ALARM SYSTEM OPERATOR REQUIREMENTS; REGISTRATION REQUIRED; APPLICATION; FEE; TRANSFERABILITY; FALSE STATEMENTS, AND REGISTRATION DURATION AND RENEWAL; PROVIDING FOR THE RENUMBERING OF CHAPTER 42, ARTICLE III ACCORDINGLY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a number of private residences and businesses in the City of Palatka maintain private alarm systems; and

WHEREAS, false alarms generated by such alarm systems are a drain on vital City resources and divert essential police and fire safety personnel from other potentially life threatening and/or dangerous situations; and

WHEREAS, it is in the best interests of the citizens of the City of Palatka to a comprehensive regulations governing the use and operation of private burglar, robbery

and panic/duress alarm systems and responses thereto in order to minimize the number of false alarms generated, and to provide for cost recovery; and

WHEREAS, this Ordinance restates and replaces Chapter 42 of the Palatka Municipal Code of Ordinances, originally adopted by the Palatka City Commission by Ordinance 04-01 on January 22, 2004.

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

SECTION I. That Chapter 42, Section III, entitled BURGLAR/PANIC/DURESS ALARMS is hereby restated in its entirety to read as follows:

ARTICLE III. BURGLAR/PANIC/DURESS ALARMS

Sec. 42-71. Intent.

(a) The intent of this article is to encourage security alarm users and alarm businesses (sales, installation, customer service and/or monitoring) to maintain the operational reliability, to promote the proper use of alarm systems and to reduce or eliminate dispatch requests for false alarms and the proper use of alarm systems in limiting unnecessary police emergency responses to false alarms/alarm malfunctions.

(b) This article governs burglary, robbery and panic systems, to require registrations, establish fees, provides for penalties for violations, establish a system for the administration of false alarm documentation and establish criteria for limited response to alarms. creates a system of administration, and sets conditions for suspension or loss of registration.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-72. Definitions

The following words, terms, and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

As used in this section, the following terms shall be defined as:

Alarm Administrator shall mean the Chief of Police. ~~or his/her designee.~~

Alarm Coordinator shall mean a person or persons and/or a company selected by the chief of police to administer, control and review alarm applications, permits and false alarm notifications, and provide assistance to alarm users in preventing false alarms from their systems.

Alarm ~~dispatch request notification~~ shall mean a notification to public safety officials intended to summon the police, which is designed either to be initiated purposefully by a person or by an alarm system that responds to a stimulus characteristic of unauthorized intrusion.

~~**Alarm review board** shall consist of the chief of police or his/her designee, one representative from a licensed alarm company and three members of the public at large, one representing industrial property, one representing commercial property and one representing residential property, appointed by the city commission.~~

Alarm permit shall mean a permit issued by the Palatka Police Department Alarm Coordinator with an identification number designated to a registered alarm site.

Alarm registration shall mean a registration completed by the alarm user, approved by the alarm coordinator for a period of twelve months in which an alarm permit is assigned for the designated alarm site.

Alarm site shall mean a single premise or location control unit/signal served by an alarm system or multiple systems. Each alarm site is designated by a single 911 address. An alarm site may have multiple alarm systems that reflect the same address when summoning emergency response, but the system may designate a specific facility building or location at that same address.

Alarm system shall mean a device or system, that emits, transmits or relays a signal intended to summon, or that would reasonably be expected to summon, police services of the City, including but not limited to local alarms. Alarm system does not include:

- (a) An alarm installed on a vehicle unless the vehicle is permanently located at a site; or
- (b) An alarm designed to alert only the inhabitants of a premise that does not have a monitored alarm.

Alarm system contractor shall mean a person or business licensed under Chapter 489 of the Florida State Statutes, as an electrical or alarm system contractor. A person or business that sells, provides, maintains, services, repairs, alters, replaces, moves or

installs alarm systems at an alarm site. This definition also includes those persons or firms that install and service alarm systems that will be used in their private or proprietary facilities. This does not include persons doing installation or repair work where such work is performed without compensation of any kind (i.e., "do-it-yourselfers").

Alarm user operator shall mean the person(s), firm, partnership, corporation, association, organization, company or other entity that owns the premises on which the alarm system is maintained, or the lessee of the premises, if the lessee is legally responsible for the operation and maintenance of the alarm system ~~any person, who (which) has contracted for monitoring, repair, installation or maintenance service from an alarm installation company or monitoring company for an alarm system, or who (which) owns or operates an alarm system, which is not monitored, maintained or repaired under contract.~~

Alarm User Awareness Class shall mean a class conducted for the purpose of educating Alarm Users about the responsible use, operation, and maintenance of Alarm Systems and the problems created by False Alarms.

Automated dialing device shall mean an alarm system, which automatically sends via telephone, a prerecorded voice message or coded signal indicating the existence of an emergency situation.

Audio Verification shall mean the transfer of sounds from the protected premises to the monitoring company, as a result of activation of one or more devices, to confirm or deny the validity of the alarm signal.

~~**Designated authority**~~ means the chief of police or his/her authorized representative/designee.

