

TOWN OF WELAKA
REGULAR TOWN COUNCIL MEETING

November 14, 2023, at 6:00 PM
Honorable Willie Washington, Jr. Town Council Room
400 4th Avenue, Welaka, FL 32193

(This meeting will be broadcasted, for view only, on the Town of Welaka's Facebook Page)

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE & INVOCATION**
3. **ROLL CALL BY TOWN CLERK**, Meghan Allmon
4. **ADOPTION OF PREVIOUS MINUTES**: October 10, 2023, Regular Meeting Minutes
5. **APPROVAL OF CURRENT AGENDA**
6. **RECOGNITIONS**
7. **PRESENTATIONS / REPORTS TO TOWN COUNCIL**
 1. Citizens Advisory Committee Update
 2. Events Committee Update

Presentations are scheduled by individuals or businesses to inform the Town Council of issues, projects, etc. The Council shall not take formal action upon issues or matters presented under presentations at the same meeting. If formal action is desired, such matters shall be deferred and scheduled for a subsequent or future Council Meeting for consideration. Council may, however, by a majority vote, act on items they deem necessary and appropriate. Items not requiring Council action shall be directed to the mayor for consideration and further action.

8. **PROCLAMATIONS**
9. **RESOLUTIONS**
10. **PUBLIC HEARINGS**
 1. **ORDINANCE 2023-07** - Municipal Election Year 2024
 2. **ORDINANCE 2023-08** - Proposed Town Charter Amendments
11. **CORRESPONDENCES**
 1. **Chief Porath** - FPL Lights survey & job sketch
 2. **Councilwoman Kim Dugger** - Renaming the Field of Dream Park & parking for the new Sportsman Drive townhome development.
12. **PUBLIC COMMENTS**
 1. **Isaiah Mills** - Request the vacant lot be cleaned next to 217 11th Avenue, Welaka.

A 'Request To Speak Form' shall be completed and submitted to the Town Clerk to officially address the Town Council. There will be no response to the speaker by Council or Town Staff, except the Council Members desiring to address a comment made during this part of the meeting may do so under Section 13 of this section. One specific issue per Form may be submitted, and you will have up to 3 minutes to address the Council.

13. CONSENT AGENDA ITEMS

14. NON-CONSENT AGENDA ITEMS

1. TOWN MATTERS

- 1. Form 6 Financial Disclosure** assistance needed
- 2. RFP 2023-03** - Leasing & Operation of Welaka Medical Facility
- 3. Town Attorney** - Proposal for Conducting Finding of Necessity Analysis
- 4. Golf Cart** - Updating ORD and registration sticker discussion

2. ZONING BOARD

3. CODE ENFORCEMENT BOARD

1. Release of Lien of 105 Siesta Circle, Welaka
2. Update on resolution of 640 Palmetto Street, Welaka
3. Proposed settlement of Code Liens on 633 Elm Street, Welaka

15. DEPARTMENT REPORTS

1. PUBLIC WORKS DEPARTMENT REPORT

2. UTILITY DEPARTMENT REPORT

3. POLICE CHIEF MICHAEL PORATH REPORT

4. TOWN ATTORNEY PATRICK KENNEDY REPORT

5. TOWN CLERK MEGHAN ALLMON REPORT

16. MAYOR & TOWN COUNCIL REPORTS

1. MAYOR WATTS

2. COUNCIL PRESIDENT JESSICA FINCH

3. COUNCILWOMAN TONYA LONG

4. COUNCILWOMAN KATHY WASHINGTON

5. COUNCILWOMAN KIMBERLY DUGGER

17. ADJOURNED

TOWN OF WELAKA TOWN COUNCIL MEETING
October 10, 2023, 6:00 PM
Honorable Willie Washington, Jr. Council Room
400 4th Ave., Welaka FL 32193

MINUTES

(This meeting was broadcasted for view only on the Town of Welaka's Facebook page)

1. Mayor called Meeting to order at 6:00 PM.

2. Everyone stood and said the pledge of allegiance and Finch gave the invocation.

3. **ROLL CALL** taken by Town Clerk, Meghan Allmon.

Mayor Jamie Watts - present, Council President Jessica Finch - present, Councilwoman Kimberly Dugger - absent, Councilwoman Kathy Washington – on speakerphone, Councilwoman Tonya Long - present, and Town Attorney Patrick Kennedy - present. Three council members are present and one remotely on the telephone, mayor. We have a quorum.

4. **ADOPTION OF PREVIOUS MINUTES from 9/12/2023 MEETING**

Motion to adopt 9/12/2023 Town Council Meeting Minutes made by Finch and seconded by Long. Passed 3/0.

5. **APPROVAL OF CURRENT AGENDA**

Motion for approval to accept current 10/10/2023 Town Council Meeting Agenda made by Long and seconded by Finch. Passed 3/0.

6. **RECOGNITIONS** – None.

7. **PRESENTATIONS / REPORTS TO TOWN COUNCIL**

1. **Katherine Van Zant – FL Rural Infrastructure Fund Grant** – DEO administers this money towards VanZant - Town aspects that provides for additional jobs. The cost provided for the jobs - 75% can be used for Town grant money. If Bass Pro participates, the money they're spending, plus the Town's money spent to improve the Town and projects, we can apply for grant funding of 75%. Cycle happens annually and we can apply now or next year. It's not required to have participating partners but to have an application to get the funding, it's recommended. Some place or project that will better the Town's future and create jobs. Deadline is 11/6/23.

Watts – flood study update.

Van Zant – we have a Resilient FL Grant for the flood study. We're in the planning phase now. It reviews the river and sea-rise and determines the likely flooding over the next 40 years, Town focus areas and water treatment. We have received this grant and meetings have been held with the mayor. Early November, we will have a public meeting at the Division of Forestry building. It explains the grants process and answers questions and asks for flooding documentation from the residents, such a pictures. After the planning phase, we decide the potential problem areas of the Town.

Washington – do we have to match that grant money?

Van Zant – no.

Finch – do we have to vote on this?

Kennedy - yes.

Finch – made a motion to apply for the FL Infrastructure grant and Long seconded. Passed 3/0.

Van Zant - FRW will prepare the grant application for free.

2. Citizens Advisory Committee Update – Scott Turnbull – Town should establish a 5 to 10-year road repair plan.

Watts – we must have a master plan and more in depth. Storm water goes along with road repairs.

Digital sign has been shipped and we should receive it soon.

3. Events Committee Update – Courtney Desouza – Domestic Violence Awareness event, 10/28/23 from 10-12 PM. Collecting hygiene items and there will be a walk along Front Street.

Veteran’s Day event on 11/10/23 from 10-12 PM in pavilion. Coffee and donuts and maybe some more food also. Items are posted on social media.

Golf cart parade on the Sunday before Halloween. It’s the Town Halloween parade with candy at Jefferson Smith Park afterwards. Asked if there should just be tables in the park and no parade because of the side by sides (sxs)?

Washington – if someone doesn’t want to participate in the parade, can someone decorate their trunk at the park to hand out candy?

Desouza - the events committee would love that and will let them safely into the field.

Chief – it’s up to the Council whether sxs are allowed or just golf carts. It’s a long parade and we close roads to cross. He is in agreement with having an event in the park. If sxs’s show up, we would not want to turn them down so he recommends just having the event in Jefferson Smith park with no parade.

Finch – the parade is not permitted anyhow, so the park is a good idea.

Chief – the Christmas parade is a permitted and insured event and this is not.

Finch – we have to make some sort of decision and talk further. If it’s an official parade, we can allow all kinds of mixed vehicles.

Kennedy – trunk or treat would be the best option after the sxs meeting last night.

Chief – in the last 2 years, there’s not as many kids participating, but rather the adults dressing up and parading. Suggests just doing the trunk or treat.

Desouza – be specific what kind of trunk?

Long – you can’t do sxs.

Chief – people can set up tables and decorate trunks. Other people show up from other communities too.

Erin Jeltos – or just tables and no trunks to make more room.

Long – may be easier to decorate the trunks and tables both. Golf carts will be there anyhow so they may as well be decorated.

Watts – Council and events committee all agree that the parade will not take place and the trunks and tables and golf carts can be decorated at the Jefferson Smith Park for the kids to collect candy.

8. PROCLAMATIONS

1. PROC 2023-09 – Breast Cancer Awareness Month of October.

Finch made a motion to accept PROC 2023-09 and Long seconded. Passed 3/0.

Watts – donated a \$250 check to Pink Out Putnam (POP) from the Town of Welaka.

POP representative spoke and mentioned how over 100 Putnam County residents benefitted from the funds to help give them a ride to assist them with cancer treatments.

Channel 12, 6:00 PM, Friday night, 10/13/23, watch the news. Jeanie Blaylock will be airing the Welaka visit with the mammogram bus.

9. RESOLUTIONS – None.

10. PUBLIC HEARINGS – None.

11. CORRESPONDENCES – None.

12. PUBLIC COMMENTS – Elaine Dennis – 1074 Lazy Days, Welaka Please let them know ahead of time about their golf cart parade so that sxs are not included.

13. CONSENT AGENDA ITEMS – None.

14. NON-CONSENT AGENDA ITEMS

1. TOWN MATTERS

a. Additional Tree Board Member Applications

- Pamela Washington – Sponsored by Councilwoman Kathy Washington.

b. Historic Preservation Board

- Micshell Turner - Sponsored by Councilwoman Kathy Washington.

- Kenny Pagano – Sponsored by Tonya Long

- Lenore Toole – Sponsored by Jessica Finch

Long made motion to accept the new Tree Board and Historic Preservation Board Members, and Finch seconded. Passed 3/0.

2. Watts – asked if the Council is they should Speak of the golf cart registration stickers?

Watts - He has suspended the stickers for the sxs.

Kennedy – we need more information and can speak about it at the 11/14/23 Council Meeting.

Watts – agreed.

2. ZONING RECOMMENDATIONS – None.

3. CODE ENFORCEMENT BOARD – None.

15. DEPARTMENT REPORTS

1. PUBLIC WORKS DEPARTMENT REPORT: John Deere tractor was delivered on 10/5/23.

2. UTILITY DEPARTMENT REPORT – None.

3. POLICE CHIEF MICHAEL PORATH REPORTS – Police Dept. to participate in the presidential Executive Order 14074. This is to educate the Council and public to know where we are

applying to get into this program to receive federal surplus items.

Chief – 1033 program – federal/military assets that the Towns can join the program at a public hearing to understand the process to obtain surplus items. There are boats, helicopters, blankets, guns, ammo, etc. We are interested in a high rescue water vehicle for the storms to help people and reach certain areas that experience flooding.

Finch made motion to allow Chief Porath to participate in the 1074 program and Long seconded. Passed 3/0.

FPL performed their lighting survey for the entire Town with Officer Bryant. It will be expensive, but it will address the old lighting and poles to be upgraded to the new standards. Some parts in the Town are pitch black. He will present the cost to the Council in moving forward. We can possibly use ARPA funds. Watts – status of Shell Street traffic update?

Chief - Shell Street has a device to collect traffic data and they need to put a new tracking device out there to properly measure the traffic and speed and count on the road. The device was not working properly after 4 days. Putnam County could not extract the data so we may need to re-do the operation. It also tracks speed.

4. TOWN ATTORNEY PATRICK KENNEDY REPORTS – Zoning Mapy has officially been updated and the Putnam County GIS will be updated soon.

Watts – you’re still negotiating with the property in Town?

Kennedy - 633 Elm Street purchaser made a maximum offer of approx. \$7,700 to pay off the lien to the Town in moving forward to purchase the property. This is the money he believes we have invested into it and what Kennedy could prove. He’s not willing to pay the per-diem daily fines. Kennedy will bring up a more formal discussion for the next meeting.

Finch – how about the Palmetto Street property?

Kennedy – does not have it ready yet.

5. TOWN CLERK MEGHAN ALLMON REPORTS – None.

15. MAYOR & TOWN COUNCIL REPORTS

1. MAYOR WATTS – January-February should be breaking ground at the WWTP. Soil tests were done recently.

2. COUNCIL PRESIDENT JESSICA FINCH – Townwide Clean-Up 10/14/23. Meet at 8 at the pavilion and start cleaning at 9. Homemade cinnamon rolls provided from Gem City.

Partnering with Welaka Police Dept., Bass Pro, and Welaka Fish Hatchery on 10/28/23 from 8 AM - 12 PM to do a kid’s fishing rodeo.

NEFRC finished their visioning workshop & study. They applied for the historical society funding grant. This is a recommended project, but not approved yet.

Council will be subject to do the new Form 6, new reporting guidelines. We may need assistance with this because it might cost a lot of money individually to do this. Can we get help that’s not too expensive?

Kennedy – possibly the elections office or the state can help? He’s not familiar with it. Charles Overturf is well versed with this.

Long – please elaborate to the audience.

Finch – in the past, the Council must submit Form 1 Financial Disclosure is required from the election’s office. If a simple mistake was made, we get penalized for it individually. She’s not set up to handle the

new Form 6, in-depth application.

Watts – this may discourage people from running for office.

Washington – the FLC website has a class recording they did in late spring regarding this Form 6 Disclosure statement.

Finch – she watched it, but it didn't help. Please put on the agenda for next month.

Allmon – will do.

David Jeltis – on 10/21/23, they're planning to hold their Charter Review Committee Meeting from 8:30 – 10:00 AM in the Council Room to have the Charter on the ballot in March of 2024. Open to the public to educate the public.

Toole – have we acquired the additional land for the WWTP?

Watts – we're using the retention ponds and the old WWTP will be torn down and re-built. It's solid.

3. COUNCILWOMAN TONYA LONG – regarding the Toys for Tots run, she and Waylon cancelled the cart run on the 21st and future cart runs also. No more will ever be scheduled. She'll have to reach out to others and will be placing big boxes at the Log Cabin and maybe at Town Hall for people to donate toys. They may come up \$5,000 short this year not doing the cart runs. Putnam County collections do not have enough toys for the kids here. St. Johns County donates a huge truck load also.

4. COUNCILWOMAN KATHY WASHINGTON – on the Agenda – historical board, were the volunteers approved?

Watts – yes, earlier in the meeting. The appointments have been made.

Washington – so Micshell Turner was appointment?

Watts – yes. One to the Tree Board and three to the Historical Board.

Washington – just wanted to check.

Washington - copies of the Charter available to be picked up?

Jeltis – will have copies available on the 10/21/23.

Washington – when is the Water Rate Increase Workshop? In November?

Watts – yes, there's a Workshop scheduled for 11/6/23. The information will be printed on the bills that are mailed out on 11/1/23.

Washington – she will be conducting an informational workshop regarding the forms of government from 10 AM – 12 PM on 10/21/23 in the Council Room.

Washington - Would like for Veterans to submit photos and information to the Town Clerk to be placed on the Town's website 11/10 – 11/13/23.

Watts – we'll put it in the newsletter also.

Allmon – agreed to help and said this is a great idea.

5. COUNCILWOMAN KIMBERLY DUGGER – absent.

16. ADJOURNED – 6:53 PM



*Town of Welaka Proclamation 2023-10
Veterans Day Proclamation
in the Town of Welaka, Florida*

Whereas, the Town of Welaka, Florida wishes to acknowledge the valor and sacrifice of our Veterans, who have served our nation with honor and distinction; and

Whereas, Veterans Day, November 11, 2023, is a sacred day to honor our military veterans for their patriotic service and dedication to our country; and

Whereas, the Town of Welaka is proud to recognize the men and women of our armed forces, past and present, who have displayed great courage and commitment in their service to the United States; and

Whereas, it is our duty and privilege to honor our Veterans, to remember their achievements, their courage, and their dedication, and to say thank you for their sacrifices; and

Whereas, the Town of Welaka encourages our citizens to recognize the valor and sacrifice of our Veterans through appropriate public ceremonies and private prayers;

Now, Therefore, I, Jamie D. Watts, Mayor of the Town of Welaka, Florida, do hereby proclaim November 11, 2023, as Veterans Day in the Town of Welaka and call upon all citizens to honor our Veterans on this day, and to observe this day with appropriate ceremonies and activities.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Town of Welaka, Florida, to be affixed this 11th day of November in the year 2023.



Jamie D. Watts, Mayor



ORDINANCE 2023-07

MUNICIPAL ELECTION YEAR 2024

AN ORDINANCE PROVIDING FOR THE MUNICIPAL ELECTION IN WELAKA, FLORIDA, TUESDAY, MARCH 19, 2024, PRESCRIBING THE METHOD AND MANNER OF HOLDING SAID ELECTION.

BE IT ORDAINED BY THE TOWN COUNCIL OF WELAKA, FLORIDA:

Section 1 Municipal Election for the Town of Welaka, Florida, will be held on Tuesday, March 19, 2024, at The Church, 638 3rd Ave., Welaka, FL 32193, with the polls open from 7:00 AM to 7:00 PM on said date.

Section 2 The following offices are to be filled at said election:

Councilperson	Two-year term
Councilperson	Two-year term

Section 3 Candidates desiring to have their names on the ballot for said Election must file qualifying papers along with 10 signed petitions from qualified Electors of the Town of Welaka with the Putnam County Supervisor of Elections located at 2509 Crill Avenue Suite 900, Palatka, FL 32177, between Friday, 12:00 PM, January 19, 2024, and Friday, 12:00 PM, February 2, 2024.

Section 4 In accordance with Florida Statute 97.055, Voter Registration will be accepted until Tuesday, February 20, 2024, at the Welaka Town Hall, located at 400 4th Avenue, Welaka, FL 32193. The Public Logic and Accuracy Testing on the voting equipment will be held at 1:30 PM on Tuesday, February 13, 2024, at the Supervisor of Elections Office located at 2509 Crill Avenue, Suite 900, Palatka, FL 32177.

Section 5 First Unofficial results along with Vote by Mail cures and any Provisional Ballots will be canvassed at 4:30 PM Friday, March 22, 2024, at the Office of the Supervisor of Elections, located at 2509 Crill Avenue, Suite 900, Palatka, FL 32177.

PASSED by the Town Council of the Town of Welaka, Florida, on the **FIRST READING** this **14th** day of **November 2023**.

PASSED by the Town Council of the Town of Welaka, Florida, on the **SECOND READING** this **12th** day of **December 2023**.

ATTEST:

SIGNED:

Meghan E. Allmon, Welaka Town Clerk

Jamie D. Watts, Mayor

APPROVAL AT TO FORM AND LEGALITY:

Patrick Kennedy, Town Attorney

Jessica Finch, Council President

ORDINANCE 2023-08

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WELAKA, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, *FLORIDA STATUTES*, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 19, 2024, PROPOSING TO THE ELECTORATE OF THE TOWN THAT ALL PORTIONS OF THE CHARTER BE REPEALED, EXCEPT THAT PART THEREOF DESCRIBING THE BOUNDARIES OF THE TOWN AND ESTABLISHING THE JURISDICTION OF THE TOWN, AND THAT A NEW TOWN CHARTER BE ADOPTED; PROVIDING FOR GENERAL AND TRANSITIONAL PROVISIONS; PROVIDING FOR EFFECT ON EXISTING LAWS; PROVIDING FOR OFFICERS AND EMPLOYEES; PROVIDING FOR TOWN BOUNDARIES; PROVIDING FOR CONTINUATION OF FORM OF GOVERNMENT; PROVIDING FOR MUNICIPAL AUTHORITY; PROVIDING FOR THE TOWN COUNCIL AS THE LEGISLATIVE AND GOVERNING BODY; PROVIDING FOR A TOWN MANAGER; PROVIDING FOR A TOWN ATTORNEY; PROVIDING FOR A POLICE DEPARTMENT; PROVIDING FOR TOWN ELECTIONS; PROVIDING FOR SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Council of the Town of Welaka established a Charter Review Committee (“CRC”) by resolution dated July 13, 2021 (Res. No. 2021-06) to review the Town Charter and recommend changes to the Town Charter; and

WHEREAS, the CRC commenced public meetings held twice a month over the next two years to develop such recommended changes to the Town Charter; and

WHEREAS, the CRC finalized its efforts on October 18, 2023, and now recommends the Town Council call for a referendum election to place the proposed charter amendments attached hereto on the ballot for the next regular town election to be held in March 2024; and

WHEREAS, the Town Council has reviewed the recommendations of the CRC, and the Town Council has determined that it would be in the best interests of the Town of Welaka to accept such recommendations; and

WHEREAS, the Town Council has concluded that the CRC’s recommendation to

1 amend and reorganize the Charter and calling for a referendum election in accordance
2 with the provisions of Section 166.031, *Florida Statutes*, for the electorate of the Town of
3 Welaka to consider such amendments and reorganization of the Charter is in the best
4 interests of the Town of Welaka; and

5
6 **WHEREAS**, the Town Council deems approval of this Ordinance to be in the best
7 interests of the health, safety, and welfare of the residents and citizens of the Town of
8 Welaka and the public at large.

9
10 **NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE**
11 **TOWN OF WELAKA, FLORIDA:**

12
13 **SECTION 1.** The proposed amendment to the Town’s Charter is as follows:

14
15 The proposed new Welaka Town Charter is attached hereto and incorporated
16 herein as Exhibit “A”.

17
18 **SECTION 2.** The Charter amendment proposed by this Ordinance shall be
19 submitted to the electors of the Town of Welaka, Florida, at the general municipal election
20 to be held on the 19th day of March, 2023, in the form of the following question:

21
22 **TOWN OF WELAKA REFERENDUM QUESTION NO. 1**

23
24 **SHALL THE TOWN CHARTER BE AMENDED TO PROVIDE FOR:**
25 **REMOVAL OF OUTDATED AND UNCESSARY PROVISIONS;**
26 **APPOINTING A TOWN MANAGER; ESTABLISHING COUNCIL-**
27 **MANAGER RELATIONSHIP; ESTABLISHING MUNICIPAL, COUNCIL,**
28 **TOWN MANAGER AND TOWN CLERK POWERS/DUTIES; A POLICE**
29 **DEPARTMENT; A PERSONNEL MERIT SYSTEM; QUALIFICATIONS**
30 **TO SERVE ON COUNCIL; ELECTIONS; COUNCIL MEETING**
31 **PROCEDURES; FILLING OF VACANCIES ON THE COUNCIL;**
32 **INITIATIVES, REFERENDUMS AND CHARTER AMENDMENTS;**
33 **REMOVING COUNCIL MEMBERS; TRANSITION UNDER AMENDED**
34 **CHARTER; AND OTHER CHANGES AS PROVIDED IN EXHIBIT A,**
35 **ORDINANCE 2023-08**

36
37 **SHALL THE ABOVE-DESCRIBED QUESTION NO. 1 BE ADOPTED?**

38
39 **YES**

40
41 **NO**

42
43 **SECTION 3.** The Town Clerk shall cause a notice of this election called for the
44 purpose of presenting the subject Charter revision to a vote of the electorate to be
45 published in accordance with the provisions of Section 100.342, *Florida Statutes*, at least
46 twice: once in the fifth week and once in the third week prior to the week in which the

1 referendum is to be held; provided that the first publication shall take place at least 30
2 days before the date fixed for the referendum and shall be published in a newspaper of
3 general circulation within the Town.
4

5 **SECTION 4.** In accordance with the Town Code of Ordinances, the Town Clerk shall
6 cause a notice of election to be published in a newspaper of general circulation within the
7 Town at one time during the fourth week and at one time in the second week preceding the
8 week in which the election is held.
9

10 **SECTION 5.** In accordance with the Town Code of Ordinances, the Town Clerk shall
11 publish a sample ballot in a newspaper of general circulation prior to the day of the election,
12 but no more than ten days prior to the election. Such publication shall be conspicuous and
13 not be included within the legal notices and advertisements being published per Chapter 50,
14 *Florida Statutes*.
15

16 **SECTION 6.** All ordinances or parts of ordinances in conflict be and the same are
17 hereby repealed.
18

19 **SECTION 7.** Should any section or provision of this Ordinance or any portion
20 thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction
21 to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.
22

23 **SECTION 8.** Specific authority is hereby given to codify this Ordinance.
24

25 **SECTION 9.** This Ordinance shall become effective immediately upon adoption.
26 The revised language as contained in Exhibit "A" shall become effective as of 12:01 a.m.
27 on the day following the canvassing board's certification of the election, if the question to
28 be voted upon provided hereinabove receives an affirmative vote of the majority of the
29 valid votes cast and counted at the election held on March 19, 2023.
30

31 **PASSED** this 14th day of **November 2023**, upon first reading.
32

33 **PASSED AND ADOPTED** this _____ day of _____, 2023, upon second and
34 final reading.
35

36 **ATTEST:**

SIGNED

37
38 _____
39 Meghan E. Allmon, Town Clerk

37
38 _____
39 Jamie D. Watts, Mayor

40
41 **APPROVED AS TO FORM AND**
42 **LEGAL SUFFICIENCY**
43

44 _____
45 Patrick Kennedy, Town Attorney

44 _____
45 Jessica Finch, Council President
46

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“EXHIBIT A”

**TOWN OF WELAKA
TOWN CHARTER**

PREAMBLE

We, the people, of the Town of Welaka, under the constitution and laws of the state of Florida, to secure the benefits of local, self-government and to provide for an honest and accountable local government do hereby adopt this amendment to the charter for the Town of Welaka and confer upon the town the following powers, subject to the following restrictions, and prescribed by the following procedures and governmental structure. By this action, we secure the benefits of home rule and affirm the values of representative democracy, professional management, strong political leadership, citizen participation, diversity and inclusiveness and regional cooperation. This is an amendment to the whole of the existing charter of the Town of Welaka, Florida, except the boundaries thereof as they currently exist and the jurisdictional authority of the town established by Chapter 24975, No. 1361, §6 (House Bill No. 1031) Florida Laws (1947).

Article 1

POWERS OF THE TOWN

Section 1.01. Powers of the Town. The town shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power possible for a town to have under the constitution and laws of this state, as fully and completely as though they were specifically enumerated in this Charter.

Section 1.02. Construction. The powers of the town under this charter shall be construed liberally in favor of the town, and the specific mention of particular powers in the charter shall not be construed as limiting, in any way, the general power granted in this Article.

1
2 **Section 1.03. Intergovernmental Relations.** The town may participate by contract or otherwise
3 with any governmental entity of this state, or any other state(s) or the United States in the
4 performance of any activity which one or more of such entities has the authority to undertake.

5
6 **Section 1.04. – Description of the Corporate Limits.** The boundaries and corporate limits of
7 the town now existing shall continue to be the corporate limits under the name of the Town of
8 Welaka, and, as such, shall have perpetual succession. The boundary description for the Town of
9 Welaka is on file in the town clerk’s office.

10
11 **Section 1.05. - Changes in corporate boundaries.** The corporate boundaries of the town may
12 be changed in accordance with the general laws of the State of Florida, or special laws relating to
13 the town enacted subsequent to the effective date of this charter.

14
15 [REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]
16

1 **Article 2**
2 **TOWN COUNCIL**

3
4 **Section 2.01. General Powers and Duties.** All powers of the town shall be vested in the
5 council, except as otherwise provided by law or this charter, and the council shall provide for the
6 exercise thereof and for the performance of all duties and obligations imposed on the town by
7 law.

8
9 **Section 2.02. Eligibility, Terms, and Composition.**

10 **(a) Eligibility.** Only persons registered to vote in the town who can demonstrate they have been
11 a resident and registered voter in the town for no less than six months and one (1) day shall be
12 eligible to qualify for and hold the office of council member or mayor.

13
14 **(b) Term of Office.** The term of office for all elected town officials shall be two (2) years.

15
16 **(c) Composition of the Council.** The council shall be composed of four (4) members elected at
17 large by the voters of the town in accordance with provisions of Article 6 and a mayor elected as
18 provided in section 2.03(b).

19
20 **Section 2.03. Mayor.**

21 **(a) Powers and Duties.** The mayor shall be a voting member of the council and shall attend and
22 preside at meetings of the council, represent the town in inter-governmental relationships,
23 appoint members of town boards and committees with the advice and consent of the council, and
24 assign agenda items to the committees subject to the advice and consent of council. The mayor
25 shall be recognized as head of the town government for all ceremonial purposes and by the
26 Florida governor for purposes of military law but shall have no administrative duties.

27
28 **(b) Election of Mayor and Vice Mayor.** The voters of the town shall elect a mayor at large for a
29 term of two (2) years pursuant to the regular election cycle on odd years. At the first regular
30 council meeting following each regular election cycle, the council shall elect, from among its
31 members a vice- mayor, who shall act as mayor during the absence or disability of the mayor

1 and, if a vacancy occurs, shall become mayor until the vacancy is filled. The mayor shall not
2 participate in the selection of the vice mayor unless it is necessary to break a tie vote.

3
4 **Section 2.04. Compensation and Expenses.** The council may determine the annual salary of the
5 mayor and council members by ordinance, which may be paid out monthly or in accordance with
6 the pay periods established for town employees, but no ordinance increasing such salaries of the
7 mayor and council members shall become effective until the date of commencement of the terms
8 of council members elected at the next regular election. The mayor and council members shall
9 receive their actual and necessary expenses incurred in the performance of their duties of office,
10 pursuant to a maximum expenditure amount established with the adoption of the town's annual
11 budget.

12
13 **Section 2.05. Prohibitions.**

14 **(a) Holding Other Office.** Except where authorized by law, no council member shall hold any
15 other elected public office during the term for which the member was elected to the council. No
16 council member shall hold any other town employment or office during the term for which the
17 member was elected to the council. No former council member shall hold any compensated
18 appointive office or employment with the town until two (2) years after the expiration of the term
19 for which the member was elected to the council, unless granted a waiver issued in writing from
20 the Florida Commission on Ethics and by a public vote of the sitting council after said member
21 has left office.

22
23 Nothing in this section shall be construed to prohibit the council from selecting any current or
24 former council member to represent the town on the governing board of any regional or other
25 intergovernmental agency.

26
27 **(b) Appointments and Removals.** Neither the council nor any of its members shall in any
28 manner control or demand the appointment or removal of any town administrative officer or
29 employee whom the town manager or any subordinate of the town manager is empowered to
30 appoint, but the council may express its views and fully and freely discuss with the town
31 manager anything pertaining to appointment and removal of such officers and employees.

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(c) Interference with Administration. Except for the purpose of inquiries and investigations under section 2.09 the council or its members shall deal with town officers and employees who are subject to the direction and supervision of the town manager solely through the town manager, and neither the council nor its members shall attempt to give orders to or otherwise direct or supervise the conduct of any such officer or employee, either publicly or privately.

Section 2.06. Vacancies; Forfeiture of Office; Filling of Vacancies.

(a) Vacancies. The office of a council member shall become vacant upon the member's death, resignation, or removal from office or forfeiture of office in any manner authorized by law.

(b) Forfeiture of Office. A council member shall forfeit that office if the council member:

- (1) Fails to meet or maintain the residency requirements,
- (2) Violates any express prohibition of this charter,
- (3) Is convicted of a crime involving moral turpitude, or
- (4) Fails to attend three consecutive regular meetings of the council without being excused by the council.

(c) Filling of Vacancies. If the vacancy occurs less than 180 days prior to a regular called election, the council may opt not to appoint a replacement. If a vacancy occurs more than 180 days prior to the regular called election the council shall, subject to state law, call a special election no more than 90 days after the vacancy. Notwithstanding the requirement in section 2.11(c), if at any time the membership of the council is reduced to less than four (4), the remaining members shall by majority action appoint additional members to raise the membership to 4 until the person elected to serve the remainder of the unexpired term takes office.

Section 2.07. Judge of Qualifications. The council shall be the judge of the election and qualifications of its members, and of the grounds for forfeiture of their office. In order to exercise these powers, the council shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for

1 forfeiture of office shall be entitled to a public hearing on demand and notice of such hearing
2 shall be published in one or more newspapers of general circulation in the town at least one week
3 in advance of the hearing.

4
5 **Section 2.08. Town Clerk.** The council shall appoint an officer of the town who shall have the
6 title of town clerk. The town clerk shall give notice of council meetings to its members and the
7 public, keep the records of its proceedings and perform such other duties as are assigned by this
8 charter or by the council or by state law.

9
10 **Section 2.09. Investigations.** The council may make investigations into the affairs of the town
11 and the conduct of any town department, office, or agency and for this purpose may subpoena
12 witnesses, administer oaths, take testimony, and require the production of evidence. Failure or
13 refusal to obey a lawful order issued in the exercise of these powers by the council shall be a
14 misdemeanor punishable by a fine of not more than \$500, or by imprisonment for not
15 more than 60 days or both. An officer or employee of the town who fails or refuses to obey a
16 lawful order issued in the exercise of these powers may be subject to disciplinary action up to
17 termination.

18
19 **Section 2.10. Independent Audit.** The council shall provide for an independent annual audit of
20 all town accounts and may provide for more frequent audits as it deems necessary. Such audits
21 shall be carried out in accordance with the requirements of state law.

22
23 **Section 2.11. Procedure.**

24 **(a) Meetings.** The council shall meet regularly at least once in each calendar month at such times
25 and places as the council may prescribe by rule. Special meetings may be held on the call of the
26 mayor or of 3 or more members and, whenever practicable, upon no less than twelve hours
27 notice to each member. Except when necessary and appropriate to meet in executive session
28 without the public present, as governed by state law, all meetings shall be public.

29
30 **(b) Rules and Records.** The council shall determine its own rules and order of business and
31 shall provide for keeping a record of its proceedings that shall, at a minimum, meet the standards

1 established by state law. These records shall be a public record.

2

3 **(c) Voting.** Voting, except on procedural motions, shall be by roll call and the ayes and nays shall
4 be recorded in the records. Three (3) members of the council shall constitute a quorum, but a
5 smaller number may adjourn from time to time and may compel the attendance of absent members
6 in the manner and subject to the penalties prescribed by the rules of the council. No action of the
7 council, except as otherwise provided in the preceding sentence and in § 2.06(c) shall be valid or
8 binding unless adopted by the affirmative vote of three (3) or more members of the council.

9

10 **Section 2.12. Action Requiring an Ordinance.** In addition to other acts required by law or by
11 specific provision of this charter to be done by ordinance, those acts of the council shall be by
12 ordinance which:

13

14 (1) Adopt or amend an administrative code or establish, alter, or abolish any town department,
15 office, or agency;

16 (2) Provide for a fine or other penalty or establish a rule or regulation for violation of which a
17 fine or other penalty is imposed;

18 (3) Levy taxes;

19 (4) Grant, renew, or extend a franchise;

20 (5) Regulate the rate charged for its services by a public utility;

21 (6) Authorize the borrowing of money;

22 (7) Convey or lease or authorize the conveyance or lease of any lands of the town;

23 (8) Regulate land use and development;

24 (9) Amend or repeal any ordinance previously adopted;

25 (10) Adopt, with or without amendment, ordinances proposed under the initiative power; or

26 (11) Regulate campaign finance as provided in Article 7 of this charter.

27

28 **Section 2.13. Ordinances in General.** The procedures for adoption of ordinances shall follow
29 the requirements of state law and the provisions of this section shall govern only to the extent
30 they do not conflict with state law.

31

1 (a) **Form.** Every proposed ordinance shall be introduced in writing and in the form
2 required by state law for final adoption. The enacting clause shall be "Now therefore, be
3 it enacted by the Town Council for the Town of Welaka . . ." Any ordinance which
4 repeals or amends an existing ordinance or part of the town code shall set out in full the
5 ordinance, sections or subsections to be repealed or amended, and shall indicate matters
6 to be omitted by strikeout type and shall indicate new matters by underscoring.

7
8 (b) **Procedure.** Any member of the council may, at any regular or special meetings of the
9 council, introduce a subject for consideration as a proposed ordinance. The council shall
10 only deliberate and adopt a proposed ordinance that is presented in legally sufficient form
11 and placed on the agenda for a regular or special meeting of the council in accordance
12 with state law, including timely and sufficient public notice, and the established meeting
13 procedures of the council.

14
15 (c) **Effective Date.** Except as otherwise provided in this charter or unless a specific date
16 is specified therein, every adopted ordinance shall become effective at the expiration of
17 30 days from the date of adoption.

18
19 **Section 2.14. Emergency Ordinances and Resolutions.**

20 The Council may adopt one or more emergency ordinances in the manner provided for at law on
21 any subject that is not violative of the law or this charter, but such ordinances shall not levy
22 taxes, grant, renew or extend a franchise, regulate the rate charged by any public utility for its
23 services, or authorize the borrowing of money except as provided in section 5.07(b). An
24 emergency ordinance shall be introduced in the form and manner prescribed by law for
25 emergency ordinances, except that it shall be plainly designated as an emergency ordinance and
26 shall contain, after the enacting clause, a declaration stating that an emergency exists and
27 describing it in clear and specific terms. An emergency ordinance may be adopted with or
28 without amendment or rejected at the meeting at which it is introduced. The affirmative vote of
29 at least 3 members shall be required for adoption. After its adoption, the ordinance shall be
30 published and printed as prescribed for other adopted ordinances. It shall become effective upon
31 adoption or at such a later time as it may specify. Every emergency ordinance or resolution

1 issued under the town's emergency management authority to address the occurrence of
2 emergencies and disasters resulting from natural, technological, or manmade causes, shall
3 automatically stand repealed as of the sixty-first day following the date on which it was adopted,
4 unless an earlier date is required by law; but this shall not prevent re-enactment of the ordinance
5 or resolution in the manner specified by state law and this section if the emergency still exists.
6 An emergency ordinance or resolution may also be repealed by adoption of a repealing ordinance
7 or resolution in the same manner specified in this section for adoption of emergency ordinances
8 or resolutions.

9
10 **Section 2.15. Codes of Technical Regulations.** The council may adopt any standard code of
11 technical regulations by reference thereto in an adopting ordinance. The procedure and
12 requirements governing such an adopting ordinance shall be as prescribed for ordinances
13 generally subject to the following:

14
15 (1) The requirements of § 2.13 for distribution and filing of copies of the ordinance shall be
16 construed to include copies of the code of technical regulations as well as of the adopting
17 ordinance, and

18
19 (2) A copy of each adopted code of technical regulations as well as of the adopting
20 ordinance shall be authenticated and recorded by the town clerk pursuant to § 2.16(a).
21 Copies of any adopted code of technical regulations shall be made available by the town
22 clerk for distribution or for purchase at a price set forth by Florida Statute.

23
24 (3) Certain technical regulations established by the state and mandated by the state to be
25 adopted by the town, such as the Florida Building Code and the Florida Fire Prevention
26 Code, need only be referenced in the adopting ordinance and do not need to be included
27 verbatim in the adopting ordinance, nor shall the town be responsible for making such state
28 established technical regulations available for copying through the town clerk when they
29 are available from the state for review and copying, except to the extent mandated by law.

30
31 **Section 2.16. Authentication and Recording; Codification; Printing of Ordinances and**

1 **Resolutions.**

2 **(a) Authentication and Recording.** The town clerk shall authenticate by signing and shall
3 record in full, in a properly indexed book kept for the purpose, all ordinances and resolutions
4 adopted by the council.

5

6 **(b) Codification.** Upon immediate adoption of this charter and at least every year thereafter, the
7 Council shall provide for the preparation of a general codification of all town ordinances and
8 resolutions having the force and effect of law. The general codification shall be adopted by the
9 council by ordinance and shall be published, together with this charter and any amendments
10 thereto, and other rules and regulations as the council may specify. This compilation shall be
11 known and cited officially as the Welaka Municipal Code. Copies of the code shall be furnished
12 to town officers, placed in the town’s public offices for viewing by the public, and, if available,
13 placed on a web site for free public reference and made available for purchase by the public.

14

15 **(c) Printing of Ordinances and Resolutions.** The council shall require each ordinance and
16 resolution having the force and effect of law and each amendment to this charter to be printed
17 promptly following its adoption. The printed ordinances, resolutions and charter amendments
18 shall be made available for viewing and purchase by the public in accordance with Florida’s
19 public records laws. Following publication of the first Welaka Municipal Code and at all times
20 thereafter, the ordinances, resolutions and charter amendments shall be printed in substantially
21 the same style as the code currently in effect and shall be suitable in form for integration therein.
22 The council shall make such further arrangements as it deems desirable with respect to
23 reproduction and distribution of any current changes in or additions to the provisions of the
24 constitution and other laws of the state of Florida, or the codes of technical regulations and other
25 rules and regulations included in the code.

1 **Article 3**
2 **TOWN MANAGER**

3
4 **Section 3.01. Appointment; Qualifications; Compensation.** The council by a majority vote of
5 its total membership shall appoint a town manager for a term set by the council and fix the
6 manager's compensation. The town manager shall be appointed solely on the basis of education
7 and experience in the accepted competencies and practices of local government management.
8 The manager need not be a resident of the town or state at the time of appointment. However, the
9 manager shall reside in the state prior to commencing to work for the town, and it shall be left to
10 the discretion of the council whether to allow the manager to reside outside the town limits while
11 in office.