False / Accidental Alarm Dispatch notification (F.A.N.) shall mean the activation of an alarm system for any reason other than an unauthorized entry a robbery or unauthorized entry, and subsequent response by the police department to that alarm site. A false alarm does not include:

- (a) An alarm caused by physical damage to the alarm system as a result of lightening, wind, or other meteorological events, where there is clear evidence of physical damage to the alarm system; or
- (b) An alarm caused by disconnection of a telephone circuit beyond the control of the alarm operator or his/her agents, verified by on-site inspection by police personnel or written communication from the telephone company or an alarm contractor; or
- (c) An alarm caused by continuous electrical power disruption in excess of four hours.
- (d) Multiple mechanical false alarm/alarm malfunction notifications in a 24-hour period of time shall be counted as only one false alarm notification.

Hold-up Alarm shall mean a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress or immediately after it has occurred.

Monitoring shall mean the process by which a Monitoring Company receives signals from an Alarm System and relays an Alarm Dispatch Request to the municipality for the purpose of summoning law enforcement to the Alarm Site.

Non-permitted site shall mean a monitored alarm system site whose user has not obtained an alarm permit with the City of Palatka Police Department, alarm coordinator.

Panic Alarm shall mean a silent alarm signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.

Person shall mean an individual, corporation, partnership, association, organization or similar entity.

~~Registration holder means the person designated in the application as required in section 42-73 who is responsible for: responding to alarms and giving access to the site; showing evidence of compliance with alarm system agent certification as mandated in F.S. 489.518; proper maintenance and operation of the alarm system; and, payment of fees.~~

Registration year shall mean the period starting from the date of issuance of a registration and ending one year (12 months) from that date.

Robbery – See Hold-up Alarm

Special trunk line *shall* mean a telephone line leading into the communications center for police or emergency dispatch of the police department that is for the primary purpose of receiving emergency messages that originate from automatic protection devices and are transmitted directly or through an alarm monitoring company.

Verified Alarm Response *shall mean confirmation of an unauthorized and unlawful entry or attempted unauthorized or unlawful entry upon the premises, building or structure protected by a burglar alarm system. Confirmation or verification may be made by the alarm system user, other person at or near the scene of the activation, private guard responder or central monitoring company/operator, and shall be based on physical observation or inspection of the premises/site, or by remote visual inspection of the premises/site using audio and/or visual monitoring equipment.*

Video Verification *shall mean the transfer of video images to the monitoring company reflecting conditions existing at the protected premises at the time an alarm was activated through the use of video technology.*

Section 42-73: Required Registration of Alarm Systems; Registration Procedures; Requirements for Alarm Permits

Required Registration of Alarm Systems

(a) No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm registration for the alarm site.

(b) Each alarm system user shall not contract or retain an alarm system contractor, which is not properly licensed and/or employs alarm system agents who are not in compliance with F.S. 489.518. Unlicensed alarm contracting is a violation of state statute and punishable by fine and/or imprisonment.

(c) A separate registration is required for each alarm system site

(d) Alarm systems shall be registered on an annual basis by the alarm user, to ensure that the alarm user certifies that the registration information maintained in the city's records is correct. The registration shall be effective for the period of one year (12 months), beginning with original registration date. The initial registration fee shall be twenty-five dollars (\$25.00) and re-registration will be twenty-five dollars (\$25.00) ten dollars (\$10.00) and no re-registration fee shall be charged.

(e) Any alarm user who does not obtain a registration within sixty (60) days from the effective date of this article will be considered to have a non-registered alarm site and will be fined based upon table 42- , Alarm system fees & fines schedule.

(f) Any alarm user who does not obtain a registration within thirty (30) days of the registration renewal date, after being properly notified to do so by the Alarm Coordinator will be considered to have a non-registered alarm site and will be fined based upon table 42- .

(g) Any alarm user who does not obtain a registration within thirty (30) days of a new installation will be considered to have a non-registered alarm site and will be fined based upon table 42- .

(h) Any alarm user who does not obtain a registration within thirty (30) days of a transfer or conversion will be considered to have a non-registered alarm site and will be fined based upon table 42-_____.

(i) Any alarm user who does not obtain a registration within thirty (30) days of the mailing date of ~~final~~ notification of the registration requirements by the Alarm Coordinator, will be considered to have a non-registered alarm site and will be fined based upon table 42-_____.

(j) The alarm coordinator shall provide notice of ~~send~~ alarm registration renewal notices no less than forty-five ~~thirty~~ (45 30) days prior to the expiration of the alarm registration.

(k) It is the responsibility of the alarm system user to renew a registration ~~submit an application~~ prior to the registration expiration date. Failure to renew will be classified as use of a non-registered alarm system site and fines will be assessed from table 42-_____.

(l) Any false statement of a material matter made by an applicant for the purpose of obtaining an alarm registration shall be sufficient cause for refusal to issue a registration.

(m) All fines/fees owed by an alarm user ~~applicant~~ must be paid before a registration permit may be issued or renewed.

(n) No registration is required for a deactivated alarm system.

(Ord. No. 04-1, § 1, 1-22-2004)

Registration Procedures

(a) Applications for alarm registration are available at the Palatka Police Department or on the Palatka Police Department website. An incomplete application form shall be returned to the applicant for completion within thirty (30) calendar days during which time the system shall be considered unregistered.