12
13 **Section 3.02. Removal.** The town manager works at the will and pleasure of the council.
14

15 **Section 3.03. Acting town Manager.** By letter filed with the town clerk, the town manager shall
16 designate a town officer or employee to exercise the powers and perform the duties of town
17 manager during the manager's temporary absence or disability; the council may revoke such
18 designation at any time for any reason and appoint another town officer or employee of the town
19 to serve until the town manager returns.
20

21 **Section 3.04. Powers and Duties of the Town Manager.** The town manager shall be the chief
22 executive officer of the town, continuously responsible to the council for the management of all
23 town affairs placed in the manager's charge by or under this charter and any additional duties
24 assigned by the contract defining the terms of the manager's employment. The town manager
25 shall:

- 26
27 (1) Appoint and suspend or remove all town employees and appointive administrative
28 officers provided for by or under this charter, except as otherwise provided by law, this
29 charter or personnel rules adopted pursuant to this charter. The town manager may authorize
30 any administrative officer subject to the manager's direction and supervision to exercise these
31 powers with respect to subordinates in that officer's department, office, or agency;

- 1
- 2 (2) Direct and supervise the administration of all departments, offices and agencies of the
- 3 town, except as otherwise provided by this charter or by law;
- 4
- 5 (3) Attend all council meetings. The town manager shall have the right to take part in
- 6 discussion but shall not vote;
- 7
- 8 (4) Faithfully execute all laws, provisions of this charter and acts of the council, subject to
- 9 enforcement by the town manager or by officers subject to the manager's direction and
- 10 supervision;
- 11
- 12 (5) Prepare and submit the annual budget and capital program to the council, and implement
- 13 the final budget approved by council to achieve the goals of the town;
- 14
- 15 (6) Submit to the council and make available to the public a complete report on the finances
- 16 and administrative activities of the town as of the end of each month and a full assessment at
- 17 the end of each fiscal year;
- 18
- 19 (7) Make such other reports as the council may require concerning operations;
- 20
- 21 (8) Keep the council fully advised as to the financial condition and future needs of the town;
- 22
- 23 (9) Make recommendations to the council concerning the affairs of the town and facilitate the
- 24 work of the council in developing policy;
- 25
- 26 (10) Provide staff support services for the mayor and council members;
- 27
- 28 (11) Assist the council to develop long term goals for the town and strategies to implement
- 29 these goals;
- 30
- 31 (12) Encourage and provide staff support for regional and intergovernmental cooperation;

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(13) Promote partnerships among council, staff, and citizens in developing public policy and building a sense of community; and

(14) Perform such other duties as are specified in this charter or may be required by the council.

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1 **Article 4**

2 **DEPARTMENTS, OFFICES AND AGENCIES**

3
4 **Section 4.01. General Provisions.**

5 **(a) Creation of Departments.** The council may establish town departments, offices, or agencies
6 in addition to those created by this charter and may prescribe the functions of all departments,
7 offices, and agencies. No department, office, or agency created by this charter may be
8 discontinued except by referendum.

9
10 **(b) Direction by Town Manager.** Except as otherwise provided in this charter, all departments,
11 offices, and agencies under the direction and supervision of the town manager shall be
12 administered by an officer appointed by and subject to the direction and supervision of the town
13 manager. With the consent of the council, the town manager may serve as the head of one or
14 more such departments, offices, or agencies or may appoint one person as the head of two or
15 more of them.

16
17 **Section 4.02. Personnel System.**

18 **(a) Merit Principle.** All appointments and promotions of town officers and employees shall be
19 made solely on the basis of merit and fitness demonstrated by a valid and reliable examination or
20 other evidence of competence.

21
22 **(b) Merit System.** The council shall, in a manner consistent with all applicable federal and state
23 laws, provide for the establishment, regulation, and maintenance of a merit system governing
24 personnel policies necessary to effective administration of the employees of the town's
25 departments, offices and agencies, including but not limited to classification and pay plans,
26 examinations, force reduction, removals, working conditions, provisional and exempt
27 appointments, in-service training, grievances and relationships with employee organizations.

28
29 **Section 4.03. Town Attorney.**

30 **(a) Appointment.** There shall be a town attorney who shall be appointed by and work at the will
31 and pleasure of the council.

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(b) Role. The town attorney shall serve as chief legal adviser to the council, the mayor, town manager and all town departments, offices and agencies, shall represent the town in all legal proceedings and shall perform any other duties prescribed by state law, by this charter or by ordinance.

Section 4.04. Police Department.

(a) Creation. There shall be a Police Department operated and overseen by the council, which shall not be abolished or replaced by an outside agency except by a referendum to amend this Charter put forward in the manner prescribed by Article 8 of this Charter and Florida law.

(b) Appointment/Role. There shall be a Chief of Police who shall be appointed by and work at the will and pleasure of the council and shall perform any duties prescribed by state law, by this charter or by ordinance.

Section 4.05. Land Use, Development, and Environmental Planning. Consistent with all applicable federal and state laws with respect to land use, development, and environmental planning and controls, the council shall adopt a comprehensive plan that addresses the land use, development and environmental plans for the town, and shall adopt land use regulations consistent with the comprehensive plan to implement the plan. The council, on the advice of the town manager, shall have the discretion to determine whether the land use, development and environmental planning function shall be carried out by an officer, employee or contracted agency. This land use, development and environmental planning function shall operate under and report to the town manager. The town shall seek to act in cooperation with other jurisdictions and organizations in their region to promote integrated approaches to regional issues.

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1 **Article 5 FINANCIAL MANAGEMENT**

2
3 **Section 5.01. Fiscal Year.** The fiscal year of the town shall begin on the first day of October and
4 end on the last day of September.

5
6 **Section 5.02. Submission of Budget and Budget Message.** On or before the second Tuesday of
7 September of each year, the town manager shall submit to the council a budget for the ensuing
8 fiscal year and an accompanying message.

9
10 **Section 5.03. Budget Message.** The town manager's message shall explain the budget both in
11 fiscal terms and in terms of the work programs, linking those programs to organizational goals
12 and community priorities. It shall outline the proposed financial policies of the town for the
13 ensuing fiscal year and the impact of those policies on future years. It shall describe the
14 important features of the budget, indicate any major changes from the current year in financial
15 policies, expenditures, and revenues together with the reasons for such changes, summarize the
16 town's debt position, including factors affecting the ability to raise resources through debt issues,
17 and include such other material as the manager deems necessary.

18
19 **Section 5.04. Budget.** The budget shall provide a complete financial plan of all town funds and
20 activities for the ensuing fiscal year and, except as required by law or this charter, shall be in
21 such form as the town manager deems desirable or the council may require for effective
22 management and an understanding of the relationship between the budget and the town's
23 strategic goals. The budget shall begin with a clear general summary of its contents; shall show
24 in detail all estimated income, indicating the proposed property tax levy, and all proposed
25 expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to
26 show comparative figures for actual and estimated income and expenditures of the fiscal year
27 and actual income and expenditures of the preceding fiscal year. It shall indicate in separate
28 sections:

- 29
30 (1) The proposed goals and expenditures for current operations during the ensuing fiscal
31 year, detailed for each fund by department or by other organization unit, and program,

1 purpose or activity, method of financing such expenditures, and methods to measure
2 outcomes and performance related to the goals;

3
4 (2) Proposed longer-term goals and capital expenditures during the ensuing fiscal year,
5 detailed for each fund by department or by other organization unit when practical, the
6 proposed method of financing each such capital expenditure, and methods to measure
7 outcomes and performance related to the goals; and

8
9 (3) The proposed goals, anticipated income and expense, profit and loss for the ensuing
10 year for each utility or other enterprise fund or internal service fund operated by the town,
11 and methods to measure outcomes and performance related to the goals. For any fund, the
12 total of proposed expenditures shall not exceed the total of estimated income plus carried
13 forward fund balance exclusive of reserves.

14
15 **Section 5.05. Town Council Action on Budget.**

16 (a) Notice and Hearing. The council shall publish the general summary of the budget and a
17 notice stating:

18
19 (1) The times and places where copies of the message and budget are available for
20 inspection by the public, and

21
22 (2) The time and place for public hearing(s) on the budget as set by statute.

23
24 (b) **Amendment Before Adoption.** After the public hearing, the council may adopt the budget
25 with or without amendment. In amending the budget, it may add or increase programs or
26 amounts and may delete or decrease any programs or amounts, except expenditures required by
27 law or for debt service or for an estimated cash deficit, provided that no amendment to the
28 budget shall increase the authorized expenditures to an amount greater than total estimated
29 revenue.

30
31 (c) **Adoption.** The council shall adopt the budget on or before the 30th day of September of the

1 fiscal year currently ending.

2

3 **(d) “Publish” defined.** As used in this article, the term "publish" means to make available for
4 viewing in Town Hall, to post to the town website and to print or post in any other manner
5 required by law.

6

7 **Section 5.06. Appropriation and Revenue Ordinances.** To implement the adopted budget, the
8 council shall adopt, prior to the beginning of the fiscal year, an ordinance or resolution, in the
9 manner prescribed by state law:

10

11 **(a)** establishing and authorizing the annual millage rate, tax levy or levies and setting the tax rate
12 or rates;

13

14 **(b)** making appropriations by department, fund, service, strategy or other organizational unit and
15 authorizing an allocation for each program or activity; and

16

17 **(c)** if relevant to the budget under consideration, authorizing new revenues or amending the rates
18 or other features of existing taxes or other revenue sources.

19

20 **Section 5.07. Amendments after Adoption.**

21 **(a) Supplemental Appropriations.** If during the fiscal year the town manager certifies that there
22 are excess revenues available for appropriation, the council by ordinance may make
23 supplemental appropriations for the year up to the amount of such excess.

24

25 **(b) Emergency Appropriations.** To address a public emergency affecting life, health, property
26 or the public peace, the council may make emergency appropriations. Such appropriations may
27 be made by emergency ordinance in accordance with the provisions of section 2.14. To the
28 extent that there are no available unappropriated revenues or a sufficient fund balance to meet
29 such appropriations, the council may by such emergency ordinance authorize the issuance of
30 emergency notes, which may be renewed from time to time, but the emergency notes and
31 renewals of any fiscal year shall be paid or refinanced as long term debt not later than the last

1 day of the fiscal year next succeeding that in which the emergency appropriation was made.

2
3 **(c) Reduction of Appropriations.** If at any time during the fiscal year it appears probable to the
4 town manager that the revenues or fund balances available will be insufficient to finance the
5 expenditures for which appropriations have been authorized, the town manager shall report to the
6 council without delay, indicating the estimated amount of the deficit, any remedial action taken
7 by the town manager and recommendations as to any other steps to be taken. The council shall
8 then take such further action as it deems necessary to prevent or reduce any deficit and for that
9 purpose it may by ordinance reduce or eliminate one or more appropriations.

10
11 **(d) Transfer of Appropriations.** At any time during or before the fiscal year, the council may
12 by resolution transfer part or all of the unencumbered appropriation balance from one
13 department, fund, service, strategy or organizational unit to the appropriation for other
14 departments or organizational units or a new appropriation, to the extent permitted by law. The
15 town manager may transfer funds among programs within a department, fund, service, strategy
16 or organizational unit and shall report such transfers to the council in writing in a timely manner.

17
18 **(e) Limitation; Effective Date.** No appropriation for debt service may be reduced or transferred,
19 except to the extent that the debt is refinanced and less debt service is required, and no
20 appropriation may be reduced below any amount required by law to be appropriated or by more
21 than the amount of the unencumbered balance thereof. The supplemental and emergency
22 appropriations and reduction or transfer of appropriations authorized by this section may be
23 made effective immediately upon adoption.

24
25 **Section 5.08. Administration and Fiduciary Oversight of the Budget.** The council shall
26 provide by resolution the procedures for administration and fiduciary oversight of the budget.

27
28 **Section 5.09. Capital Program.**

29 **(a) Submission to Town Council.** The town manager shall prepare and submit to the council a
30 multi-year capital program no later than three months before the final date for submission of the
31 budget.

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(b) Contents. The capital program shall include:

- (1) A clear general summary of its contents;
- (2) Identification of the long-term goals of the community as expressed through the council;
- (3) A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
- (4) Cost estimates and recommended time schedules for each improvement or other capital expenditure;
- (5) Method of financing upon which each capital expenditure is to be reliant;
- (6) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired;
- (7) A commentary on how the plan addresses the sustainability of the community and the region of which it is a part; and
- (8) Methods to measure outcomes and performance of the capital plan related to the long-term goals of the community.

The time frame for the above shall cover no less than three years and no more than five years and shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Section 5.10. Town Council Action on Capital Program.

(a) Notice and Hearing. The council shall publish the general summary of the capital program

1 and a notice stating:

2

3 (1) The times and places where copies of the capital program are available for inspection
4 by the public, and

5

6 (2) The time and place, not less than two weeks after such publication, for a public
7 hearing(s) on the capital program.

8

9 **(b) Adoption.** The council by resolution shall adopt the capital program with or without
10 amendment after the public hearing and on or before the 30th day of September of the current
11 fiscal year.

12

13 **Section 5.11 Independent Audit.**

14 **(a)** The council shall provide for an independent annual audit of all town accounts and may
15 provide for more frequent audits as it deems necessary. An independent certified public
16 accountant or firm of such accountants shall make such audits. Such audits should be performed
17 in accordance with Generally Accepted Auditing Standards (GAAS) and Generally Accepted
18 Government Auditing Standards (GAGAS).

19

20 **(b)** The Council shall designate no fewer than three of its members to serve as an Audit
21 Committee. This Committee shall:

22

23 (1) Lead the process of selecting an independent auditor;

24

25 (2) Direct the work of the independent auditor as to the scope of the annual audit and any
26 matters of concern with respect to internal controls; and

27

28 (3) Receive the report of the internal auditor and present that report to the council with any
29 recommendations from the Committee.

30

31 **(c)** The council shall, using competitive bidding, designate such accountant or firm annually, or

1 for a period not exceeding five years, but the designation for any particular fiscal year shall be
2 made no later than 30 days after the beginning of such fiscal year. The standard for independence
3 is that the auditor must be capable of exercising objective and impartial judgment on all issues
4 encompassed within the audit engagement. No accountant or firm may provide any other
5 services to the town during the time it is retained to provide independent audits to the town. The
6 council may waive this requirement by a majority vote at a public hearing. If the state makes
7 such an audit, the council may accept it as satisfying the requirements of this section.

8

9 **Section 5.12. Public Records.** Copies of the budget, capital program, independent audits, and
10 appropriation and revenue ordinances shall be public records.

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1 **Article 6**
2 **ELECTIONS**

3
4 **Section 6.01. Town Elections**

5 **(a) Regular Elections.** The regular town election shall be held on the first Tuesday after the first
6 Monday in March of each year during the hours established by state law; unless it is necessary to
7 adjust the date due to a conflict with a presidential preference primary in order to coincide with
8 the presidential preference primary date, or the election cannot be held due to a force majeure
9 event, in which case the election may be held as soon as practicable after the regular election day
10 in accordance with state law.

11
12 **(b) Registered Voter Defined.** All citizens legally registered under the constitution and laws of
13 the state of Florida to vote in the town shall be registered voters of the town within the meaning
14 of this charter.

15
16 **(c) Conduct of Elections.** The provisions of the general election laws of the state of Florida shall
17 apply to elections held under this charter. All elections provided for by the charter shall be
18 conducted by the election authorities established by law. Candidates shall run for office without
19 party designation. The council shall adopt ordinances consistent with law and this charter for the
20 conduct of town elections, for the prevention of fraud in such elections and for the recount of
21 ballots in cases of doubt or fraud, , and the election authorities may adopt further regulations
22 consistent with law and this charter and the ordinances of the council. Such ordinances and
23 regulations pertaining to elections shall be publicized in the same manner as all other town
24 ordinances.

25
26 **(d) Canvassing board.** The town shall convene a canvassing board to certify the result of the
27 election as set forth in general law, which shall be comprised of three board members and one
28 alternate. The council shall establish the members of the canvassing board by resolution or
29 ordinance, but in all regular or special elections, the council members, other than those whose
30 names appear on the election ballot, shall serve on the canvassing board unless they have been
31 expressly excused from serving by a vote of the council expressed in the resolution or ordinance

1 establishing the canvassing board or it is necessary to assign the duties of the canvassing board
2 established by the Putnam County Board of County Commissioners to canvass a presidential
3 preference primary.

4
5 **(e) Beginning of term.** The terms of council members shall begin 3 days after the election is
6 certified by the canvassing board.

7
8 **Section 6.02. Methods of Electing Council Members.** For the first regular election following
9 the adoption of this charter the election shall be held to select two members to succeed those
10 members whose terms on the council are expiring under the established election schedule in
11 place immediately prior to adoption of this charter. The two candidates receiving the highest
12 number of votes shall serve for a two-year term. In the year following the first election held after
13 the adoption of this charter, an election shall be held to elect members to succeed those members
14 who were not subject to the election in the prior year; and the two candidates receiving the
15 highest number of votes shall serve for a two-year term. The mayoral election shall be held in
16 accordance with section 2.03(b) of this charter. Each and every year thereafter an election shall
17 be held to elect members to succeed those whose terms expire that year.

18
19 **6.03 . Determination of person elected.** The persons receiving the highest number of votes cast
20 in a general or special election to elect council members to fill the seats up for election shall be
21 elected to the office. The single person receiving the highest number of votes cast in a general
22 election or special election of the mayor shall be elected to the office. In case two or more
23 persons receive an equal and highest number of votes for the same office, such persons shall
24 draw lots to determine who shall be elected to the office.

25
26 **Section 6.04. Recall, Referendum and Citizen Initiatives.** The powers of recall, citizen
27 initiatives and referendums shall be reserved to the council and the electors of the town
28 consistent with the provisions of state law; and to ensure and maintain the uniquely local nature
29 of such actions, only the electors of the town, members of the council, officers and employees of
30 the town acting in their official capacity, or state and local election officials may carry out the
31 official obligations and responsibilities of the recall, referendum or initiative proceedings.

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Section 6.05. Matters Initiated by Petition. For matters that may be presented to the town’s electorate for a vote at an election by a petition, except where preempted by state law, the following shall govern.

(a) Commencement of Proceeding; Petitioners' Committee; Affidavit. It shall require five registered voters to commence a referendum initiative, recall or charter amendment, which shall be done by filing with the local elections official an affidavit executed by all five voters that will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the committee member who shall act as chair of the committee to which all notices to the committee are to be sent and setting out in full the proposed initiative or charter amendment, or in the case of a recall, stating the name and title of the elected officer sought to be recalled accompanied by a statement, not to exceed 200 words, of the reasons for the recall..

(b) Petitions - Generally.

(1) Number of Signatures. Unless otherwise mandated by state law or this charter, matters initiated by petition pursuant this Article must be signed by at least 100 electors or 10 percent of the total number of registered electors of the town as of the preceding regular town election, whichever is greater.

(2) Form and Content. All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Initiatives and charter amendment petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance or charter amendment proposed. Recall petitions shall contain the name and title of the official sought to be recalled, the statement of grounds for the recall, and the response of the official sought to be recalled, if any. If no response was filed, the petition shall so state.

(3) Affidavit of Circulator. Each paper of a petition shall have attached to it when filed an affidavit executed by the person circulating it stating that he or she personally

1 circulated the paper, the number of signatures thereon, that all the signatures were affixed
2 in his or her presence, that he or she believes them to be the genuine signatures of the
3 persons whose names they purport to be and that each signer had an opportunity before
4 signing to read the full text of the ordinance proposed or sought to be reconsidered.

5
6 **(4) Time for Filing.** Unless a different time is prescribed by state law, all the signed
7 petition forms must be filed no later than 30 days after the date on which the first
8 signature is obtained on the petition. .

9
10 **(c) Procedure after Filing -Certificate of Elections Official.** Unless otherwise mandated by
11 state law, within 30 days after the petition is filed, the clerk shall complete a technical
12 sufficiency review, with the advice and consent of the town attorney, and if there are technical
13 insufficiencies, shall issue a notice of insufficiency specifying the particular deficiencies and
14 send a copy to the petitioner’s committee by registered mail or verified email address for
15 purposes of notice. Such a technical review shall not determine the legal sufficiency of what is
16 proposed by the petition and is only intended to make certain the submitted petition(s) is
17 properly verified and meets the technical submittal requirements of this charter. Upon
18 completion of this review, the clerk shall submit such petitions to the local elections official to
19 verify the signatures in accordance with state law. The local elections official shall be paid by the
20 persons or committee seeking verification in accordance with state law.