(b) As part of the application process, the alarm user shall provide the following information to the alarm administrator:

(1) The name, address and telephone numbers of the alarm user;

(2) The address of the alarm site;

(3) The classification of the alarm site as residential, commercial, or governmental;

(4) The type of alarm system, such as burglary, robbery, duress or panic;

(5) The names, addresses, and telephone numbers of two persons who have access to the premises, the ability to reset the alarm, and who, upon request of the police department, will respond to the alarm;

(6) The date of installation, conversion or takeover of the alarm system, whichever is applicable;

(7) The name, address, and telephone number of the commercial alarm monitoring company;

(8) Provide proof Acknowledge that a set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, has been provided by the alarm system contractor;

(9) Provide a copy, if requested, the current state alarm system agent certification, as mandated in F.S. 489.518;

(10) The name, address, and telephone number of the installer and date of installation, if known;

(11) The name, address, and telephone number of the commercial entity that last performed maintenance on the alarm system, if known;

(12) Any dangerous or special conditions present at the alarm site;

(13) Other information required by the alarm administrator, which may be necessary for the enforcement of this article;

(c) The alarm coordinator shall issue to the applicant an alarm permit upon registration of the alarm system, unless the applicant has:

(1) Failed to pay a fee or fine assessed for violations under this ordinance; or,

(2) Had an alarm registration for the alarm site suspended or revoked, and the violation(s) causing the suspension(s) or revocation(s) has not been corrected; or,

(3) Failed to provide on-site alarm system agent credentials as mandated in F.S.

489.518.

~~(d) The permit shall be placed in a conspicuous location such as the window closest to the main entrance of the premises. The sticker shall read "False Alarm Reduction Program, City of Palatka Police Department" and shall have an identification number. Failure to display this permit at the alarm site will result in fines set forth in table 42-91.~~

Requirements for Alarm Permits

(a) The alarm identification permit issued by the alarm coordinator at the Palatka Police Department is only effective for the registered alarm site-system and alarm user.

An alarm user shall inform the Alarm Coordinator, of any change that alters any information listed on the alarm registration within seven (7) business days. If there is a new alarm user, the new user shall register the alarm with the Police Department. The fee for the new alarm user shall be the same as the initial registration fee.

(b) An alarm registration is non-transferable, therefore it cannot be transferred to another person.

(Ord. No. 04-1, § 1, 1-22-2004)

~~Sec. 42-73. Alarm system operator requirements; registration required; application; fee; transferability; false statements.~~

~~(a) No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm registration.~~

~~(b) A separate registration is required for each alarm site.~~

~~(c) Each alarm system operator shall not contract or retain an alarm system contractor,~~

~~which is not properly licensed and/or employs alarm system agents who are not in compliance with F.S. 489.518. Unlicensed alarm contracting is a violation of state statute and punishable by fine and/or imprisonment.~~

~~(d) The fee for an alarm registration or an alarm registration renewal shall accompany each alarm site application for residential, commercial, and governmental locations; and is set forth below and shall be paid by the alarm user. No refund of a registration or registration renewal fee will be made. The initial alarm registration fee must be submitted to the alarm administrator within 30 days after the alarm system installation or alarm system takeover.~~

~~(e) Upon adoption of this article, each current alarm operator has a 90-day grace period to register each alarm site.~~

~~(f) Failure to register each alarm site shall result in a fine (see fees and fines table).~~

~~(g) As part of the application process, the alarm operator shall provide the following information to the alarm administrator:~~

~~(1) The name, address and telephone numbers of the alarm operator;~~

~~(2) The address of the alarm site;~~

~~(3) The classification of the alarm site as residential, commercial, or governmental;~~

~~(4) The type of system, such as burglary, robbery, or panic;~~

~~(5) The names, addresses, and telephone numbers of two persons who have access to the premises, the ability to reset the alarm, and who, upon request of the police department, will respond to the alarm;~~

~~(6) The date of installation, conversion or takeover of the alarm system, whichever is applicable;~~

~~(7) The name, address, and telephone number of the commercial alarm monitoring company;~~

~~(8) Provide proof that a set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, has been provided by the alarm system contractor;~~

~~(9) Provide a copy the current state alarm system agent certification, as mandated in F.S. 489.518;~~

~~(10) The name, address, and telephone number of the installer and date of installation, if known;~~

- ~~(11) The name, address, and telephone number of the commercial entity that last performed maintenance on the alarm system, if known;~~
- ~~(12) Any dangerous or special conditions present at the alarm site;~~
- ~~(13) Other information required by the alarm administrator, which may be necessary for the enforcement of this article;~~
- ~~(h) The alarm administrator shall issue an alarm registration to an applicant unless the applicant has:~~
- ~~(1) Failed to pay a fee assessed under section 13; or,~~
- ~~(2) Had an alarm registration for the alarm site suspended or revoked, and the violation(s) causing the suspension(s) or revocation(s) has not been corrected; or,~~
- ~~(3) Failed to provide on-site alarm system agent credentials as mandated in F.S. 489.518.~~
- ~~(i) Any false statement of a material matter made by an applicant for the purpose of obtaining an alarm registration shall be sufficient cause for refusal to issue a registration.~~
- ~~(j) An alarm registration cannot be transferred to another person. A registration holder shall inform the designated authority in writing of any change that alters any information listed on the registration application within 30 days. No fee will be assessed for such changes.~~
- ~~(k) All fees owed by an applicant must be paid before a registration may be issued or renewed.~~
- ~~(l) No registration is required for a deactivated alarm system.~~
- ~~(Ord. No. 04-1, § 1, 1-22-2004)~~

~~Sec. 42-74. Registration duration and renewal.~~

~~(a) Each alarm registration shall expire one year from the date of issuance, and must be renewed annually by submitting an updated application to the alarm administrator.~~

~~(b) The alarm administrator shall send alarm registration renewal notices no less than 30 days prior to the expiration of the alarm registration.~~

~~(c) It is the responsibility of the alarm system operator to submit an application prior to the registration expiration date. Failure to renew will be classified as use of a non-registered alarm system and citations and penalties shall be assessed without waiver.~~

~~(Ord. No. 04-1, § 1, 1-22-2004)~~

Sec. 42-___: Proper alarm system operation and maintenance.