21
22 If the local elections official determines that the requisite number of valid signatures has
23 not been obtained, this determination shall be submitted in writing to the clerk who shall
24 certify this determination to the council, and the proceedings shall be terminated, and the
25 petitions shall be kept as part of the public record but shall not be used again. If the local
26 elections official determines that the requisite number of qualified electors signed the
27 petition, this determination shall be submitted in writing to the clerk indicating the
28 percentage of qualified electors who signed and the clerk shall immediately upon receipt
29 of such written determination certify and deliver same to the governing body; and in the
30 case of a petition for recall, immediately serve notice of that determination upon the
31 person sought to be recalled. The officer that is the subject of the recall shall have the

1 option to submit a written response as provided by state law which shall be included with
2 the petition to be circulated for the signatures necessary to place it on the ballot, and in
3 the absence of direction from state law, said statement shall be submitted within 5
4 business days and shall not be more than 200 words. ,
5

6 **(d) Council Action on Petitions.**

7 **(1) Action by Council – Initiative Ordinance.** When an initiative petition has been
8 determined sufficient, the council shall promptly consider the proposed initiative in the
9 manner provided in Article 2. If the council fails to adopt a proposed initiative ordinance
10 without any change in substance within sixty days or fails to repeal the referred ordinance
11 within thirty days after the date the petition was finally determined sufficient, it shall
12 submit the proposed or referred ordinance to the voters of the town.
13

14 **(2) Action by Council – Recall.** The town shall hold a recall election in accordance with
15 state law, and in the absence of direction from state law as to the timing of the recall
16 election, it shall be held no less than 60 and no more than 120 days of the date the recall
17 petition was determined sufficient.
18

19 **(3) Action by Council – Charter Amendments.** When a petition to amend the charter
20 has been determined sufficient, the charter amendment process outlined in Florida
21 statutes and in Article 8 hereof shall ensue.
22

23 **(e) Submission to Voters.** The vote of the town on a proposed or referred ordinance shall be
24 held not less than 60 days and not later than one year from the date of the final council vote
25 thereon. If no regular town election is to be held within the period prescribed in this subsection,
26 the council shall provide for a special election; otherwise, the vote shall be held at the same time
27 as such regular election, except that the council may in its discretion provide for a special
28 election at an earlier date within the prescribed period. Copies of the proposed or referred
29 ordinance shall be made available at the polls.
30

31 **(f) Withdrawal of Petitions.** An initiative, referendum, or recall petition may be withdrawn at

1 any time prior to the fifteenth day preceding the day scheduled for a vote of the town by filing
2 with the town clerk, with a copy to the local elections official, a verified request for withdrawal
3 signed by at least two-thirds of the petitioners' committee. Upon the filing of such request the
4 petition shall have no further force or effect and all proceedings thereon shall be terminated.

5
6 **(g) Results of Elections.**

7 **(1) Initiative.** If a majority of the registered voters voting on a proposed initiative
8 ordinance vote in its favor, it shall be considered adopted upon certification of the
9 election results and shall be treated in all respects in the same manner as ordinances of
10 the same kind adopted by the council. If conflicting ordinances are approved at the same
11 election, the one receiving the greatest number of affirmative votes shall prevail to the
12 extent of such conflict. If there is an equal number of votes approving conflicting
13 ordinances at the same election, both shall be considered to have failed for lack of a
14 majority.

15
16 **(2) Referendum.** If a majority of the registered voters voting on a referred ordinance
17 vote against it, it shall be considered repealed upon certification of the election results. If
18 there are an equal number of votes for and against the ordinance, it shall be considered to
19 have failed for lack of a majority.

20
21 **(3) Recall.** Ballots used at recall elections shall read in the form required by state law and
22 in the absence of direction from state law as to the ballot form, it shall read in the form of
23 the following question: "Shall [name of recall official] be recalled (removed) from the
24 office of _____ by recall?"; which shall be followed by the following two
25 propositions:

26 " (name of person) should be removed from office."

27
28 " (name of person) should not be removed from office."

29
30 If a majority of the registered voters voting on a proposed recall vote in its favor, the
31 official is removed and the winning candidate for successor, if any, shall be elected as a

1 replacement for the duration of the unexpired term. Otherwise, the vacancy shall be filled
2 in accordance with § 2.06 (c).

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1 **Article 7**

2 **GENERAL PROVISIONS**

3 **INTRODUCTION**

4
5 **Section 7.01. Conflicts of Interest; Code of Conduct and Ethics; Investigation.**

6 (a) Conflicts of Interest. The use of public office for private gain is prohibited. To the extent
7 certain conduct that violates this prohibition is not already governed by law, the council may
8 implement this prohibition by ordinance, the terms of which shall include, but not be limited to:
9 acting in an official capacity on matters in which the official has a private financial interest
10 clearly separate from that of the general public; the acceptance of gifts and other things of value;
11 and acting in a private capacity on matters dealt with as a public official

12
13 (b) **Code of Conduct and Ethics.** The council shall, by ordinance, establish a code of conduct to
14 include ethics for elected and appointed officials, appointed board members and town employees
15 which shall, at a minimum, address the following: discriminatory conduct, fraud, bribery,
16 maintenance of the non-party affiliation of the town elections, and the conduct of appointed
17 officials and employees with regard to local elections.

18
19 (c) **Power to Investigate.** Subject to state law, the council may issue opinions, conduct
20 investigations on its own initiative and on referral or complaint from officials or citizens,
21 subpoena witnesses and documents, refer cases for prosecution, impose administrative action,
22 and hire independent counsel.

23
24 **Section 7.02. Campaign Finance.** In order to protect the ability of town residents to be informed
25 and combat the potential for, and appearance of, corruption, and to preserve the ability of all
26 qualified citizens to run for public office, the council may, to the extent permitted by state and
27 federal law, adopt local campaign finance laws that govern disclosure and reporting of campaign
28 contributions as well as limit campaign contributions and expenditures in connection with local
29 elections.

1 **Article 8**

2 **CHARTER AMENDMENT**

3
4 **Section 8.01. Proposal of Amendment.** This charter may be amended in a manner consistent
5 with state law by an ordinance properly read and adopted by no less than a majority of the
6 council then in office, or by registered electors of the town in the last preceding municipal
7 general election. Where such an amendment is proposed by the registered electors, it shall be by
8 petition containing the full text of the proposed amendment signed by registered voters of the
9 town equal in number to at least 10 percent of the total number of those registered to vote at the
10 last regular town election. The clerk with the advice and consent of the town attorney shall
11 review the petition proposing an amendment to this charter for technical sufficiency and submit
12 to the local election authority responsible for the local electorate role who shall verify the
13 signatures in the manner prescribed by law.

14
15 **Section 8.02. Election.** Upon delivery by the town clerk of an adopted ordinance or a petition
16 determined technically sufficient proposing a charter amendment pursuant to section 8.01, the
17 local election authority shall submit the proposed charter amendment to the voters of the town at
18 the next scheduled general election, or special election called for such purpose. Such election
19 shall be announced by a notice containing the complete text of the proposed amendment and
20 published in accordance with state law, but no later than thirty days prior to the date of the
21 election. The election shall be held not less than 60 and not more than 120 days after the
22 adoption of the ordinance or the final determination by the local election authority that there is a
23 sufficient number of valid signatures on the petition proposing the amendment. If no regular
24 election is to be held within that period, the council shall provide for a special election on the
25 proposed amendment.

26
27 **Section 8.03. Adoption of Amendment.** If a majority of those voting upon a proposed charter
28 amendment vote in favor of it, the amendment shall become effective at the time fixed in the
29 amendment or, if no time is therein fixed, 30 days after its adoption by the voters.

1 **Article 9**

2 **TRANSITION AND SEVERABILITY**

3
4 **Section 9.01. Officers and Employees.**

5 **(a) Rights and Privileges Preserved.** Nothing in this charter except as otherwise specifically
6 provided shall affect or impair the rights or privileges of persons who are town officers or
7 employees at the time of its adoption.

8
9 **(b) Continuance of Office or Employment.** Except as specifically provided by this charter, if at
10 the time this charter takes full effect, a town administrative officer or employee who holds any
11 office or position which is or can be abolished by or under this charter, he or she shall continue
12 in such office or position until the taking effect of some specific provision under this charter
13 directing that he or she vacate the office or position.

14
15 **(c) Personnel System.** An employee holding a town position at the time this charter takes full
16 effect, who was serving in that same or a comparable position at the time of its adoption, shall
17 not be subject to competitive tests as a condition of continuance in the same position but in all
18 other respects shall be subject to the personnel system provided for in section 4.02 and
19 established personnel policies consistent therewith.

20
21 **Section 9.02. Departments, Offices, and Agencies.**

22 **(a) Transfer of Powers.** If a town department, office or agency is abolished by this charter, the
23 powers and duties given it by law shall be transferred to the town department, office or agency
24 designated in this charter or, if the charter makes no provision, designated by the council.

25
26 **(b) Property and Records.** All property, records and equipment of any department, office or
27 agency existing when this charter is adopted shall be transferred to the department, office or
28 agency assuming its powers and duties. In the event that the powers or duties are to be
29 discontinued or divided between units or in the event that any conflict arises regarding a transfer,
30 such property, records or equipment shall be transferred to one or more departments, offices or
31 agencies designated by the council in accordance with this charter.

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Section 9.03. Pending Matters. All rights, claims, actions, orders, contracts, and legal administrative proceedings shall continue except as modified pursuant to the provisions of this charter and in each case shall be maintained, carried on or dealt with by the town department, office or agency appropriate under this charter.

Section 9.04. State and Municipal Laws. All town ordinances, resolutions, orders and regulations which are in force when this charter becomes fully effective are repealed to the extent that they are inconsistent or interfere with the effective operation of this charter. To the extent that the constitution and laws of the state of Florida permit, all laws relating to or affecting this town or its agencies, officers or employees which are in force when this charter becomes fully effective are superseded to the extent that they are inconsistent or interfere with the effective operation of this charter.

Section 9.05. Schedule.

(a) Adoption. Within 45 days after adoption of the Charter, the council shall meet for the purpose of adopting ordinances and resolutions necessary to affect the transition of government under this charter and to maintain effective town government during that transition, if any such ordinances or resolutions are needed; at which time the charter shall be in full effect.

(b) Temporary Ordinances. In adopting ordinances as provided in section 9.05(a), the council shall follow the procedures prescribed in section 2.12, except that at its first meeting or any meeting held within sixty days thereafter, the council may adopt temporary ordinances to deal with cases in which there is an urgent need for prompt action in connection with the transition of government and in which the delay incident to the appropriate ordinance procedure would probably cause serious hardship or impairment of effective town government. Every temporary ordinance shall be plainly labeled as such but shall be introduced in the form and manner generally prescribed for ordinances). A temporary ordinance may be considered and may be adopted with or without amendment or rejected at the meeting at which it is introduced. After adoption of a temporary ordinance, the council shall cause it to be printed and published as prescribed for other adopted ordinances. A temporary ordinance shall become effective upon

1 adoption or at such later time preceding automatic repeal under this subsection as it may specify,
2 and the referendum power shall not extend to any such ordinance. Every temporary ordinance,
3 including any amendments made thereto after adoption, shall automatically stand repealed as of
4 the ninety-first day following the date on which it was adopted, renewed, or otherwise continued
5 except by adoption in the manner prescribed in section 2.12 for ordinances of the kind
6 concerned.

7

8 **Section 9.06. Severability.**

9 If any article, section, subsection, sentence, clause, or provision of this charter is held to be
10 invalid for any reason, such holding shall not be construed to affect the remainder of this charter
11 or any ordinances made thereunder. If the application of the charter or any of its provisions to
12 any person or circumstance is held invalid, the application of the charter and its provisions to
13 other persons or circumstances shall not be affected.

TOWN CHARTER

**Town of Welaka
Welaka, Florida**

**This copy of the Town Charter, Effective June 16, 1947, is the Property of
the Town.**

CHAPTER 24975 NO. 1361

(HOUSE BILL NO. 1032)

AN ACT to Abolish the present Municipal Government of the Town of Welaka in Putnam County, in the State of Florida, and to Create, Establish, and Organize a Municipality in the County of Putnam, in the State of Florida, to be Known and designated as the Town of Welaka and to define its Territorial Boundaries and to provide for its Government, Jurisdiction, Powers, Franchises, and Privileges.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

ABOLISHMENT OF PRESENT MUNICIPALITY

Section 1. That the present municipality and municipal government existing under the name of the Town of Welaka be, and the same is hereby abolished.

Section 2. That the title, rights and ownership of property, uncollected taxes, dues, claims, judgments, decrees, liens, suits, actions and choses in action, held or owned by the existing municipality, shall pass to and the same hereby are vested in the municipal corporation organized under this law to succeed the municipality abolished.

Section 3. That no debt or contract of the present municipality shall be impaired or avoided by this Act, and such debts and obligations shall pass to and be binding upon the new municipality hereby created.

Section 4. That all officers heretofore elected or appointed and holding office under said municipality shall continue in office, in the performance of their duties, until provisions have been otherwise made in accordance with this Act for the performance or

discontinuance of any of the duties of any such officers or until their successors are elected and qualified under the provisions of this Act; and all existing ordinances of said municipality not in conflict with the provisions of this Act shall continue in effect and unimpaired until repealed, amended or modified by the new municipality which is hereby created.

ESTABLISHMENT OF NEW MUNICIPALITY

Section 5. The inhabitants comprehended within the territorial limits hereinafter described shall be and continue to be the body politic, and body corporate to be known under and by the name of the Town of Welaka and as such shall have perpetual succession and shall have and use a common seal and change the same at its pleasure.

Section 6. The corporate limits of the Town of Welaka as herein established shall constitute all of that territory in Putnam County, Florida, embraced within the following boundaries and is hereby fixed, defined, and established to include the same, to-wit:

Beginning at the point of intersection of the South boundary of Section 33, Township 11 South, Range 26 East, with the East bank of the St. Johns River and running thence East and along the South boundary of Sections 33 and 34, Township 11, South, Range 26 East, to the Southeast corner of the Southeast quarter of said Section 34, and thence South along the East boundary of Section 33, Township 12, South, Range 26 East to the North boundary of the Triay Grant and from thence West along said North boundary of said Triay Grant to the margin of the St. Johns River and thence northerly along the margin of said river to the place of beginning.

And the jurisdiction and power of the Town of Welaka is extended over all streets, alleys, sewers, parks, and all lands within said area whether platted or unplatted, and to and over all waters, waterways, streams, bays, bayous, submerged land,

water bottoms and wharfs, and to and over all persons, firms, corporations, property and property rights, occupations, business, and professions whatsoever within said boundaries.

The title to and jurisdiction over all streets, thoroughfares, parks, alleys, public lots, and sewers within the town and all public and municipal plants of the town now owned, possessed, or operated by it and all property of every kind and character which the town may hereafter acquire within or outside the town, or, which may vest in it or be dedicated to it for its use or public use shall be vested in the Town of Welaka as created under this act. The title to all tide waters and other lands and all creeks and all waters, waterways, and water bottoms and all riparian rights within and adjacent to the town limits now owned by the State of Florida shall be vested in the Town of Welaka for municipal purposes only.

The State of Florida does hereby surrender and grant to said town any claim or control which it might have over all tide waters and other lands and all waterways and water bottoms and all riparian rights within and adjacent to said town limits for municipal purposes only.

Section 7. The Town of Welaka hereby created, established and organized shall have full power and authority to acquire, take, hold, control, and dispose of property, real, personal, and mixed both within and without its corporate limits, and for the use, benefit, welfare and best interest of said municipality, by purchase, lease, grant, gift, devise, condemnation or otherwise; to issue and sell bonds upon its property both within and without its corporate limits, or on the earnings thereon, or both, and any lawful municipal property; to adopt and enforce local police, housing, zoning, sanitary, and other similar regulations, not in conflict with the laws of the State of Florida; to do whatever is necessary and proper for the safety, health, convenience, and general welfare of its inhabitants, and to exercise all power of

local self government; to borrow money in anticipation of taxes to be derived from current assessments for general revenue, in amount not to exceed 50% thereof.

The Town of Welaka in addition to the general powers set forth in this act shall be and is hereby granted the following special powers.

a. To own, operate, and maintain all manner of recreational facilities including piers, swimming pools, bath houses, dance and concert halls, golf courses, tennis and bowling courts, football, basketball, and baseball fields, parks and grounds to lease from others or to others but in no case longer than a term of five years such facilities as heretofore described; to regulate and at all times control any charges demanded or paid by or collected from the public in patronizing, enjoying or in using any of the privileges afforded by or tendered through any such facilities. The Legislature in making this grant of power finds and determines that the municipality herein created comprises a community and area frequented as a tourist and recreational resort; that as a municipality of said class and character a just consideration for its needs, progress and public welfare require that the rights, privileges, and franchises embraced in this grant of power should be conferred upon and exercised by it and that the same are municipal in character.

b. To acquire, to take, hold, control, and dispose of real property within and without its corporate limits by purchase, lease, grant, and condemnation or eminent domain proceedings for the use by said town as public parks, memorials and for sites for public and departmental buildings, for preparatory schools, universities and any of the institutions of the State of Florida.

c. To levy annually a special tax to create a publicity and advertising fund for said town included in the maximum amount of millage hereinafter prescribed.

d. To regulate or prohibit the keeping within the corporate

limits of the town and to regulate or prohibit the running at large within the corporate limits of poultry, horses, mules, cattles, swine, sheep, goats, dogs, and other animals and to impound the same. The town shall have power and authority to provide for and authorize the sale of such animals or poultry impounded or any portion thereof upon public notice for the penalties imposed by any ordinance and the cost and fees and expenses of such proceedings.

e. To regulate the location and use of buildings, structures and land for trade, industry, residence and other purposes and to establish building lines; and to promulgate and enforce reasonable building restrictions.

f. To establish, impose, and enforce water rates and rates for charges for gas, electricity, and other public utilities or other services or by any other person, persons, firm, or corporation and to enact ordinances for the correction of abuse and to correct unjust discrimination and exercise charges by persons and corporations engaging in the sale of water, gas, electricity, and all other public utilities service.

g. To purchase, hire, construct, own, maintain, operate, or lease, local public utilities including electric lights, telephone, telegraph, and works for supplying the town and inhabitants with water, ice, gas, and illuminating and heating benefits and electrical energy for illuminating, heating, and power purposes.

h. That the heretofore enumeration of particular powers by this act shall not be deemed or held to be exclusive, but in addition to the powers hereby expressly granted, and those implied therefrom, or appropriate to the exercise thereof the said town shall have and may exercise all other powers, which under the constitution and laws of Florida, it would be competent and appropriate for this section to specifically enumerate.

TOWN COUNCIL

Section 8. The governing body of the town shall consist of a Town Council of five members who shall serve without pay and who shall be elected at large in a manner hereinafter provided and shall have powers as hereinafter provided, to pass ordinances, adopt regulations, and to exercise all other powers herein provided.

Section 9. The councilmen shall be qualified electors and freeholders, of said town who shall hold office for two years beginning on the 3rd day after their election as provided for under this act; provided that at the first election held under this act the two candidates for councilman receiving the highest number of votes shall serve for two years and the year thereafter the three candidates receiving the highest number of votes shall serve for two years; and each and every year thereafter an election shall be held to elect councilmen to succeed those whose terms expire that year.

Section 10. All powers of the town except such as are vested in the jurisdiction of the municipal court and except as are otherwise provided by this charter, or by constitution of the State of Florida are hereby vested in the town council; and, except as otherwise provided by this act or by the constitution of the State. The Town Council may by ordinance or resolution prescribe the manner in which any power of the town shall be exercised.

Section 11. The members of the Town Council shall be residents of the town and have the qualifications of electors and freeholders therein. Officers and employees of the town may hold more than one office but shall not be interested in the profit of

any contract, and any such contract in which any member is or may be interested shall be declared void by the Town Council.

Section 12. The Town Council shall be the judge of the election and qualifications of its membership and all officers subject to the review by the courts. Any member of the council who shall be convicted of a crime while in office shall thereby forfeit his office.

Section 13. Any vacancies in the council shall be filled until the next municipal election by the vote of the remaining membership of the council.

Section 14. The Town Council shall, each year after the election as provided for in section nine, organize and proceed to elect one of its members president, who shall preside over the council. The president so elected shall, in case of absence, sickness, or other disability of the mayor, act as mayor for the time being and while so acting shall be disqualified from presiding over the council and in such case the council shall elect a president pro tem., to preside so long as the disability of the mayor may exist.

Section 15. The Town Council shall fix by ordinance the salary or compensation of all officers provided for by this act except as is otherwise provided for in section 8 of this act.

Section 16. All ordinances passed by the Town Council shall be submitted before going into effect, to the mayor or the person acting as such for his approval. If approved he shall sign the same, when it shall become a law. If disapproved, he shall return the same with his objection in writing to the Town Council, at their next regular meeting, who shall cause the same to be entered in full upon the record of their proceedings, and proceed to consider the mayor's objection, and to act upon the

same. If, upon consideration, the town council shall pass the same by a three-fourths vote of the members present, which vote shall be entered upon the records, the ordinance or ordinances shall become a law, the mayor's objection to the contrary notwithstanding. Any ordinance which shall not be returned to the town council at the next regular meeting of the council after its passage, shall become a law in like manner as if signed by the mayor or person acting as such.

Section 17. The Town Council shall give an opportunity for competitive bidding by advertising in a newspaper of general circulation in Putnam County, Florida, any sale of property of the town by the council or purchase to be made by the Town Council, under such conditions as may be provided for by ordinance should the value of such property exceeds the sum of \$500.00 unless otherwise provided for by this act.

Section 18. The mayor shall be a resident of the Town of Welaka and have the qualifications of electors and freeholders therein and shall be elected for the term of one year and shall be elected in the manner and at the time as provided for the election of councilmen in Section 9 of this act.

Section 19. The mayor shall have such administrative or judicial function of mayor and shall be the judge of the Municipal Court of the Town of Welaka, Florida, as hereinafter created, and such further powers and duties as shall be conferred upon him by the Town Council in pursuance with the provisions of this act and the laws of the State of Florida not in conflict herewith.