An alarm system operator shall:

(a) Maintain the premises and the alarm system in a manner that will minimize or eliminate false alarm notifications, and;

(b) Respond or cause his/her representative to appear at the alarm site within a 30 minute response time, when notified by the City of Palatka representative to deactivate a malfunctioning alarm system, to provide access to the premises, or to provide security for the premises;

(c) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report;

(d) In the case of monitored residential or commercial intrusion/burglary alarm systems, provide a central monitoring verification call to the premises generating the alarm signal, prior to alarm monitor personnel contacting a law enforcement agency for alarm dispatch;

(e) Not operate any alarm site with an automatic dialing device programmed to connect directly to the police department or the sheriff's communications center or a fine shall be assessed;

(f) Not operate an alarm system which does not have a minimum of a four hour auxiliary power supply, or a fine shall be assessed;

(g) Install a device to automatically terminate the audible signal within 15 minutes of activation, and,

(h) A person in control of a local (audible) alarm shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal will sound for no longer than 15 minutes after being activated, or a fine will assessed.

(Ord. No. 04-1, § 1, 1-22-2004)

State law references: F.S. § 489.530.

Sec. 42-____: Modification of existing alarm systems.

Whenever an existing alarm system is serviced, modified, or inspected, the following features shall be removed by the alarm system contractor:

(a) Single action, non-recessed switches that activate a panic alarm; and

(b) Duress or "one-plus" programming that activates a panic alarm, or a fine will be assessed.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-____: Manual reset required.

An organization or person in control of an alarm site that causes an alarm notification to be sent directly to the city's contracted communications center shall adjust the mechanism or cause the mechanism to be adjusted so that upon activation the system will not transmit another alarm signal without being manually reset.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-___: Alarm monitoring companies.

Alarm users shall be responsible for providing the Alarm Coordinator with the following:

~~(a) All alarm monitoring companies shall register annually with the chief of police; and obtain the appropriate city occupational license(s) [from] the city building and zoning department. Each alarm monitoring registration shall be valid for 12 months.~~

~~(b) The alarm monitoring company shall provide the following:~~

(a) Name, street address, and telephone number, and contact person(s);

~~(2) The names, street addresses, and telephone numbers of all alarm system operators contracted with within the city limits;~~

(b) The procedures used to verify the legitimacy of an alarm prior to notification of the police department;

~~(4) The name, street address, and telephone number of the qualifying agent.~~

~~(e) Upon registration, the alarm monitoring company shall be provided with a telephone number for alarm reporting.~~

~~(d) Monitoring companies shall maintain, for a period of one year, records relating to alarm notification and shall provide such records to the chief of police upon his/her request.~~

~~(e) Monitoring companies shall ensure that their databases of contracted alarm system operators reflect current data to include:~~

~~(1) Names of alarm system operators;~~

~~(2) Emergency contact person(s), with addresses and telephone numbers, and;~~

~~(3) Operational status of each alarm site.~~

(c) If an alarm user operator provides notice of disconnection to the monitoring company (verifying documentation), the company, and a false alarm(s) occurs, the alarm user shall not be held liable ~~monitoring company shall be liable~~ for any and all alarm activations.

(d) Alarm companies shall:

(1). Ensure that all alarm users are provided with adequate training in false alarm prevention.

(2) Verify alarm calls in accordance with Fla. Stat. § 489.529, and attempt to cancel dispatch when verification of a false alarm is received.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-___: Alarm verification calls required.

All burglary or intrusion alarm systems that are monitored by a central monitoring company shall have verification telephone calls made to the alarm site and/or the responder for the site, by the alarm monitoring company prior to contacting the police department. However, if the alarm site has functioning visual or auditory sensors (Verified Alarm Response capability) that verifies whether or not a crime is occurring, the verification call is not required (Verified Alarm Response)

(Ord. No. 04-1, § 1, 1-22-2004)

State law references: F.S. § 489.529.

Sec. 42-___: Use of licensed contractors.

(a) All alarm system contractors shall register annually with the City of Palatka Chief of Police; and obtain the appropriate city occupational license(s) from the city building and zoning department. Each registration shall be valid for 12 months.

(b) No person shall install, maintain, repair, alter, service or monitor alarm systems for compensation without being an alarm system contractor.

(c) All alarm system contractors shall furnish each of its agents with identification cards in accordance with § 489.518, Florida Statutes.

(d) Alarm system contractors shall not install systems or equipment or use methods of installation that do not meet or exceed minimum Underwriters Laboratories or American National Standards Institute requirements for the appropriate installation and which do not use control panels tested for conformance to the Security Industry Association's Control Panel Standard.

(e) Alarm system contractors shall not activate or service an alarm system unless it is registered.

(f) Alarm system contractors shall not cause a false alarm during the servicing, repairing, testing or inspection of an alarm system, unless it is [registered] by the alarm administrator.

(g) Alarm system contractors shall not install, maintain, repair, alter or service an alarm system, unless the alarm system contractor reasonably believes that the system is registered, or a fine shall be assessed.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-___: Alarm system operating instructions.

A person in control of an alarm system shall maintain at each alarm site a complete set of written operating instructions for each alarm system. Special codes, combinations, or passwords should not be included in these instructions.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-___: Alarm dispatch records.

(a) The officer responding to an alarm dispatch request resulting from a burglary, robbery, personal hostage or robbery alarm notification shall record such information as necessary, including but not limited to the following information:

- (1) Identification of the registration holder (if available);
- (2) Identification of the alarm site,
- (3) Arrival time and dispatch-received time,
- (4) Time of day, date, and time,
- (5) Weather conditions,

(6) Area and/or sub-area of premise involved,

(7) Name of registration holder's representative on premises, if any.

(b) The responding officer shall indicate on the dispatch record whether the notification was caused by a criminal offense, an attempted criminal offense, or was a false alarm/alarm malfunction.

~~(c) In the case of an assumed false / accidental alarm dispatch or alarm malfunction, the responding officer shall leave notice at the alarm site that the police department has responded to a false / accidental alarm dispatch or alarm malfunction notification. The notice must include the following information:~~

~~(1) The date and time of police response to the false alarm notification,~~

~~(2) The identification number of the responding patrol officer, and~~

~~(3) A statement urging the registration holder to ensure that the alarm system is properly operated and maintained in order to avoid service fees.~~

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-___: System performance reviews.

If there is reason to believe that an alarm system is not being used or maintained in a manner that insures proper operation and suppresses false alarms and/or alarm malfunctions, the Alarm Administrator may require a conference with an alarm registration holder and the individual or association responsible for maintenance of the alarm system to review the circumstances of each false alarm/alarm malfunctions.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-___: False alarm notifications and penalties.

Notification

The Alarm Coordinator shall notify the alarm user in writing after each false alarm. The notification shall include; the amount of the fine for false alarm, notice that the alarm user can submit a service affidavit or attend the alarm user awareness class if applicable (3rd and 4th offense), the fact that response will be suspended after the 10th false alarm, excluding duress, hold-up and panic alarms, and a description of the appeals process available to the alarm user.

The Alarm Administrator will notify the alarm user and the alarm installation company or the monitoring company in writing ten (10) days before the alarm response is to be suspended. This notice of suspension will also include the amount of the fine for each false alarm and description of the appeals procedure available to the alarm user and the alarm installation company or monitoring company.

Penalties

The holder of an alarm ~~permit registration~~ or the person in control of an alarm system shall be subject to warnings, suspensions, ~~and~~ revocations, or loss of registration depending on the number of false alarm notifications emitted from an alarm system within a 12-month period based upon the following schedule:

- (a) No fee shall be assessed for the first two (2) false / accidental alarms/alarm malfunctions at the same premises responded to by the police department during each calendar registration year. Thereafter, a fine shall be assessed and paid by the alarm

registration holder for each false /accidental alarm/alarm malfunction, responded to by the police department at the same premises during said calendar registration year except as provided for the 3rd and 4th false alarms as allowed below, (b):

(b) Upon the third and/or subsequent false /accidental alarm/alarm malfunction responded to by the police department, the owner shall be assessed a graduated fine as set forth in Sec. 42-_____ , Alarm system Fees & Fines Schedule, unless:

1. In the case of the 3rd false or accidental alarm, the alarm user within 30 days submits to the police department an "Affidavit of Service/Repair" deemed satisfactory by the designated authority. Such service affidavit of repair shall be completed by the Alarm Contractor, or

2. In the case of the 4th false or accidental alarm, the alarm user within 30 days of notification submits to the police department an Affidavit of Service/Repair or proof of completion of the prescribed Alarm User Awareness Class.

(c) In the case of the 5th or more false or accidental alarm that the police department responds to, a graduating fine will be assessed and paid by the alarm registration holder.

Refer to Sec. 42-_____ Alarm System Fees and Fine Schedule

~~For those false alarm/alarm malfunctions for which the owner returned a satisfactory "Affidavit of Service/Repair", those malfunctions occurring each calendar year shall be exempt from any fees in excess of the administrative fee schedule set forth in this subsection. In those cases in which the owner provided the designated authority with a satisfactory "Affidavit of Service/Repair," administrative fees shall be paid by the alarm registration holder for each false alarm/alarm malfunction responded to by the police department during each registration period.~~

(d) Any person who operates a newly installed system will not be subject to false/ accidental alarm notification accumulation notifications (F.A.N.) during the 30 days immediately following the system installation / completion provided a registration application is received by the designated authority. The completion date shall be certified by a person currently licensed by the State of Florida according to F.S. 489.518, or the date of the purchase receipt for self-installed systems.

(e) Any person operating an unregistered alarm system will be subject to fine for each false alarm in addition to any other fines. The alarm Administrator may waive the additional non-registration fine if the alarm user submits an application for alarm registration within ten (10) days of the notification of such violation.

(f) Alarm activations caused by actual criminal offenses or showing evidence of a criminal attempt shall not be counted, nor be subject false alarm notification accumulation.

(Ord. No. 04-1, § 1, 1-22-2004)

(g) If cancellation of an alarm dispatch request occurs prior to law enforcement arriving at the scene, no false alarm will be documented and no fee or fine will be assessed.