TOWN ATTORNEY

Section 20. The Town Council may appoint a Town Attorney who shall act as legal adviser to and attorney for and counselor for the municipality and all its officers in matters relating to their official duties, he shall prepare all contracts, bonds and other instruments in writing in which the municipality is concerned. When required to do so by resolution of the Town Council he shall prosecute and defend for and in behalf of the town all complaints, suits, and controversies in which the town is a party. He shall furnish the Town Council or any officer his opinion on any question of law relating to their respective powers and duties.

Section 21. The Town Attorney shall be a lawyer with at least five years experience, admitted to and having authority to practice in all the courts of the State of Florida.

MUNICIPAL JUDGE

Section 22. There shall be and there is hereby established in the Town of Welaka, Florida, a Municipal Court to be known as "Municipal Court of the Town of Welaka, Florida," for the trial of all offenders against the municipal ordinances, such court shall be presided over by the mayor as Municipal Judge.

Section 23. The Municipal Judge shall have power by his warrants to have brought before him any person or persons charged with the violation of the town ordinances and shall have exclusive original jurisdiction over all proceedings of a criminal nature and the violation of any ordinances of the town. In the proper exercise of the functions of the Municipal Court within its jurisdiction as herein defined, the Municipal Judge shall have power and authority to issue and cause to be served any and all writs and processes which are issued and used by Justices of the Peace in the State of Florida, and the Town Marshal is authorized

and it is made his duty to execute and serve any and all writs and processed issued out of said Municipal Court by said Municipal Judge and to make proper returns upon the same to such court and in the same manner as is required of constables and sheriffs in execution of similar papers. The Municipal Judge shall have power and authority to take bail for the appearance of an accused person, to administer oaths, to take affidavits and to inquire into the truth and falsity of all charges preferred; to decide upon the guilt or innocence of the accused as are required and provided for under the ordinances of the town and to have all powers incident and usual to the due enforcement of such town ordinances.

Section 23a. Any person convicted in the Municipal Court of any offense shall have the right of appeal to the Circuit Court, in and for Putnam County, Florida. The same practice and procedure provided by law for appeals from the County Judge's Court of this State, shall govern the practice and procedure and appeals from said Municipal Court.

Section 24. All persons convicted in the Municipal Court shall forthwith pay all fines and costs assessed against them and in any defaults of payments thereof may be committed to prison. The Municipal Court shall have authority to preserve and order and decorum and shall be vested with the same power, to that end, by fines and imprisonment as are possessed and now authorized to be exercised by County Courts within the State. All fines, penalties, and fees collected in the Municipal Court and by the Town Marshal shall be a part of the revenue of the town and shall be paid to the treasurer on the day collected.

Section 25. The Town Marshal shall have authority to take from persons arrested bonds or securities for appearance before the Municipal Court in such sums and under such conditions and

regulations as may be provided by ordinances; and should such person fail to appear the Municipal Court shall declare such bond or security estreated and in such case the Municipal Judge may issue capias for the re-arrest of the accused person.

Section 26. All persons imprisoned after conviction in the Municipal Court may be required to work for said town at such labor as his health and strength may permit within and without the limits of said town not to exceed eight hours per day, and for and not exceeding 60 consecutive days for each offense.

Section 27. There shall be a Town Marshal who shall be appointed by the mayor with the approval of the Town Council and he shall serve during the pleasure of the mayor. Town Marshall shall attend all meetings of the Town Council and aid in the enforcement of order under the direction of the presiding officer. He shall execute the commands of the Town Council and all processes issued, by authority thereof which shall be issued to him by the mayor. He shall attend in person the Municipal Court, during deliberation, executing the commands and processes of said court, aid in the enforcement of order therein and perform such other duties appropriate to his office as may be imposes upon him by law, and the ordinance of the town consistent with this act.

TOWN CLERK

Section 28. There shall be a Town Clerk who shall be appointed by and serve during the pleasure of the Town Council. The Town Clerk shall issue all warrants for the payment of money by the town, shall keep an accurate account of all taxes and assessments; of all money due to, and all receipts and disbursements by the municipality; of all its assets and liabilities and all appropriated matters by the Town Council. He shall submit to the Town Council a comprehensive report covering all receipts and

expenditures, and of the financial condition of the town when ever required to do so by the Town Council. The Clerk shall inquire and keep a list of the outstanding bonds to whom issued and for what purpose, when and where payable and the rate of interest they respectively bear.

Section 29. The Town Clerk shall make or cause to be made estimates of expense of all work to be done by the town, shall countersign all contracts made in behalf of the town, and all certificates of work authorized by the Town Council or any other town official. No contract made in behalf of the town or to which the town is a party shall be valid unless countersigned by the Town Clerk; and the Town Clerk shall keep regular books of account, in which shall be entered all indebtedness of the town and which shall at all times show the financial condition of the town. The Town Clerk shall countersign all bonds, orders, certificates, or other evidences of indebtedness of the town and keep accurate account thereof.

Section 30. No contract, agreement, or other obligation involving the expenditure of money shall be entered into nor shall any ordinance, resolution, or order for the expenditure of money be passed by the Town Council unless the money required for such contract, agreement, obligation, or expenditure is in the treasury to the credit of the fund from which it is drawn and the appropriation is not for any other purpose. For the purpose of this section money to be derived from the lawful authorized bonds sold and in process of delivery shall be deemed in the treasury to the credit of the appropriated fund.

Section 31. All claims and demands against the town before they are allowed by the Town Council shall be examined and adjusted for their correctness and certification by the Town Clerk.

Section 32. The Town Clerk shall use a uniform system of keeping books of account and shall prescribe the form of vouchers and other evidences of receipt of money from the town on or for the establishment of demands against the town. The Town Clerk shall at the end of each fiscal year cause the books of account to be audited and upon the completion of the audit, deliver to each member of the Town Council and the mayor a copy of said audit and retain a copy on file in the office of the Town Clerk for the inspection of any person desiring to do so.

Section 33. Upon death, resignation, removal or expiration of the term of any officer, the Town Clerk shall have his accounts audited and if found indebted to the town, shall at once give notice thereof to the Town Council and proceedings shall be instituted to collect the sum of such indebtedness. Once a year the Town Council may, if it desires, cause the books of accounts of the town to be audited by independent public accountant.

Section 34. The Town Clerk, in his capacity as clerk of the town, shall attend all meetings of the Town Council and shall keep a journal of its proceedings and he shall be custodian of the seal of the town and all papers of general character pertaining to the affairs of said Town.

Section 35. The Town Clerk shall be ex-officio assessor of taxes of the town.

Section 36. In addition to the duties specifically imposed under this Act, the Town Clerk shall perform such other duties as may be required of him by ordinance or resolution of the Town Council, as well as such duties as may be required of Town of Welaka Auditors, Clerks, Tax Assessors by the general laws of the

State of Florida when applicable to municipalities and not inconsistent with this Act or with any ordinance or resolution passed by the Town Council.

TOWN TREASURER

Section 37. The Town Treasurer and Collector of Taxes shall be elected annually, shall have the qualifications, and shall be elected in the same manner as the Mayor. As Town Treasurer, he shall be custodian of all current funds of the town and shall keep and preserve the same in such manner and in such place or places as shall be determined by the Town Council; provided that it shall be his duty to invest or deposit in banks in this State, as savings accounts or otherwise, any and all moneys belonging to the town, and collected and held as sinking funds. In making investments of funds collected, the Town Treasurer may purchase only interest bearing bonds, United States, State, County, School District, or Municipal Bonds or improvement certificates and revenue certificates of the Town of Welaka, but no bond shall be purchased for a higher price than its market value at the time of purchase. In making deposits of sinking funds or investment of funds collected, the town Treasurer, upon approval of the Town Council as The Sinking Fund Commission, shall obtain the highest prevailing rates of interest for such deposits and shall when possible take from institutions as security for such deposits, negotiable interest-bearing United States, State, County, School District, or Municipal Bonds or Security Bonds in an amount not less than the amount of such deposits, provided, that no such deposit shall be made for a longer period than one year.

Section 38. All moneys due as interest upon investments or deposits shall be collected by the Town Treasurer and Collector of Taxes and placed to the credit of the proper fund of the Town, and any and all bonds and securities taken for investments and deposits shall be held by the Town Treasurer and Collector for safe keeping for the benefit of the Town.

Section 39. The Town Treasurer and Collector of taxes shall receive and collect all moneys belonging to the Town, including taxes, license moneys, fines, and income from all other sources and he shall collect all special assessments as provided for under this Act and keep an accurate account thereof.

Section 40. The Town Treasurer and Collector of taxes shall pay out money only on the warrants of the Town Clerk, except bonds and interest-bearing coupons which when due may be paid upon presentation or in case the same are payable in some other place other than the Town of Welaka, then the money for their redemption shall be sent to the place of payment.

Section 41. The accounts of the Town Treasurer and Collector of taxes shall be examined at the end of each month by the Town Clerk, to whom the Town Treasurer shall turn over all warrants, interest coupons, bonds or other evidence of indebtedness which may have been redeemed by him during the month, taking the receipt of the Town Clerk therefore and all such warrants, interest coupons, and bonds or other evidences of indebtedness of the Town so turned over shall be cancelled by the Treasurer and shall have been written or stamped thereon the date of their payment or redemption.

Section 42. At the first meeting of the Town Council in each month, the Town Treasurer and Collector of Taxes shall submit a detail report of the receipts and disbursements.

Section 43. All warrants shall be paid in the order in which they are presented out of moneys in the respective funds on which they are drawn, but no warrant for the payment of money shall be issued on any fund of the Town unless and until there are moneys to the credit of the fund to be drawn on with which to pay said warrant.

Section 44. The Treasurer and Collector of Taxes shall keep a separate account of each fund or appropriation and of the debits and credits pertaining thereto. He shall prepare receipts in duplicate for all moneys paid into the Town Treasury, delivering the original receipt to the person paying the same and retaining the duplicate to be turned over to the Town Clerk at the time of his monthly report heretofore provided in Section 42.

Section 45. All moneys received on account of any special assessment shall be held by the Town Treasurer and Collector of Taxes as a special fund from which payment shall be made only on account of the improvement for which such assessments was made, and such money shall be used for no other purpose whatsoever.

TRUSTEES OF THE SINKING FUND

Section 46. There is hereby created a Sinking Fund Commission of the Town of Welaka. The members of it shall constitute the trustees of the sinking fund of said Town which commission shall be composed of the mayor and all members of the Town Council; that said sinking fund commission shall manage and control the sinking fund created and accumulated for retirement and payment of the principal and interest of all bonds hereafter

issued by said Town; that shall be the duty of said Sinking Fund Commission to invest such sinking funds to the best advantage of said Town provided, however, that said funds shall be invested only as is now provided for by this act and pursuant to a vote of the members of said Sinking Fund Commission.

FINANCES AND TAXATION

Section 47. The fiscal year of the Town shall begin on the first day of November of each year and end on the last day of October of each year.

Section 48. The Town Clerk shall make an annual report covering the fiscal year and shall set forth an estimate of expenditures and revenues of the Town for ensuing year. This estimate shall be compiled from detailed information and in its arrangement, the classification of expenditures shall be as uniform as possible for the main divisions and departments of the Town. The estimate so given shall constitute the recommendation of the clerk as to the amounts necessary to be appropriated for the ensuing year.

Section 49. The Town Council shall carefully consider such estimates before passing the appropriation ordinance for the ensuing year; after such appropriation ordinance has been introduced and before final passage, the Town Clerk shall post the same, as introduced, in three conspicuous places and shall state the time and place the same will be finally acted upon. Such ordinance shall not be passed by the Town Council until after five days after such posting. The Town Council may transfer any part of an unencumbered balance of an appropriation to a purpose or object for which the appropriation of the current year has proved insufficient or may authorize a transfer to be made between items appropriated to the same office or department.

Section 50. At the close of each fiscal year, the unencumbered balance of each appropriation shall revert to the respective fund from which it is appropriated and shall be subject to future appropriations. Any accruing revenue of the Town not appropriated as herein above provided and any balance at any time remaining after the purpose of appropriation shall have been satisfied or abandoned may, from time to time, be appropriated by the Town Council to such use as will not conflict with any users for which such revenue specifically accrued; no money shall be drawn from the treasury of the Town nor shall any obligations for the expenditures of money be incurred except pursuant to the appropriations made by the Town Council.

Section 51. The Town Council shall have the right to raise by taxation on the taxable property within the Town limits of the Town of Welaka and on licenses such amounts as may be necessary to carry on the government of said Town, not to exceed fifteen mills on the dollar of the assessed valuation of such taxable property and in addition thereto shall have the right to levy such additional taxes as may be necessary to pay the interest on and to provide a sinking fund for the ultimate redemption of any outstanding bonds, as may be from time to time, issued in accordance with law, and to pay any lawful judgment which may be secured against the Town and which the Town may be compelled to satisfy. The Town Council shall also have the right to raise by taxation on all taxable property within the town limits of the Town of Welaka in excess of the limitations hereinbefore provided not to exceed one and one-half mills on the dollar, to provide for any anticipated improvements and the funds so raised by such taxation shall be kept in a special fund and shall not be appropriated or used for any other purpose except improvements of a value or cost of not less than five hundred dollars.

Section 52. The percent of taxation herein authorized shall in such case be upon the valuation of the taxable property in said town, as set forth in the Town assessment roll, provided that all taxes shall be uniform upon the same classes of property within the corporate limits of the Town and that all property shall be assessed at its full cash valuation. The term “full cash valuation”, as used herein shall be construed to mean the price at which the property will sell if voluntarily offered for sale by owner, thereof, upon such terms as like property is usually sold and not at a price which might be realized if sold at forced sale.

Section 53. All property within the Town taxable for county purposes shall be assessed and listed for the purpose of general taxation on the Town Tax Assessors Roll in the name of the owner when the name of the owner is known to the assessing officer, but real property, the owner or owners of which are unknown to the assessor, shall be listed as the assessing officer shall, from his best information, believe to be the names of the owner or owners thereof. Each lot and separate tract of land shall be assessed separately, except that at the written request of the owner of lots or tracts of land adjoining each other or when such owner makes return thereof in such manner, such adjoining lots or tracts of land may be assessed together.

Section 54. All property shall be assessed as of the first of January of the fiscal year for which the assessment is made.

Section 55. Upon completing the preliminary assessment roll of the Town Clerk as ex-officio Tax Assessor shall indicate in some convenient manner, the property subject to taxation for each of the purposes for which taxation is authorized. Said assessment roll shall be the assessor and submitted to the Equalizing Board on the first Monday in September of each year.

Section 56. If the Town Clerk, as ex-officio assessor of taxes, in making the assessments shall discover that any land in the Town was omitted in the assessment roll of either or all of the three previous years, or that any land was illegally sold for taxation and is then liable for taxation, he shall assess such lands for the next fiscal year and shall also assess the same separately for each such year or years as may have been omitted or was illegally sold for taxes at the cash value at the time, noting distinctly the year or years when such omission occurred, or the land illegally sold and such assessment shall have the same effect as if made in the year or years when assessments were omitted, or the land illegally sold, and taxes shall be levied and collected thereon in a like manner together with the taxes for year in which the assessment is being made; but no land shall be assessed for more than three years arrears of taxes, and all lands shall be subject to be assessed regardless of any change in ownership during the period of the arrears in taxes.

Section 57. All persons, corporations, or firms owning property, whether real or personal, subject to taxation by the Town of Welaka shall be required to make a return of the same before the first day of April each year to the Town Clerk and ex-officio assessor of taxes of the Town of Welaka and such return shall contain a complete list of all the property taxable by the Town, belonging to such persons, corporations, or firms for which such return is made together with the full cash value thereof, giving separately an intelligent description and the full cash value of each separate lot and parcel of real property; which description and valuation thus returned may be considered by the Assessing Officer in making assessments; but he shall not be bound thereby. The Assessing Officer shall assess the property in the name of the owner if the owner shall be known to him and where the name of the owner is not known to him, he may assess in the name of the supposed or reputed owner or occupant or as

belonging to an unknown owner, and in no case shall the assessment thereof be declared invalid or not lawfully made, or the enforced payment of the taxes thereon be refused by reason of such property being assessed otherwise than in the name of the real owner.

Section 58. Telephone and telegraph companies and transportation companies shall be subject to taxation on all real and personal property owned by them or operated within the limits of the municipality in the same manner and at the same rate of valuation as other property. Franchises and privileges owned by the transportation companies, telephone, and telegraph companies and other corporations, part of which is and part of which is not subject to taxation for the various purposes other than municipal purposes shall be assessed as to the valuation or part of the whole valuation, subject to taxation for each purpose. In assessing transportation, telephone, and telegraph companies, the Town Clerk in his capacity as ex-officio assessor of taxes shall specify what property is assessed as right-a-way by such description that will clearly define the property covered by that assessment and their property other than that so described and assessed shall be separately assessed by sufficient description as is other property, each lot, part of lot, or tract being assessed separately, except that the assessor may at the request of company or its agents assess several pieces together as provided for in Section 57 of this act.

Section 59. The Town of Welaka shall have the right to tax as personal property all buildings or structures owned by private individuals, corporations, or firms that are located on public lands, the use of which for private purposes has been allowed such individuals, corporations, or firms. The collection of all personal tax assessments shall be enforceable at any time more than sixty days after the posting of the notice as hereinafter provided of the opening of the Town Tax Books.

Section 60. The Town Council is authorized to levy and impose license taxes by ordinance for the purpose of regulation and revenue upon all occupations and upon any and all privileges, and to determine and fix the amounts to be paid, which amounts shall not be limited or restricted by the general revenue laws of the State; to provide for the collection of the same and to provide penalties for the failure or refusal to pay such license tax. All such license taxes so imposed, shall continue a legal indebtedness to the Town which may be recovered in any court of competent jurisdiction, and no property of such debtor shall be exempted from forced sale, after due process of law, for such indebtedness. The Town Council may, by ordinance, provide for the licensing of the keeping of dogs and for the destruction of dogs. The owner and keeper thereof who shall not comply with the regulations prescribed by ordinance shall be punished, as provided for in said ordinance.

Section 61. Licenses shall be issued for periods and be transferable as provided for by general law for State Licenses. The agent or agents of non resident proprietors shall be severally responsible for carrying on their business in a like manner as if they were proprietors. The exhibiting of a sign or advertisement indicating engagement in a business profession or occupation shall be conclusive evidence that such person, firm, or corporation is liable to pay a license tax.

EQUALIZING BOARD

Section 62. The Town Council shall sit as an Equalizing Board on the first Monday of September of each year. The Town of Welaka Clerk shall be the clerk of such Board and keep an accurate record of all changes made in the valuation of property and all other proceedings of such Board. The Board may adjourn from day to day until its work is completed and three members shall constitute a quorum to transact business.

Section 63. Annually, not earlier than fifteen days and not later than five days prior to the meeting of the Town Council sitting as an Equalizing Board as provided for in Section 62, the Town Clerk shall cause to be posted in three conspicuous places within the city limits of the Town of Welaka, a notice that the assessment roll will be submitted to the Equalizing Board for approval on the date and at the place and time fixed for such meeting and requiring all persons desiring to have corrections made in such roll, whether in listing valuation of property or otherwise, to file with him, or appear in person at the meeting of such Equalizing Board, to set forth their objections to such assessment, and the corrections which they desire to have made.

Section 64. All petitions for the correction of assessments so filed with the Town Clerk shall be delivered by him to the Equalizing Board with the town assessment roll at the first meeting of said Board in September and said Board shall receive, consider and act upon said petition, or objections and give such persons or their agents permission to be heard in person or by their attorney, in open session, until a proper and equitable determination of the merits of the complaint or complaints may have been made.

Section 65. The Equalizing Board shall have the right to change the valuation or assessment of any real and personal property upon the roll by increasing or decreasing the assessed valuation thereof as shall be reasonable and just to render taxation uniform.

Section 66. The Equalizing Board must place upon and add to the assessment roll any property, real or personal, subject to taxation, which may have been omitted therefrom by the owner or tax assessor and enter the same at such valuation that it will bear

an equal and just proportion of taxation. The meetings of the Equalizing Board shall be open to the public. Any person, firm, or corporation who is not satisfied with the decision of the Equalizing Board with reference to the assessment, may appeal such decision to the Circuit Court, provided that such person, firm or corporation shall have first filed a petition or appeared before said Board requesting the correction of the assessment as required by Sections 63 and 64.

Section 67. As soon as practicable after the receipt of the assessment roll, the Town Council shall determine the amount and make the annual tax levy for the current year. The town Clerk shall note severally the levies on the assessment roll and reject in his calculation the fraction of the cent when less than half and count as one cent when any fraction is half or over. He shall enter upon assessment roll such recapitulation as may be necessary to show clearly and concisely the totals of the various tax levies made and shall make a copy of said assessment roll with the levies extended thereon and deliver the same to the Town Treasurer and Tax Collector, retaining the original roll in his office. To the assessment roll and copy thereof delivered to the Town Treasurer and Collector of Taxes, he shall attach a certificate substantially in the following form:

“I, _____, Town Clerk, as Ex-Officio Tax Assessor of the Town of Welaka, do hereby certify that the foregoing is the assessment roll of the taxable property in the Town of Welaka, valued at its each value and that it contains a true statement and description of all personal and real property in the Town of Welaka, subject to taxation by the Town and liable to be assessed therefore; that the listing and valuation was corrected by the Equalizing Board and approved and adopted by the Town Council and that all other requirements of law and ordinance regulating the making of the assessment roll for the Town of Welaka have been complied with.”