(h) The alarm installation company shall be assessed a fine if the officer responding to the false alarm determines that an on-site employee of the alarm installation company directly caused the false alarm. In this situation, the false alarm will not be counted against the alarm user.

(i) Violations - Response fines shall be paid within thirty (30) calendar days from the date a notification letter was sent to the alarm user. Failure to make payment within thirty (30) calendar days from that date shall constitute a separate offense and require an

additional fee, thirty-five (35) % of the outstanding fine / fee amount. penalty fee per outstanding fine.

(j) Any bill remaining unpaid for a period of thirty (30) days after rendition shall be delinquent. If a delinquent bill is not paid, or a protest or appeal is not filed (and later processed in accordance, generally, with the procedures set forth within this Section and subsequent Sections 42- , Suspension of Alarm Registration; Sec. 42- , Revocation or loss of alarm registration; Sec. 42- , Suspension of Response; or Sec. 42- Appeal of denial, suspension or revocation of a registration) within eighteen (18) days, the Alarm Coordinator shall have the authority to use all lawful means of collecting on the delinquent bill to include all normal and lawful means of a collection agency to obtain payment to the City. The City or the alarm coordinator in the form of a company on behalf of the City. The City or the alarm coordinator may file a lien against the property and may pursue foreclosure of the lien as well as all other legal remedies available to it, the owner being responsible for all costs and attorney's fees. (All collections and collection practices shall comply with all pertinent consumer protection statutes and shall not utilize any defaming, harassing, or otherwise illegal activities to obtain payment. The restriction includes compliance with the Federal fair Debt collection Practices Law and the Florida Consumer Collection Practices Act, FSS 559.55-559.785. The Alarm Administrator shall review and approve all letters used for collection on behalf of the City Prior to implementation.

(k) Fees or fines not paid within 120 days, will result in revocation of the alarm registration and suspension of response by the Palatka Police Department as outlined in Section 42- , Revocation or loss of alarm registration.

Sec. 42-____: Suspension of alarm registration.

The tenth false alarm notification shall result in a notice of suspension of registration to remain effective until such time as:

- (a) Alarm user ~~Registration holder~~ has responded by acknowledging the suspension in writing as directed by the designated authority, and
- (b) Alarm user ~~Registration holder~~ has taken action to remedy cause(s) of false alarm and reported as directed by the designated authority and,
- (c) The alarm administrator ~~designated authority~~ has issued a removal of suspension of registration.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-____: Revocation or loss of alarm registration.

The Alarm Administrator shall revoke the alarm registration if it is determined that:

- (a) There is a false statement of a material matter in the application for a registration,
- (b) The registration holder has violated section 42-____ Required registration of alarm systems; registration procedures; requirements for alarm permits; Section 42-____, False alarm notifications and penalties; or
- (c) The registration holder has failed to make timely payment of a fee assessed under section 42-____, Alarm System Fees & Fines Schedule or,
- (d) Ten or more false alarm notifications have been emitted from the alarm site within a 12-month period,

(e) A person commits an offense if he operates an alarm system during the period in which his alarm registration is revoked.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42-___: Suspension of response.

(a) The alarm administrator may suspend law enforcement response to an alarm site upon revocation of an alarm registration if it is determined that:

(1) The alarm user has ten or more false alarms in a 12-month period excluding duress, holdup or panic alarms;

(2) There is a statement of a material fact known to be false in the application for a registration;

(3) The alarm user has failed to make timely payment of a fines; or

(4) It has been determined the alarm site was never registered with the City.

(b) The alarm administrator will notify the alarm site and/or user, the alarm installation company or the monitoring company ten (10) days prior to suspension of response.

(c) Once the alarm user has been notified, the Police Department will suspend response to the alarm site except for verified in-progress crimes, duress, panic and hold-up alarms. In progress crimes or "Verified Alarm Response" may be made by the alarm user, other person at or near the scene of the activation, private guard responder or central monitoring company/operator, and shall be based on physical observation or inspection of the premises/site, or by remote visual inspection of the premises/site using audio and/or visual monitoring equipment. Falsifying an in-progress crime for the purpose of ensuring police response is violation of Florida Statutes.

(d) Reinstatement of police response will be granted once the alarm user has fulfilled the requirements outlined in Section 42- . Reinstatement of registration

(e) Any alarm site with ten (10) or more false alarms per year for two (2) consecutive years that has paid all applicable fines and fees may at the discretion of the Alarm Administrator be required to install alarm verification systems (Verified Alarm Response), to include audio or visual monitoring equipment for the purpose of verifying an actual crime is in progress. If required, in the absence of installed technology to facilitate "Verified Alarm Response," the Police Department will not respond to alarm activations, except for in progress crimes reported by the alarm user, other person at or near the scene of the activation, private guard responder or central monitoring company/operator.

(f) In the case of an alarm site with ten (10) or more false alarms per year for three (3) non-consecutive years or an alarm site that repeats with ten (10) or more false alarms per year for two (2) consecutive years regardless of whether or not all applicable fines and fees have been paid will be required to install alarm verification systems (Verified Alarm Response), to include audio or visual monitoring equipment for the purpose of verifying an actual crime is in progress. In the absence of installed technology to facilitate "Verified Alarm Response," the Police Department will not respond to alarm activations, except for in progress crimes reported by the alarm user, other person at or near the scene of the activation, private guard responder or central monitoring company/operator.

In the case of an alarm site with ten (10) or more false alarms per year for two (2) consecutive years regardless of whether or not all applicable fines and fees have been

paid will be required to install alarm verification systems (Verified Alarm Response), to include audio or visual monitoring equipment for the purpose of verifying an actual crime is in progress. In the absence of installed technology to facilitate "Verified Alarm Response," the Police Department will not respond to alarm activations, except for in-progress crimes reported by the alarm user, other person at or near the scene of the activation, private guard responder or central monitoring company/operator. The alarm site will be required to maintain verified alarm response for one year (12 months) from the date of verified alarm response installation or activation.

~~(4) The alarm user has failed to submit a written certification from an alarm installation company that complies with the requirements of this article, stating that the alarm system has been inspected and repaired (if necessary) and/or additional training has been conducted by the alarm installation company.~~

~~(e) A person commits an offense if he/she operates an alarm system during the period in which his alarm registration is revoked and is subject to enforcement and penalties set in sections 42-___, Alarm system fees and fines schedule. 91. 42-77 and 42-82. A~~

~~monitoring company commits an offense if it continues alarm dispatch requests to an alarm site after notification by the alarm administrator that the registration has been revoked and is subject to enforcement and penalties set forth in section 42-82.~~

~~(5) Unless there is separate indication that there is a crime in progress, the police department will refuse law enforcement response to an alarm dispatch request at an alarm site for which the alarm registration is revoked.~~

~~(Ord. No. 04-1, § 1, 1-22-2004)~~

Sec. 42-___: Appeal of denial, suspension, or revocation of a registration.

(a) If the alarm administrator ~~designated authority~~ denies the issuance or renewal of a registration, or suspends or revokes a registration, he shall send written notice of his action and a statement of the right to an appeal, by certified mail, return receipt requested, to both the alarm user ~~applicant or registration holder~~ and the applicable alarm installation/service company.

(b) The alarm user ~~applicant or registration holder~~ may appeal the decision to the ~~(designated authority)~~ Code Enforcement Board ~~alarm administrator~~, by notifying the chief of police written notification within ten (10) business days of the receipt of notice for denial, fine, suspension, or revocation. The alarm user ~~applicant or registration holder~~ shall set forth the reasons for the appeal and describe desired remedies.

(c) Filing of a request for appeal shall stay the action by the alarm administrator ~~designated authority~~ of revoking a registration until the Code Enforcement Board ~~alarm administrator~~ has completed his review. If a request for appeal is not made within the ten (10) day period, the action of the designated authority is final.

~~A review ordered under section 42-82, requires the attendance of both registration holder and applicable alarm company.~~

(d) Alarm users ~~Registration holders~~ shall be entitled to a hearing before the Code Enforcement Board, if requested within sixty (60) business day's receipt of notice. ~~of a sustained revocation of registration by the alarm review board. The hearing shall be conducted by the alarm review board, at their next scheduled meeting.~~

~~(e) The alarm review board shall conduct a formal hearing and consider the evidence by any interested person(s). The board shall make their decision on the basis of a preponderance of the evidence presented at the hearing. The board must render a decision~~

~~within 30 days after the hearing is conducted. The board shall affirm, reverse, or modify the action of the designated authority. The decision of the board is final as to administrative remedies with the city.~~

~~(Ord. No. 04-1, § 1, 1-22-2004)~~

Sec. 42-____ Reinstatement of Registration

A person whose alarm registration has been suspended or revoked may ~~be allowed to have a new registration~~ have their registration re-instated if the person:

- (a) Submits an updated application and pays a \$50.00 registration fee, and
- (b) Pays, or otherwise resolves, all citations issued to the person under this article;
- (c) Upon submission of certification from a professional alarm company, licensed by the state/county to install or design alarm systems stating that the alarm system has been inspected and maintained by, or with the direct supervision and approval of the alarm company.

~~(b) Should any fee assessed pursuant to this chapter remain unpaid in excess of 120 days from the date the charge is billed, a collection fee in the amount of 35 percent of the outstanding balance shall be assessed and shall be payable by the owner of the premises in addition to the original fee. The owner shall also be responsible for any legal fees or costs incurred by the city in enforcement of this chapter.~~

~~(Ord. No. 04-1, § 1, 1-22-2004)~~

Sec. 42-____: No obligation to respond (Government Immunity)

Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm registration, the alarm user acknowledges that law enforcement response may be influenced by factors such as; the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

(Ord. No. 04-1, § 1, 1-22-2004)

Sec. 42__1. Alarm system fees & fines schedule.

TABLE INSET:

Type of Service/Violation	Administrative Action	Fees/Fines
Alarm Registration - Initial - systems in place and operating prior to July 1, 2004	Registration & decal issued	\$ 0
Alarm Registration - Initial - systems installed on or after July 1, 2004	Registration & decal issued	\$ 10 \$25.00
Alarm Registration - Renewal	Registration renewed	\$ 0 \$25.00 No Fee assessed for owners with no recorded false alarms within prior year; \$25.00 with documented false alarms
Failure to register alarm site(s)	Fine	\$100.00
<u>Operation of a non registered alarm system (per offense/activation)</u>	Fine	<u>\$100.00</u>
Reinstatement of alarm registration	Fee	\$50.00
<i>Failure to Display Alarm Permit</i>	<i>Fine</i>	<i>\$50.00</i>