“Date _____”

“_____”

“Town Clerk, Ex-Officio Assessor”

“State of Florida, Town of Welaka,”

“To _____”

“Town Treasurer and Collector of Taxes”

Town of Welaka

“You are hereby commanded to collect out of the property and from each of the persons, corporations and firms named in the annexed roll, the taxes set down in such roll, opposite each name or parcel of land described; and in case taxes are not paid at the time prescribed by law, you are to collect the same in such manner as is provided by law, and all sums collected, you are to hold and account for as required by law and the Town Ordinances.

“Given under my hand this _____ day of _____ A.D., 19_____.

“_____”

“Town Clerk, Ex-Officio Assessor.”

Section 68. If, in any year, The Town Clerk, as Ex-Officio, tax assessor shall fail to make the assessments, or if the Town Council shall fail to pass an appropriation ordinance or a levy ordinance or if the assessments, or levy ordinance in any year shall be invalid or inoperative, the assessments and levies for taxes for that fiscal year shall be the same as it was the year before, item for item.

Section 69. For the purpose of assessment, soil shall be known as “land” and everything attached thereto shall be known as “improvements”, when owned by the tenant, may be assessed in his or her name apart from the land. Articles other than “land” or “improvements” shall be known as “personal property”.

Section 70. All taxes shall be due and payable on the first day of November of each year or as soon thereafter as the assessment roll may come into the hands of the Town Treasurer and Collector of Taxes of which he shall give notice by posting within said Town in three conspicuous places that the taxes are then due and payable and the date, after which they will be collected by levy and sale.

Section 71. The tax book shall close on the first day of April, and the Town Treasurer and Collector of Taxes shall proceed as hereinafter provided.

Section 72. The Town Treasurer and Collector of Taxes shall have power to issue distress warrants and alias and pluries distress warrants in the name of the Town to enforce collection of taxes on property and privileges. Such warrants may be executed by the Town Marshall or by any Constable or Sheriff.

Section 73. Taxes and assessments, together with interest for delinquency and cost of collection, shall be and continue a lien upon

the property assessed, superior to all other liens or claims, until the same shall be paid. Every tax on personal property shall also be a lien upon real property of the owner thereof. All such liens shall be enforced as are all other liens.

Section 74. Within ninety days after any one or more than any one of the following events, respectively;

1.

After the expiration of two years from the date any tax certificate issued and held by the Town of Welaka for the sale of delinquent taxes on all such lands as are bid off by the Town Treasurer and Collector of Taxes for the Town and have not been redeemed or purchased:

2.

After the expiration of two years from the date any tax becomes delinquent which is imposed by the Town of Welaka but upon which no certificate is required to be issued; or

3.

After the expiration of two years from the date any special assessment or installment thereof becomes due and payable.

The Town Clerk shall prepare a complete schedule or list in triplicate of such lands, and upon which such taxes, and assessments are due as aforesaid, and he shall retain one such list or schedule in the files of his office, and he shall deliver one such schedule or list to the Town Council, duly certified by him, the receipt of which schedule or list shall be noted in the minutes of the said Town Council. Within 90 days after such receipt, the Town Council may cause the filing of a Bill of Complaint in the Circuit Court of Putnam County, in the name of the Town of Welaka, Florida, against any and all of the lands described in such schedules as defendants, which Bill of Complaint shall briefly describe assessment or the levies and non-payment of assessments or taxes which are delinquent for the periods aforesaid; and there shall be

attached to such Bill of Complaint, a true copy of such schedule or list of lands furnished and duly certified by the Town Clerk. It shall not be necessary to name as a defendant to such Bill of Complaint, or proceeding any person or persons owning or having any interest or lien upon such lands. At the time such suit is directed to be filed, the Town Council is empowered to employ additional counsel and attorneys and agree upon his or their compensation for conducting such suit or suits, and to pay such compensation from their general funds, although such funds may not have been appropriated for such purposes.

A certificate of the Town Clerk shall be attached to the Bill of Complaint stating the names of the owners and mortgagees at the time of the expiration of the two year period heretofore mentioned in this section. It shall not be necessary that the Town Clerk's certificate state the separate parcels of land owned by any person or persons or upon which the mortgagees have a claim but such certificates shall state the last known address of each owner and of each mortgagee. It shall be sufficient if the names and addresses of the owners are stated as they appear on the tax roll for the year in which the taxes were last extended on such property, or, if the names and addresses so not appear thereon, then the certificate shall state the names of the person or persons last paying the taxes on such lands as appear on the receipt book of the Town Collector of Taxes. In case of mortgagees it shall be sufficient if the names and addresses stated as appear in the record of the mortgage in the office of the Clerk of the Circuit Court of Putnam County on the date of the expiration of the two year period heretofore mentioned in this section.

A certificate of the Clerk of the Circuit Court shall be filed in the case to the effect that copies of the notice of publication have been mailed as hereinafter required and it shall not be necessary in such certificate to set forth the names of the parties to whom each

notice was mailed, and such certificate shall be prima facie evidence thereof.

Jurisdiction of all said lands and all the parties interested therein or having any lien thereon, at the date of filing such suit shall be obtained by publication of notice, to be issued as of course on the request of the plaintiff by the Clerk of the Circuit Court of Putnam County, Florida, directed in terms to all persons, firms, or corporations having any interest in or lien upon any of the lands described in said notice, and said Bill of Complaint. It shall not be necessary in said notice to set forth the names of such parties. Said notices shall describe the lands involved and require all such parties to appear, and show cause before said Circuit Court on or before a day certain specified in said notice which day shall not be less than 15 days, or more than 30 days, after the date of publication of such notice. Such notice shall be published one time in a newspaper of general circulation published in the county in which the lands are situated, such publication to be made not later than 30 days after filing of said Bill of Complaint. The necessary charges for the publication of such notice shall be at the rate and be in the size type prescribed by general law regulating legal advertisement. On or before the return day of said notice any person, firm, or corporation shall have the privilege of purchasing from the Town Clerk all tax liens, tax sales certificates, and subsequent and omitted taxes upon said lands for the amount due at such time of purchase, including penalties and charges allowed by law. On the day following the return day of the notice, the Town Clerk shall file in said court a certificate under his hand and official seal separately describing each and every parcel of land, the taxes, and tax liens upon which have been so purchased, or redeemed, as aforesaid, which lands shall by final decree be excluded from such suit and the operation of said final decree. Upon the return date of such notice each and every person or persons formerly interested in or having a lien upon any of said lands described in the Bill of Complaint, shall be

charged with the duty of appearing and showing cause before the Circuit Court why the fee simple title to said lands should not be decreed to be sold; to pay such liens for taxes as are set forth in the Bill of Complaint. Decree pro confesso shall be entered by the Court on or as of the day following the return day of such notices as in other chancery causes. If no sufficient cause is shown on said return day, and only such cause which may be shown by any defendant is limited and described as follows to-wit: that the taxes had been paid previous to the sale, or that the property had been redeemed prior to the expiration of the period set out in this section, or that the property was not subject to taxation. The Circuit Judge shall thereupon enter a final decree which shall recite briefly the filing of the Bill of Complaint, the publication of the notice herein provided, and the due compliance with this section, and shall decree the title to said land forever quieted and confirmed against the claims and interest of the defendants and the fee simple title in and to the lands described in said Bill of Complaint to be sold to pay the tax liens, tax sales certificates, and all subsequent and omitted taxes and the costs and expenses of this suit, and if the rights of any taxing units or of individuals, owners, holders, or assignees whose tax liens are of equal are adjudicated, the decree shall provide for a pro ration of the proceeds of the sales as hereinafter provided. The provision for such decree shall not be construed to confer upon any person, firm, or corporation which might have held an interest in the lands prior to the expiration of such two year periods, any right whatsoever of redemption after the return date of such notice, except the right to purchase or redeem such taxes or tax liens as herein granted. Such decree shall be recorded as other decrees in the Chancery Order Book of said Court.

The inadvertence, omission, or error of the Clerk of the Town of Welaka, in failing to include in said list, lands upon which taxes are delinquent for the period herein provided, and which lands

should therein be included, shall not operate to defeat or impair the right and duty of the Town Council to follow the proceedings herein prescribed, but the Clerk of the Town at any time may compile supplementary or additional lists of such omitted lands in the same manner, and proceedings shall be taken as to the same as herein provided for in the original proceedings. After the expiration of the two year period hereinbefore described the rights of individual owners, holders, or assignees or any other taxing unit, in their respective tax liens upon such lands shall be restricted and confined solely to the right to participate in the proceeds received from said lands upon the sale thereof to any person, firm, or corporation as provided herein, or if bid in by the Town of Welaka upon the sale thereof by the Town Council. Such participation shall be pro rate and in the same proportion which the amount of the tax lien represented by such individual tax sale certificates or lien bears to the amount of the tax liens of equal dignity held by said Town or other taxing units at the time of the expiration of such two year period; provided, however, that in no event shall such individual tax sale certificate, or lien participate in such proceeds and receive a larger amount than would have been required to be paid to redeem such certificate on the date the said two year period expired.

Upon the entry of the chancery decree provided for in this section all rights, titles, interests in, or liens upon said property except liens for general taxes and county tax liens of equal dignity with municipal tax liens unless the same are not adjudicated in said decree shall be cut off and extinguished and forever declared null and void, and the title to such lands when conveyed by sale as hereinbefore provided or sold by the Town Council as hereinafter provided the title conveyed shall in all respects be construed as a new, original title subject only to such liens for general taxes of equal dignity with municipal liens for general taxes as are hereinbefore excepted.

Any person, firm, or corporation of the Town of Welaka, who may be a purchaser at the sale hereinbefore provided under this Act, and acquire lands for delinquent taxes as herein provided, shall be entitled to the immediate possession of the lands described in such deed or decree, and after making demand for possession, if the same is refused, may file a written petition in the Circuit Court of Putnam County, Florida, and therein obtain an order to show cause from the Circuit Judge, returnable in five days directed to the persons so refusing to deliver possession requiring them to show cause why right of possession should not issue. Upon the filing of the answer on the rule day to show cause, the matter shall proceed as in chancery cause. If, upon hearing, no cause is shown, an order may issue from the Circuit Judge to the Sheriff of Putnam County, directing him to put the purchaser in possession of such lands. The fee of the Clerk for the filing of the petition and other pleading aforesaid shall be \$2.50, and the fee of the Sheriff for serving the order to show cause shall be \$1.00, and for serving the writ of possession, \$1.00, plus mileage allowances as are now provided by law.

The Town Council shall within 90 days after entry of a final decree provided for in this section, determine the price of each of such parcels of land, which has been bid in by the Town which price shall not be less than 20 per cent of the amount of the last assessed value appearing on the Town Tax Roll; in the performance of this duty the Town Council is empowered to incur the necessary expenses in obtaining expert appraisal and information to assist it in determining such price, and may provide for such expense by annual appropriations. Upon the fixing of the price of such land as herein provided, the same shall be evidenced by resolution adopted by the Town Council, describing each parcel of land, and the price fixed thereon; upon the adoption of such resolution it shall be entered in the minutes of the Town Council. The Town Council shall sell and convey such lands and propose the sale in the following manner; any person desiring to purchase any parcel of land shall deposit with the

Town Clerk of the Town of Welaka, the amount of the initial bid which shall not be less than the price determined by the Town Council plus the estimated cost of advertising the same for public sale, and all fees and costs incident thereto. Upon receipt of such deposits the Town Clerk of the Town of Welaka shall immediately publish a notice in a newspaper of general circulation published once a week for one week, one publication being sufficient which shall notify all concerned that such land is being offered for public sale to the highest bidder for cash at the front door of the Town Hall in the Town of Welaka. Said sale may be held on any day of the week except Sunday; and any time specified in said notice between the hours of 11 A.M. and 2 P.M. on said day of sale. On the day and at that time specified in the notice of the Town Clerk of the Town of Welaka shall offer said land at public outcry free and clear of all liens but subject to drainage liens or liens for general taxes of other taxing districts which are of equal dignity unless such liens have been adjudicated as herein provided for this Act. The amount deposited with the Clerk by the person desiring to purchase the land shall be taken and considered as the first bid, and if no other bids are made the land shall be sold to him by the Clerk for the amount of such bid, but if other bids are made the land shall be sold to the highest bidder for cash and if the person who made the deposit is the highest bidder, the land shall be sold to him and the amount deposited by him shall be applied on his bid. The successful bidder forthwith must pay the amount of his bid in cash or cashier's check or certified check following the sale; in the failure or default the Clerk shall re-offer the land in the manner herein provided. The person making the deposit in order to have a sale of land advertised for sale shall not be permitted to withdraw his bid or deposit from the Clerk unless he is not the highest bidder of the sale, in which event his deposit shall be refunded to him by the Clerk.

Upon completion of such sale the Town Clerk shall prepare a deed of conveyance substantially in the form as hereinafter

provided, which deed shall be signed by a majority of the members of the Town Council attested by the Town Clerk. Upon delivery of such deed to the purchaser the Clerk shall make a notation of the date and the fact of such sale opposite the description of said lands in the resolution fixing the price. All such conveyance shall be free and clear of liens of municipal taxes for the Town of Welaka and subject to liens and general taxes of any other taxing district which are by general laws of equal dignity with a lien under which the Town acquired title unless the same have been adjudicated as hereinafter provided.

After the Town acquires title to such lands, as provided herein, neither the County Tax Assessor or the Town Tax Assessor shall assess the same for taxes nor extend taxes upon the rolls during the period of time such lands are owned by the Town; however, such lands shall be assessed as of January 1, of the year following such sale in the same manner as all other lands subject to taxes or assessed as provided by law.

The Town Council shall have power in its discretion to dedicate to public use and purpose any of the lands to which the Town acquires title aforesaid and upon resolution of dedication duly adopted by the Town Council, such lands shall not thereafter be assessed for taxes so long as the same remain devoted to public use. Deeds of conveyance to lands, the title to which is in the Town of Welaka by virtue of the foregoing proceedings shall be substantially in the following form via:

This deed made this the _____ day of _____ A.D., 194__ by the
Town of Welaka, Florida, party of the first part and
_____ the party of the second part.

WITNESSETH: That said party of the first part for and in
consideration of the sum of \$_____ to it in hand paid by the
party of the second part; the receipt whereof is hereby
acknowledged has granted, bargained, and sold to the party of the
second part, his heirs and assigns forever, the following described
lands to-wit:

IN TESTIMONY WHEREOF, and by virtue and authority
vested by law in the Town Council of the Town of Welaka and for
and in behalf of the Town of Welaka we are undersigned as members
of the Town Council of the Town of Welaka, Florida, aforesaid have
executed this deed and have hereunto set our official seals attested
by the Town Clerk of the Town of Welaka this the
_____ day of _____ A.D., 1949__.

MEMBER OF TOWN COUNCIL

MEMBER OF TOWN COUNCIL

MEMBER OF TOWN COUNCIL

ATTEST: _____
TOWN CLERK

In the foreclosure of the tax and special assessment liens
against the lands being proceeded against, or any portion thereof,

and reserving from the proceeds of any foreclosure sale in such proceeding, a proper and proportionate share in the proceeds in satisfaction of the tax liens adjudicated, the taking unit or the individual owner, holder, or assignee of any tax lien, however, evidences, of equal or inferior dignity with those of the Town of Welaka on or against the lands being proceeded against, or any portion thereof, may be included as and made a party defendant in such proceeding by service of process on such party defendant in the manner provided by law for the service of process on defendants in chancery. This paragraph is intended to permit the adjudication of tax liens of equal dignity in the proceedings hereinbefore provided for and shall be liberally construed to affect such purposes.

Section 75. The Town Council shall have power to provide ordinances, for the manner in which and the amount of discount to be allowed upon the payment of taxes before they become delinquent and for the method and manner in which lands may be offered for sale for the non-payment of taxes including the interest to be imposed for delinquency and the issuance of tax certificates and tax deeds, provided however, that any ordinance passed in pursuance with this section shall not be contrary to or in consistent with any of the other provisions of this Act. Until such ordinances shall have been adopted the Town Treasurer and Tax Collector shall proceed substantially in the same manner in the collection of taxes and the sale of lands and personal property for the non-payment of taxes and licenses as do County Tax Collectors under the State Law; and he shall be subject to the same penalties as prescribed by the State Law of any violation of the duties imposed on him by this Act.

Section 76. Where sales are made, the Town Treasurer and Tax Collector shall make his reports in duplicate in substantially the same manner as provided for by law, to be pursued by Tax Collectors and shall file the other with the Clerk of the Circuit Court of Putnam County, who shall record the same in the record of

tax sales in his office. No report or notice of such sale shall be required to be filed with the State Comptroller, nor shall additional copies of said notice be required to be filed by the publisher with the Clerk of the Circuit Court. Where at any sale of property for taxes made by the Town Treasurer and Tax Collector there is no bidder who is willing to take the property and pay the taxes, cost, and charges thereon. The Town Treasurer and Collector of Taxes shall bid in the property for the Town and shall issue to the Town a Tax Sale Certificate on such property. He shall be the custodian of such certificate and the same shall be redeemed through him. Any person may purchase from the Town Treasurer and Collector any certificate of any land sold or certified to the Town for taxes as certificates of land sold or certified to the County for taxes are purchased from the Clerk of the Circuit Court.

BONDS, ASSESSMENTS, AND LIEN CERTIFICATES

Section 77. the Town Council shall have the power to provide by ordinance for the issue and sale of negotiable bonds of said Town for the purpose of constructing, maintaining, operating, improving, enlarging, and extending waterworks and sewerage systems in said Town and for the purpose of building, reconstructing any part thereof; where the construction, repairing, altering, enlarging, improving, and furnishing any and all public buildings for said Town; for grading and curbing or grading, curbing, and paving and altering, widening, paving, and repaving any and all streets, avenues, and thoroughfares of said Town and doing the necessary drainage in connection with such work; for sanitary and storm drainage and the construction of canals, ditches, and sewers for such drainage within or without the corporate limits of said Town; for the constructing, altering, and repairing of bridges; for the constructing and repairing and enlarging of a Town incinerator or incinerators; for the constructing, repairing, and enlarging of hospitals, libraries, airports, and aviation facilities; for acquisition

and establishment of any local public utilities, including light, water, gas, telephone, and telegraph; for the acquisition of lands for public parks and the sites for public buildings; but negotiable bonds of said Town shall never be issued in amount greater than twenty percent of the assessed valuation of the real and personal property of said Town and not until previously approved by a majority of the votes cast in a special election called and held for such purpose after at least thirty days notice thereof, by posting the same in three conspicuous places within the Town limits of the Town of Welaka, in which a majority of the freeholders who are qualified electors residing in said Town shall participate. The words “freeholders who are qualified electors in said Town” shall include only those who are qualified electors under State Law who have resided in the Town of Welaka for six months next preceding such election, and who have duly registered for said election in a special registration book provided for said election; which registration book shall be open for purpose of registration of freehold electors therein at the Clerk’s office within said Town twenty days before holding of any election to authorize the issue and sale of said bonds of said Town, and shall remain open for the registration of such electors for fifteen days thereafter between the hours of 10 A.M. and 12:00 noon and 2 P.M. and 4 P.M. each of said days except Sunday. The Town Clerk shall require each person applying to be registered to take the following oath, which shall be administered by the Clerk; “I do solemnly swear or affirm that I am a bona fide resident of the Town of Welaka; that I am a freeholder of said Town; that the kind and quality of freehold interest vested in me is _____: that I possess all the qualifications of an elector as prescribed by law for said election.” Any person taking such oath who shall swear falsely shall be guilty of perjury. The name of each person so registered shall be entered in a book prepared particularly and only for such election, which book shall show, under appropriate heading, the age, color, occupation, and exact place or residence of the person so registered.

Section 78. The Town Council shall have the power to provide by ordinance for the issuance and sale of revenue certificates payable solely and only from the revenues to be derived by the Town from the operation of any utility or facility owned and operated by the Town or to be acquired or established by the Town, or the combination of any such utilities and facilities, for the same purposes for which the Town may issue general bonds as enumerated in Section 77, or performing any of the works or other matters set forth in the Act, and no election shall be required to authorize the Town to issue any such revenue certificates. The certificates heretofore provided for shall be payable solely from the net revenues of any utility or facility of the Town, and no tax levy for the payment of such revenue certificates or interest thereon is hereby authorized.

Section 79. The Town Council shall have the power to order the laying of sidewalks along or all of the public streets of the Town, and to prescribe the width thereof, and the material to be used in their construction, and upon the failure of the property owners to lay any such sidewalks so ordered, after thirty days notice, the Town Council shall have the power to cause such sidewalks to be laid, and to assess the cost and expense of laying the same against the abutting property, and such assessment shall create a lien against the property. The Town may issue lien certificates, bearing interest not exceeding five percent per annum in payment of the cost of such work, dividing the amount into annual installments, and such certificates shall be enforceable in equity against the property.

Section 80. The Town Council shall have power to grade and curb, or to curb, grade and pave any street, avenue or thoroughfare of said Town, and when, at any time, the Town Council shall decide to grade and curb or to grade, curb, and pave any street, avenue or

thoroughfare, they shall pass a resolution or ordinance authorizing the same to be done, and thereupon shall cause the Town Clerk to advertise for bids for doing such grading and curbing or grading, curbing and paving. And in such advertisement, they may reserve the right to reject any and all bids; and any drainage that may be required in doing such work shall be considered and taken as part thereof. The Town Council may request separate bids on grading, curbing, and paving and enter into separate contracts therefore. And as soon as practicable after the Town Council shall have accepted any bid or bids for such work as hereinbefore provided in this section including necessary drainage, they shall at a regular or special meeting called for such purpose, assess against the property abutting on such street, avenue, or thoroughfare, so to be improved, two-thirds of the cost of such improvement, one-half of the said sum to be assessed against the property on each side of said street, avenue, or thoroughfare, in proportion to its frontage on said street, avenue, or thoroughfare and other the other third of the cost of such improvement, where there are abutting owners, and the entire cost of the intersection of streets, shall be paid by the Town; and where there is any public property not legally assessable for such improvements, abutting on the street, avenue, or thoroughfare, the Town shall pay the proportion of the cost that would be assessable against such property where it is privately owned.

Section 81. Before paving, or otherwise surfacing or resurfacing any street or alley of the Town, the Town Clerk shall determine the time within which sewer, gas, water, or other connection shall be constructed, and shall give notice thereof to the person or corporation required to make the same, and if any person or corporation fail to make any such connection when so requested, no permission to make the same shall thereafter be granted within five years after the completion of any street, improvement, unless for special reasons approved by the Town Council and expressed by resolution adopted at a regular meeting of the Town Council.

nothing herein shall be construed to prohibit the Town Council from providing that such connections may be made by the Town and the cost thereof assessed to the lots and lands benefited thereby.

Section 82. The Town Council, as soon as the assessment against the abutting property has been made, shall issue certificates of indebtedness against the lots assessed for the amount of the assessment, which certificates shall contain a description of the land, the amount of the assessment, and state the general nature of the improvement for which the assessment is made, which certificates shall constitute and be a prior lien to all other liens, except the lien for taxes, and for the construction and repair of sidewalks, and shall have equal dignity with them as to the real property so assessed. The said certificates shall be payable to bearer in not exceeding ten annual installments, with interest at a rate not greater than five percent per annum payable annually; and the payment of such certificates, with interest as specified, shall be guaranteed by the Town of Welaka, and in case of non-payment of annual interest, or of principal at maturity, by the property owner, the same shall be redeemed by the Town at the option of the holder of such certificates; but such redemption by the Town shall not discharge the lien of such assessment or certificate against the abutting property. The certificates when issued shall be turned over to the Town Treasurer and Tax Collector, who, when ordered to do so, by resolution of the Town Council shall sell or dispose of the same in such manner as may be provided by said resolution, in payment for such work or improvement, or for cash, as may be provided in said resolution. After such certificates are turned over to the Town Treasurer and Tax Collector, and before they are disposed of, he shall give at least two weeks notice, by posting in three conspicuous places within the Town Limits of the Town of Welaka that such certificates have been delivered to him and will be disposed of as directed by the Town Council, unless paid by the property owner in the meanwhile.

Section 83. That any lien created by this Act for the payment of improvements made under any of its provisions, and any certificates representing such lien, will be enforced as are other lien for taxes, and the costs and expenses of collection, including a reasonable Attorney's Fee, shall be additional charge and lien against the property.

Section 84. For a period of thirty days after the confirmation of any special assessment, any person shall have the right to contest the legality thereof, by suit, action, writ or special proceeding, after which time no suit, action, writ or special proceeding of any manner questioning the legality of said special assessment shall lie for any cause whatsoever.

Section 85. No notes, bonds, debentures, time-warrants, revenue certificates, certificates of indebtedness, or other obligations of the Town shall be disposed of or sold except in the manner herein provided. Preliminary to such proposed sale the Town Council shall by resolution describe the securities that will be offered for sale, including date of issue, maturity date or dates, rate or rates of interest, purpose for which the same shall be issued, and the character of the security, if any, therefore; resolution shall affirmatively determine that the need exist for making such sale and shall direct the Clerk to advertise for sealed bids for the purchase of the described securities intended to be sold. Thereupon the Town Clerk shall cause an advertisement for sealed bids for the purchase of said securities, published for four consecutive weeks prior to the date of the sale in a newspaper in general circulation published in Putnam County, Florida. In such advertisement notice shall be given that the right is reserved to reject any and all bids; that no bid for less than ninety percent of the par value and accrued interest shall be considered; that every bid must be accompanied by a certificate or Cashier's Check of at least three percent of the total

amount of the bid price as evidence of good faith and liquidated damages to the Town in the event of acceptance and subsequent failure to perform. All bids received shall be in by noon of the day said bids are called for and at that hour shall be open and presented by the Clerk to the Town Council for action thereon at a regular or special meeting called by them and held that day for receiving, considering, and acting upon such bids.

FRANCHISES AND PUBLIC UTILITIES

Section 86. The Town Council shall have the power to provide for the lighting of the streets, parks, and public buildings of the Town; and to establish, maintain, and operate plants within or without the corporate limits of the Town for lighting and heating by electricity, gas, or any other method; and to supply the inhabitants of said Town with artificial light, heat, and power for domestic, business, and for all other purposes, and to charge and collect reasonable rates, prices, and compensation for supplying and furnishing the same.

Section 87. The Town Council shall have power to construct, establish, and maintain waterworks and transportation systems, to bore and dig wells, to construct reservoirs, to lay pipes and do all other things as may be necessary and essential or convenient for the procuring and distribution of an abundant supply of good and wholesome water to the inhabitants of said Town for domestic and other purposes, and to protect its inhabitants against fire, to collect reasonable rates, process, and compensation for furnishing and supplying the same, except for fire protection which may be provided for in a tax levy.

Section 88. The Town Council shall have power to supply water, electricity, and gas for domestic and other purposes to individuals and corporations outside of said Town and charge and collect reasonable rates, prices, and compensation therefore.

Section 89. Nothing herein contained shall limit the Town Council in its exercise of any of its lawful powers respecting public utilities or transportation system or other facilities mentioned in Section 7 of this Act, or to prohibit the Town Council from imposing in such grant such further restrictions and provisions as it may deem to be in the public interest, provided only that the same shall not be inconsistent with the provisions of this Charter or the Constitution of the State.

COMPENSATION OF OFFICERS AND EMPLOYEES

Section 90. The Town Council shall fix by ordinance the salary or compensation of the officers and employees of the Town.

Section 91. Each officer of the Town, before entering upon his duties, shall take and subscribe to an oath or affirmation to be filed and kept in the office of the Clerk; which oath shall be in a form prescribed by the Constitution of the State for State Officers.

Section 92. The Town Council may, if it deems necessary, require any officer, the Clerk and Ex-Officio Tax Assessor, Treasurer, and Ex-Officio Tax Collector, Town Marshal, or any other officer or employee, to give bond and the amount thereof, which bond shall be procured from a regularly accredited surety company authorized to do business by the laws of Florida, and such bond premium shall be paid by the Town. All such bonds shall be filed in the office of the Town Clerk.

ELECTIONS

Section 93. There shall be held on the first Tuesday after the first Monday in March of each year a municipal election of the

purpose of electing the Mayor, the Town Treasurer, and Collector of Taxes, and members of the Town Council.

Section 94. The Town Council shall, by ordinance, prescribe the method and manner of holding all elections in said Town, and shall provide when and how special elections shall be called and held, which are not provided for by the terms of the Act and all elections shall be conducted substantially on the principle adopted for State Elections insofar as there is no conflict in the terms of this Act.

Section 95. The Town Council shall cause to be printed on the official ballots to be used in the Town Elections the names of the candidates who have been put in nomination by any caucus, convention, mass meeting, primary election, or other assembly of any political party or faction of the qualified electors of the Town of Welaka and certified by the chairman and the secretary of said caucus, convention, mass meeting, or political party or faction, and filed with the Town Council not more than 60 days nor less than 15 days previous to the day of the election, which certificate shall contain the name of each person so nominated and the office for which he is nominated and shall be duly acknowledged by the chairman or secretary before an officer authorized by law to take acknowledgements. The Town Council shall also cause to be printed on the same ballots the name of any qualified person who has been requested to become a candidate for any office by written petition signed by at least 10 electors qualified to vote in said election to fill said office which must be filled within the time as hereinbefore provided. In addition to the names printed on the official ballot, and whether there be any names printed on said ballot, there shall be printed under each office to be voted for at the election, blanks in number equal to the number of persons who may be elected to fill that office. Should the name of any person be placed in nomination as hereinbefore provided in this section who will not accept the

nomination specified in the certificate or request of the electors and such person notifies the Town Council in writing to that affect, not less than twenty days before the election, then the Town Council shall not place such person's name on the ballot.

Section 96. The Town Clerk shall be Registration Officer of the Town and shall register all persons applying to him whose names are not already borne upon the registration book and who are qualified as electors under the provisions of this Act. For this purpose the registration book shall be open at his office twenty days before the holding of any municipal election and shall remain open for registration between the hours of 10 A.M. and 12 noon and 2:00 P.M. and 4 P.M. each day. Each person applying to be register shall take the following oath, which will be administered by the registration officer or his duly appointed deputy: "I do solemnly swear that I am a bona fide resident of the Town of Welaka and possess the qualifications of an elector of said Town under the general laws of Florida." Any person taking such oath who shall swear falsely shall be guilty of perjury. The name of each person so registered shall be entered in a book prepared for that purpose, which shall show under appropriate heading, age, color, occupation, and exact place of residence of each person so registered. The Town Council may be ordinance provide for a revision of the registration book every sixth year, commencing with the year 1950, or require a complete re-registration of all qualified voters at such times.

Section 97. The Town Council shall make all necessary arrangement for holding all municipal elections, the inspectors and clerks of elections shall be appointed by the Town Council except that if the Council shall fail to appoint them at least two days before any election, the Mayor may appoint them.

Section 98. The polls shall be open at eight o'clock A.M. and shall close at six o'clock P.m. by whatever time is officially used by

the Town. The result of voting, when ascertained, shall be certified by return in duplicate, signed by the Clerk and a majority of the inspectors of election; one copy being delivered by such Clerk and inspectors to the Mayor and the other to the Town Clerk, both of whom shall transmit such returns to a Town Council Meeting to be held at twelve o'clock noon on the day following the election. At such meeting the Town Council shall canvas the returns and the results as shown by such return shall be by the Council declared as the results of the election. The Town Clerk, shall, not later than noon of the second day after the election furnish a certificate of election to each person shown to have been elected.

GENERAL PROVISIONS

Section 99. No street or alley hereinafter dedicated to public use by the owner of any land within the Town shall be deemed a public street or alley, under care or control of the Town, unless the dedication be accepted and confirmed by ordinances passed for such purpose.

Section 100. The Town Council of the Town of Welaka shall have power to require all occupants, owners, or agents or owners of all lots and premises, vacant or occupied, within the limits of said municipality to keep the same clean and sanitary condition by the removal of all filth, debris of every kind, and to require the removal of all other obnoxious growth, and dead weeds, fallen standing, or growing on such lots or premises which shall be deemed to include sidewalks and parkways. The Town Council of the Town of Welaka shall by ordinance provide for the manner of enforcement, provided that 10 days notice be given to the owner, if known, or by posting a notice on the premises and upon the failure of said owner, occupant, or agent of said owner, or occupants to meet requirements of said notice, the Town Clerk with the approval of the Town Council may assess the cost of doing said work against the lands which

assessment may be enforced as provided for by ordinance, and no certificate or other evidence of lien need be issued.

Section 101. That whenever maps or plats of any lands within the corporate limits of the Town of Welaka, as they now exist or may hereafter be extended, are brought to the Clerk of the Circuit Court of Putnam County, or any other recording officer, to be placed on public record, it shall be the duty of said Clerk or other public recording officer, before such filing, in addition to the other duties imposed by general law, to refer such map or plat to the Town Council or Welaka for their approval.

Section 102. All such maps or plats shall conform as near as may be to the general plan of the Town of Welaka as it now exists and the additions thereto, so that the same may be readily assimilated into the Town of Welaka. The maps or plats so submitted to the Town Council of the Town of Welaka shall be examined by the Town Council, and if the same shall conform to the requirements of this section, the Town Council shall cause its approval to be endorsed thereon by the Mayor of said Town and attested by the Town Clerk to such endorsement shall be authority to the Clerk of Circuit Court of Putnam County, Florida, or other recording officer to place the same of record upon compliance with the other requirements of the general law.

Section 103. The Town Council shall have power to pass all such ordinances and laws, not inconsistent with the Constitution and laws of the United States and of this State, as may be expedient and necessary for the preservation of the public peace and order, for the suppression of riots, and disorderly assemblies, and for the good order and government of the Town, both within the corporate limits of the Town, and upon all the property owned by the Town of Welaka outside of the corporate limits of the said Town, and to impose such penalties and forfeitures as may be needed and

necessary to carry the same into effect; providing, that no offense made punishable by the laws, and ordinances of said Town shall a fine of more than \$500.00, or imprisonment for a period of time longer than 60 days, be imposed. the Municipal Court of the Town of Welaka is hereby invested with and granted jurisdiction for the trial of all offenders against municipal ordinance, whether such offenses were committed within the corporate limits of said Town or upon property owned by the Town of Welaka outside of its corporate limits.

Section 104. No suit shall be maintained against the Town for damages arising out of its failure to keep in proper condition any sidewalk, pavement, bridges, street, waterworks, electric light plant, docks, terminals, or other public place, neither shall any suit be maintained against the Town arising out of any other tortuous action, or actions sounding in tort, unless it shall be made to appear that a written notice of such damage within 30 days after the receiving of the injury was given to the Town Clerk with such reasonable specifications as to time and place and witnesses as would enable proper Town Officials to investigate the matter.

Section 105. All general laws applicable to Municipal Corporations, now or which may hereafter be enacted, which are not in conflict with the provisions and resolutions hereafter enacted by the Town Council, shall be applicable to this Town; provided, however, that nothing contained in this Act shall be construed as limiting the power of the Town Council to enact any ordinance or resolutions not in conflict with the express provisions of this Act.

Section 106. That any right or authority given or permitted by the Constitution and Laws of the State of Florida to Town Council not in conflict with the provisions of this Act shall be given, permitted and extended to the Town Council of the Town of Welaka.

Section 107. If any section of this Act proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other section or part of a section of this Act, unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held to be unconstitutional or invalid.

Section 108. All the Town Council and all the Town Officials of the Town of Welaka now holding offices shall continue in office until the election and qualifications of the officers provided for in this Charter.

Section 109. This Act shall take effect immediately upon its becoming a law.

**Became a law without the Governor's approval.
Filed in Office Secretary of State June 16, 1947.**

From: Town Clerk <townclerk@welaka-fl.gov>
Sent: Thursday, October 12, 2023 11:02 AM
To: Mike Porath <mporath@welaka-fl.gov>
Cc: Jamie Watts <jwatts@welaka-fl.gov>
Subject: RE: FPL Lights

Will do! Thanks Chief!

Very Best Regards,

Meghan E. Allmon

Town Clerk

Town of Welaka

400 4th Avenue

Welaka, FL 32193

(386) 467-9800 ext. 102

TownClerk@welaka-fl.gov

www.Welaka-fl.gov



Welaka, FL
River of Lakes

From: Mike Porath <mporath@welaka-fl.gov>
Sent: Thursday, October 12, 2023 10:12 AM
To: Town Clerk <townclerk@welaka-fl.gov>
Cc: Jamie Watts <jwatts@welaka-fl.gov>
Subject: FW: FPL Lights

Meghan,

Can you add this to the Town Council meeting for next month and also add it to the packet that council would receive. I would also like to have it sent them before the meeting so that everyone has a chance to review it before the November meeting.

Can you also include the email from Scott Thrapp from FPL as well.

Please let me know if you have any questions.

Thank you,

Michael L. Porath

Chief of Police

Town of Welaka

Office: 386-467-2303

Cell: 386-329-3191

Fax: 386-467-8811

Email: mporath@welaka-fl.gov

From: Thrapp, Scot <Scot.Thrapp@fpl.com>
Sent: Wednesday, September 20, 2023 10:58 AM
To: Christopher Bryant <cbryant@welaka-fl.gov>
Cc: Mike Porath <mporath@welaka-fl.gov>
Subject: FPL Lights

Hi All,

I hope you are doing great. We finally have the design for the proposed lights for the Town of Welaka. Please find attached the sketch with all the light locations. The one time CIAC cost to install all the backbone for the lights will be \$19,545.64.

Please review the locations and we can discuss any questions that you might have. Once everything looks good the next steps are to sign a streetlight agreement, pay the CIAC, and wait for the materials to come in.

Thank you and I look forward to hearing from you.

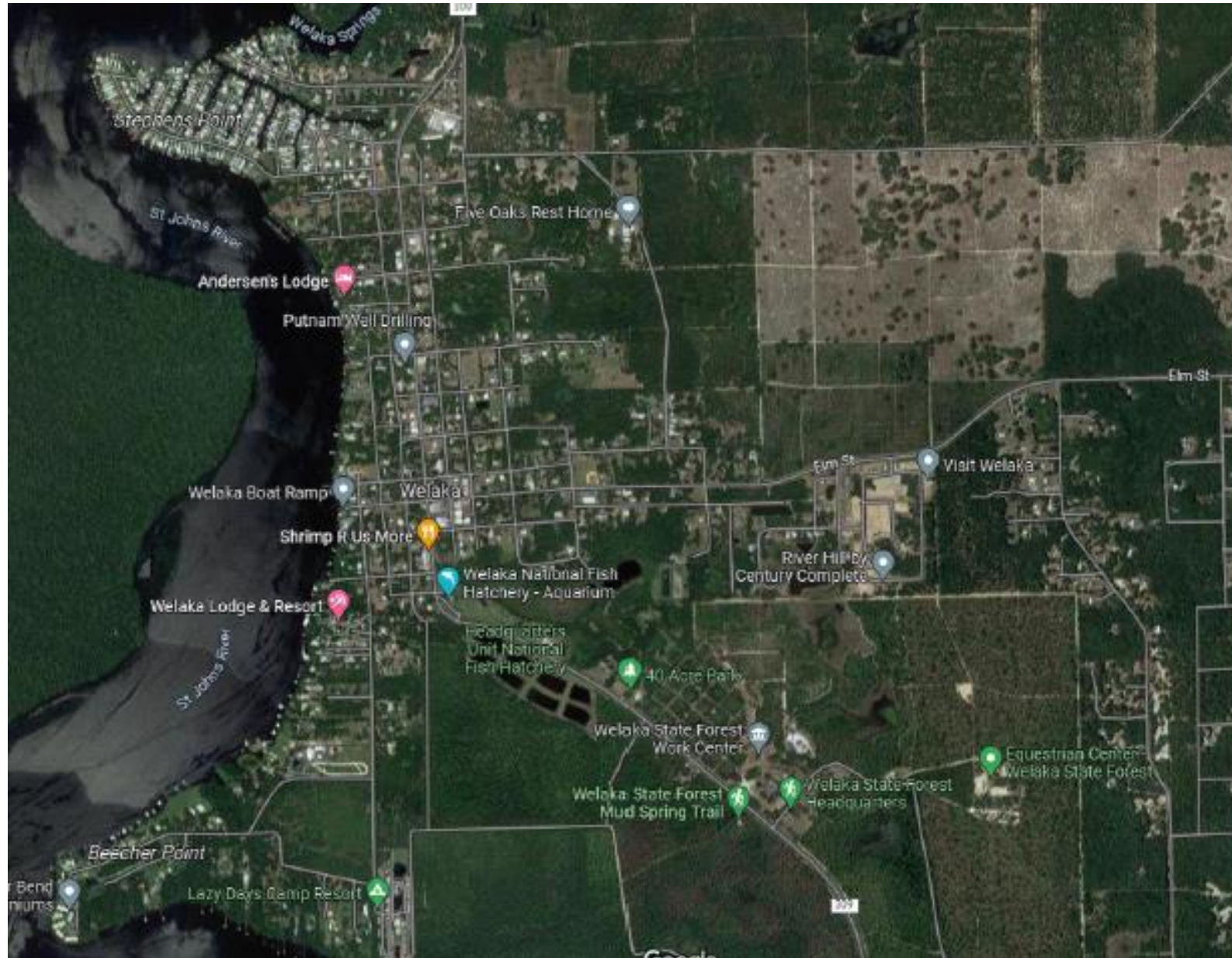
Thank you,
Scot

Scot Thrapp
FPL
Sr. Sales Rep
LED Lighting Solutions
Scot.Thrapp@FPL.com
Mobile: 904-315-8192