Automatic phone dialer installed	Fine	\$25.00
Battery backup not installed (minimum 4 hour)	Fine	\$25.00
Automatic 15 minute audible termination device or adjustment not installed	Fine	\$25.00
Failure to modify existing system(s) as required within section 42-____	Fine	\$25.00
Alarm system contractor(s) installing, maintaining, repairing, altering or servicing an alarm system, that is not [registered] (<i>per offense</i>)	Fine	\$100.00
First false alarm/alarm malfunction within <u>registration</u> calendar year -- Residential	On-site written notice	No Fine/Fee
Second false alarm/alarm malfunction within <u>registration</u> calendar year -- Residential and commercial	On-site written notice/warning letter #1	No Fine/Fee
Third false alarm/alarm malfunction within <u>registration</u> calendar year -- Residential	On-site notice/notice of violation -- <u>Invoice / Fine</u>	\$25.00 <u>\$50.00</u> <u>or Service Affidavit</u>
Commercial		\$50.00
Fourth false / <u>accidental</u> alarm/alarm malfunction within <u>registration</u> calendar year -- Residential	On-site notice/notice of violation -- <u>Invoice / Fine</u>	\$45.00 \$75.00 <u>or Service Affidavit</u> <u>completion of Alarm Use</u> <u>Awareness Class</u>
<u>Fifth false / accidental alarm or alarm malfunction within registration year</u>	<u>Invoice / Fine</u>	\$100.00
Sixth to ninth false / <u>accidental</u> alarm/alarm malfunctions within a <u>registration</u> calendar year -- Residential	On-site notice/notice of violation -- <u>Invoice / Fine</u>	\$100.00 \$125.00
<u>Seventh false/accidental alarm within registration year</u>	<u>Invoice / Fine</u>	\$150.00

<u><i>Eighth false/accidental alarm within registration year</i></u>	<u><i>Invoice / Fine</i></u>	\$175.00
<u><i>Ninth false/accidental alarm within registration year</i></u>	<u><i>Invoice / Fine</i></u>	\$200.00
Commercial—	On-site notice/notice of violation—	\$150.00—
<u><i>Tenth false/accidental within registration year alarm/alarm malfunction— Residential and commercial</i></u>	<u><i>Invoice / Fine</i></u> Violation/revocation of alarm registration <u><i>and</i></u> <u><i>suspension of response</i></u>	\$225.00 N/A =
<u><i>Ten or more false/accidental alarms per year for two consecutive years</i></u>	<u><i>Verified Alarm Response</i></u>	N/A

(Ord. No. 04-1, § 1, 1-22-2004)

Section II. That all sections and subsections of Chapter 42, Article III be renumbered accordingly.

Section III. That all ordinances or parts of ordinances in conflict therewith are hereby repealed to the extent of such conflict.

Section IV. That if any section or portion of a section or subsection of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section, subsection, or part of this ordinance.

Section V. That this ordinance shall take effect upon its passage as provided by law.

Section VI. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this ____ day of _____, 2011.

CITY OF PALATKA

By: _____
It's MAYOR

*Agenda
Item*

7

**REQUEST TO BE PLACED ON
CITY COMMISSION AGENDA**

NOTE: Regular City Commission meetings are held on the 2nd and 4th Thursdays of the month at 6:00 p.m. This request form, together with any attachments or backup material that that would help the Commission to better consider your request, should be submitted to the City Clerk's office *no later than 4:00 p.m. on the Friday prior to the next regularly scheduled Thursday City Commission meeting.* Meeting dates are subject to change. Please verify the closing date for agenda items with the Clerk's office.

Name of Individual, Organization or Group making presentation or request:

Palatka Police Department, Chief Gary Getchell

Name of Individual making presentation or request, if different:

GARY GETCHELL, CHIEF OF POLICE *gmg*

Address: 110 NORTH 11TH STREET

Daytime Phone 329-0110 Home ph. _____ Fax 329-0159

Requested meeting date for Agenda Item: 6/9/2011

Request for Commission Action or Presentation Only or no action required

Subject Matter you wish to address: Request permission for PPD to seek RFP services to administer Alarm Ordinance.

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 288.105

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.

**Palatka Police Department
110 North 11th Street**

Memorandum

Date: May 18, 2011
To: City Commission, via City Clerk
From: Gary S. Getchell, Chief of Police 
Subject: RFP for Services to Administer Alarm Ordinance

BACKGROUND:

Since 2004, the Palatka Police Department's clerical staff has spent untold hours administering the City of Palatka's False Alarm ordinance. It has been determined that approximately four (4) hours per day is spent on false alarm duties. While the number of false alarm calls for service has been reduced by forty-two percent (42%) since 2003, the number of hours spent each day by the clerical staff on false alarm duties has not decreased. Some of the cost associated with this time is recouped through the collection of fines and fees, but a significant amount of the cost is not recovered due to what we now consider lenient practices written into the existing alarm ordinance.

DISCUSSION:

After researching alarm ordinances throughout the State of Florida, we found that in many communities it is now common practice to contract with a private company to administer the alarm program. In addition to being more efficient, we believe this practice would eliminate the majority of time spent by police department clerical staff to administer the alarm ordinance. With the proper contract, there would be no cost to the City.

RECOMMENDATION:

We recommend contracting with a professional organization to administer all notifications and collections of false alarms for the City of Palatka. We feel this would reduce the economic costs and reduce the liability incurred by the City. We respectfully request permission to seek RFP services to administer the alarm program.