6001 Village Blvd ES/CSE
West Palm Beach, FL 33407



Town of Welaka PRELIMINARY



- INACCESSIBLE
- 13 kV
- FUTURE 23 kV
- 23 kV
- SALT SPRAY

FPL Construction Symbols

- = Proposed OH Span
- = Proposed UG Span
- = Proposed Street light with bracket (Flood)
- ▼ = Existing OH Transformer
- ◼ = Existing UG transformer
- ◇ = Proposed 17" hand hole
- = Proposed Street light with bracket(Roadway)
- = Existing Concrete Pole
- = Proposed Downguy
- = Existing wood pole
- = Proposed Wood pole



Permit Required for the installation of lights, trenching, and directional bore in the R/W

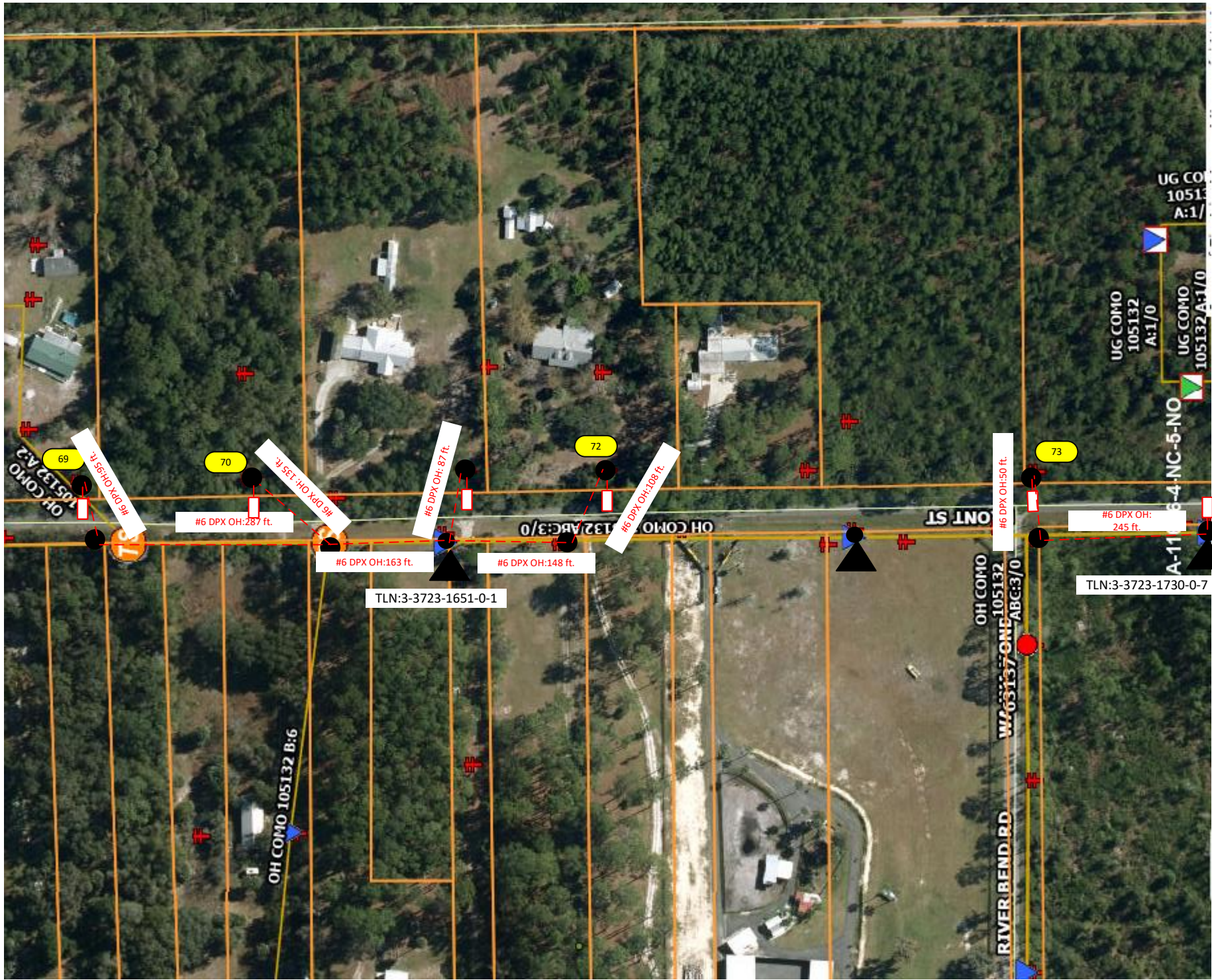
**FEEDER:
105133**

Product Summary

Symbol	Description	Watts	Temp color	Quantity
□	Roadway 17000L	127W	4000K	74
□	Flood 15000L	110W	4000K	1
○	STD Wood Arm Mount 35' (29' MH)			17

AS-BUILT CREW PRINT		ALL REQUIRED GROUND RODS HAVE BEEN DRIVEN & VERIFIED TO BE WITHIN FPL STANDARDS, VALUES ARE SHOWN AT ALL LOCATIONS.		JOB CERTIFIED COMPLETED AS SHOWN ON THIS AS-BUILT PRINT. MATERIAL CHANGES SHOWN ON ROS		AS-BUILT COPY	
FOREMAN'S SIGNATURE _____ DATE _____		FOREMAN'S SIGNATURE _____ DATE _____		SUPERVISOR'S SIGNATURE _____ DATE _____		INITIALS _____ CERT. DATE _____	
Easement?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Survey/Stake?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Work with SMO?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	FPL Town of Welaka I/O Elm St and 3rd Ave	
Tree Work?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Designer/Stake?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CT/Special Mtr?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
PERMIT REQ'D	City	County Rd.	County Air	State Road	FAA		
	WMD	RR Xing	DR. Dist.	Transm.			
Requested Tel. Co. Set Poles?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Tele. Attachment Per		Designed by:	Jesufane Mentor	Date:	09/20/23
Requested Tel. Co. Transfer?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Telephone Co. Job No.		Drawn by:	JJM	Check by:	
Request CAVT Transfer?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	POLE LINE FEET	0'	DUCT BANK FT.	0'	Rural Location Sec.	06 TWP. 48 S, RGE. 43 E.
		POLE LINE FT. ON TRANSM. POLES	0'	TRENCH FT.	0'	SCALE:	N.T.S
TLM/LDS MODEL No.	-	Map Posting?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Posted by:	WR	St. Lt MAP No.	MAP#
					XXXXXXX	Pri Map No.	R0358
							M/A NB

INACCESSIBLE
 13 kV
 FUTURE 23 kV
 23 kV
 SALT SPRAY

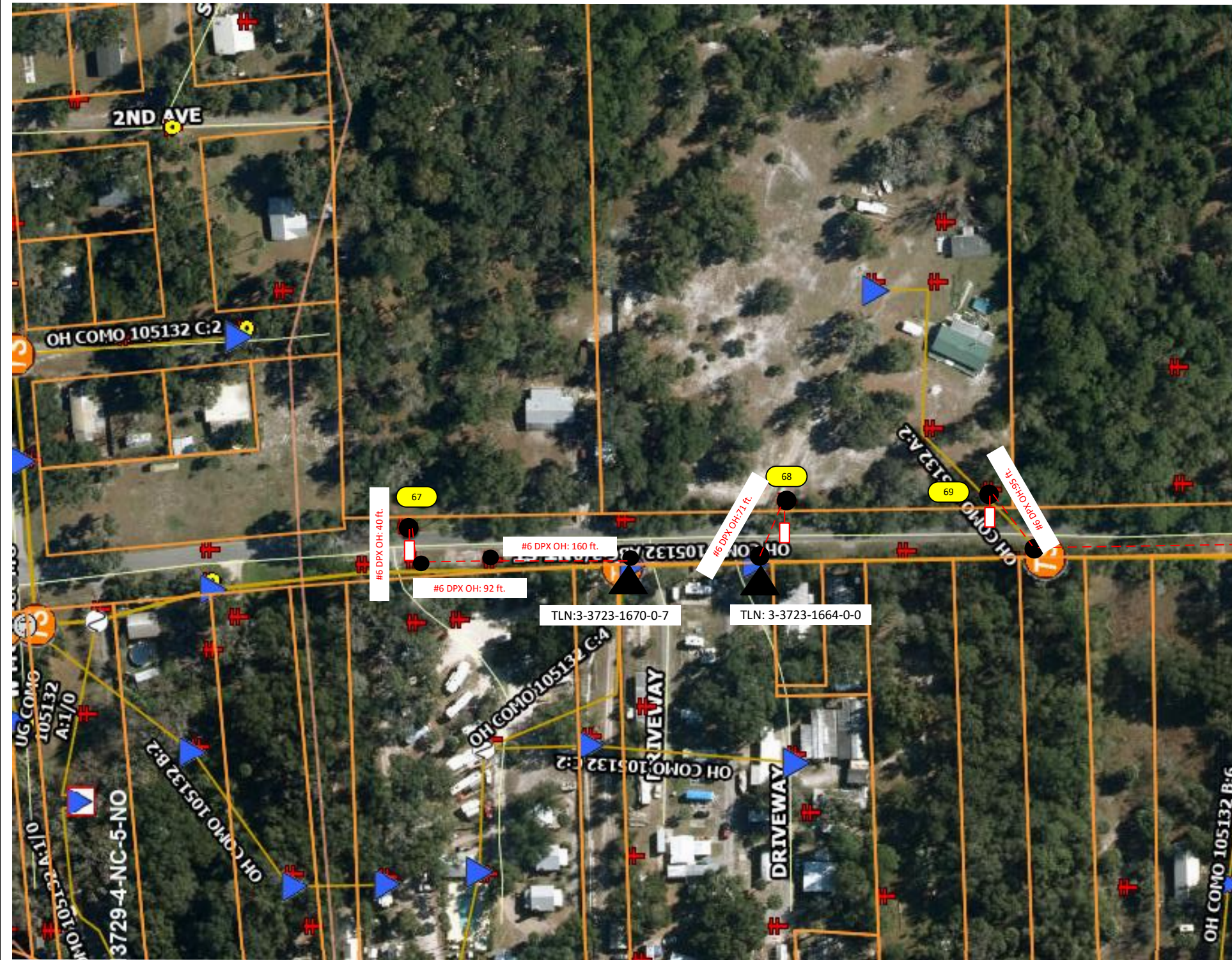
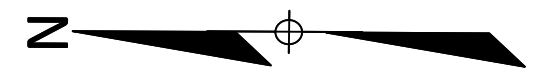



Permit Required for the installation of lights, trenching, and directional bore in the R/W

Construction Notes: Call Locates before digging.
 Loc. 69-74: FPL contractor to install (1)Roadway 17,000L 4000K on existing distribution pole.
 Verify fixture is working correctly after installation.
 Check 120V to terminal blocks.
 'CHECK VOLTAGE – CONVERT 480V to 120V or 240V' On 480V circuits, change the relay prior to installing the lights. Verify the source and amount of lights on that relay. Contact the FPL PL to assist with this process.
 -FPL crew to run #6 DPX cable to all locations shown in the drawing.
 -All facilities to be installed within R/W.
 -Customer to contact FPL PL and coordinate staking of all locations prior LED installations. Customer is responsible for any restoration required.
 FPL LED Representative: [Scott Thrap](#)

AS-BUILT CREW PRINT		ALL REQUIRED GROUND RODS HAVE BEEN DRIVEN & VERIFIED TO BE WITHIN FPL STANDARDS, VALUES ARE SHOWN AT ALL LOCATIONS.		JOB CERTIFIED COMPLETED AS SHOWN ON THIS AS-BUILT PRINT. MATERIAL CHANGES SHOWN ON ROS		AS-BUILT COPY	
FOREMAN'S SIGNATURE _____		DATE _____		FOREMAN'S SIGNATURE _____		DATE _____	
SUPERVISOR'S SIGNATURE _____		DATE _____		INITIALS _____		CERT. DATE _____	
Easement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Survey/Stake? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Work with SMO? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		FPL	
Tree Work? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Designer/Stake? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		CT/Special Mtr? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Town of Welaka I/O Elm St and 3rd Ave							
PERMIT REQ'D	City	County Rd.	County Air	State Road	FAA		
	WMD	RR Xing	DR. Dist.	Transm.			
Requested Tel. Co. Set Poles? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Requested Tel. Co. Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Request CAVT Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Tele. Attachment Per _____	
POLE LINE FEET		DUCT BANK FT.		Designed by: Jesufane Mentor		Date: 09/20/23	
0'		0'		Drawn by: JJM		Check by: _____	
POLE LINE FT. ON TRANSM. POLES		TRENCH FT.		Rural Location Sec. 06 TWP. 48 S, RGE. 43 E.		Dwg No. 2 OF 9	
0'		0'		SCALE: N.T.S		St. Lt MAP No. MAP# _____	
TLM/LDS MODEL No. -		Map Posting? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Posted by: _____		Pri Map No. R0358	
				WR XXXXXXXX		M/A NB	

INACCESSIBLE
 13 kV
 FUTURE 23 kV
 23 kV
 SALT SPRAY

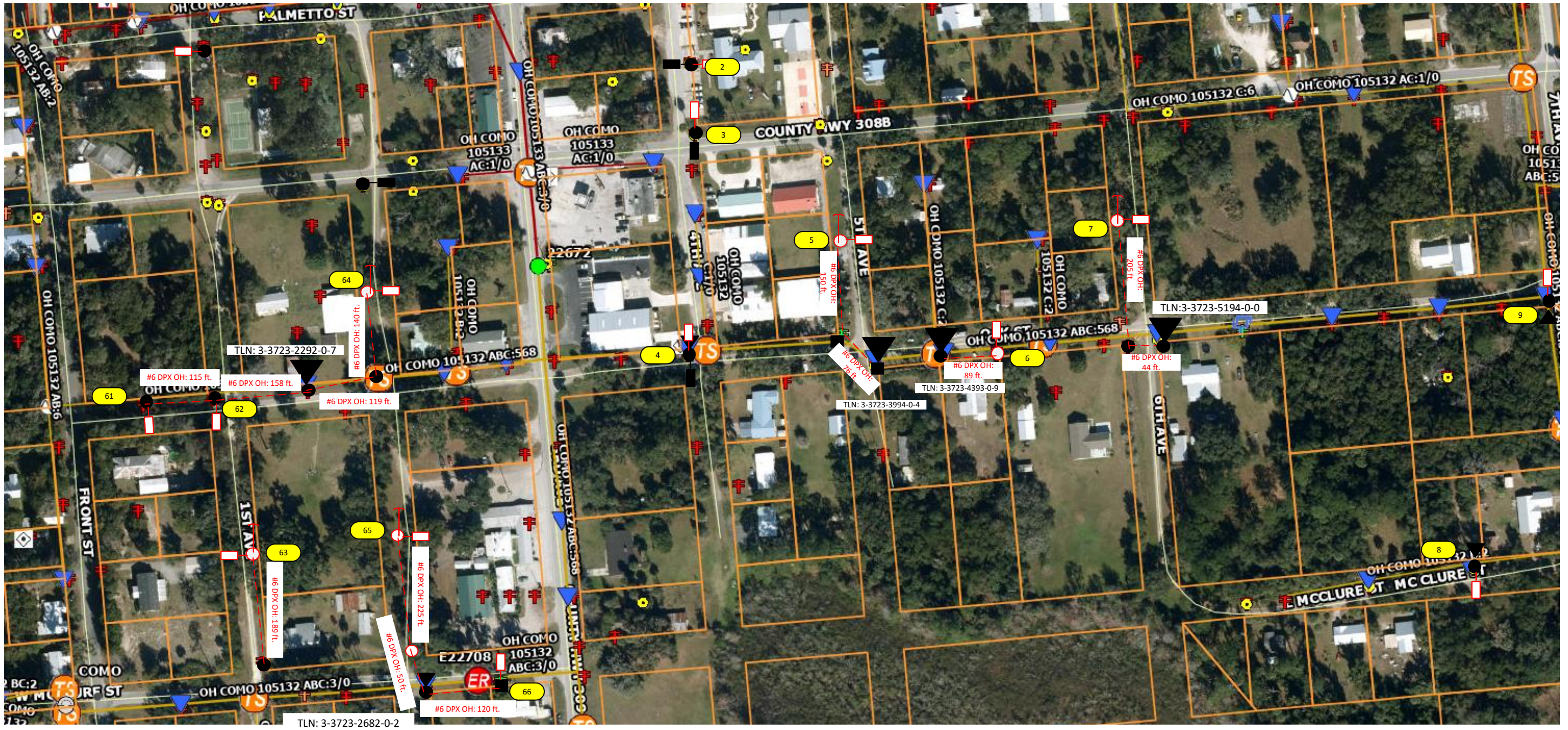


**Permit Required for the
 installation of lights,
 trenching, and directional
 bore in the R/W**

Construction Notes: Call Locates before digging.
 Loc. 67-69: FPL contractor to install (1) Roadway 17,000L 4000K on existing distribution pole
 Verify fixture is working correctly after installation.
 Check 120V to terminal blocks.
 'CHECK VOLTAGE – CONVERT 480V to 120V or 240V' On 480V circuits, change the relay prior to installing the lights. Verify the source and amount of lights on that relay. Contact the FPL PL to assist with this process.
 -FPL crew to run #6 DPX cable to all locations shown in the drawing.
 -All facilities to be installed within R/W.
 -Customer to contact FPL PL and coordinate staking of all locations prior LED installations. Customer is responsible for any restoration required.
 FPL LED Representative: Scot Thrapp

AS-BUILT CREW PRINT		ALL REQUIRED GROUND RODS HAVE BEEN DRIVEN & VERIFIED TO BE WITHIN FPL STANDARDS, VALUES ARE SHOWN AT ALL LOCATIONS.			JOB CERTIFIED COMPLETED AS SHOWN ON THIS AS-BUILT PRINT. MATERIAL CHANGES SHOWN ON ROS		AS-BUILT COPY		
FOREMAN'S SIGNATURE _____		DATE _____		FOREMAN'S SIGNATURE _____		DATE _____		SUPERVISOR'S SIGNATURE _____	
Easement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Survey/Stake? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Work with SMO? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		FPL		Town of Welaka I/O Elm St and 3rd Ave	
Tree Work? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Designer/Stake? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		CT/Special Mtr? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>					
PERMIT REQ'D	City	County Rd.	County Air	State Road	FAA	Designed by: Jesufane Mentor Date: 09/20/23 Drawn by: JJM Check by: _____ Dwg No. 3 OF 9			
	WMD	RR Xing	DR. Dist.	Transm.					
Requested Tel. Co. Set Poles? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Requested Tel. Co. Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Request CAVT Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Rural Location Sec. 06 TWP. 48 S, RGE. 43 E. SCALE: N.T.S St. Lt MAP No. MAP# Pri Map No. R0358			
POLE LINE FEET 0'		DUCT BANK FT. 0'		TRENCH FT. 0'		TLM/LDS MODEL No. - Map Posting? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Posted by: WR XXXXXXXX M/A NB			

INACCESSIBLE 13 kV FUTURE 23 kV 23 kV SALT SPRAY



Permit Required for the installation of lights, trenching, and directional bore in the R/W

Construction Notes: Call Locates before digging.
 Loc. 2-5,8,9,58,61,62,66: FPL contractor to install (1)Roadway 17,000L 4000K on existing distribution pole
 Loc. 7,63-65: FPL contractor to install (1)Roadway 17,000L 4000K on (1) STD Wood Arm Mount 35' (29' MH) with 5/16 downguy
 Loc 6: FPL contractor to install (1)Roadway 17,000L 4000K on (1) STD Wood Arm Mount 35' (29' MH)
 Loc A: Install 45/3 wood pole as intermediate pole
 Verify fixture is working correctly after installation.
 Check 120V to terminal blocks.
 'CHECK VOLTAGE – CONVERT 480V to 120V or 240V' On 480V circuits, change the relay prior to installing the lights. Verify the source and amount of lights on that relay. Contact the FPL PL to assist with this process.
 -FPL crew to run #6 DPX cable to all locations shown in the drawing.
 -All facilities to be installed within R/W.
 -Customer to contact FPL PL and coordinate staking of all locations prior LED installations. Customer is responsible for any restoration required.
 FPL LED Representative: Scot Thrapp

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FOREMAN'S SIGNATURE _____ DATE _____		FOREMAN'S SIGNATURE _____ DATE _____		SUPERVISOR'S SIGNATURE _____ DATE _____		INITIALS _____ CERT. DATE _____		
Easement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Survey/Stake? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Work with SMO? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		FPL		
Tree Work? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Designer/Stake? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		CT/Special Mtr? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
PERMIT REQ'D		City	County Rd.	County Air	State Road	FAA	Town of Welaka I/O Elm St and 3rd Ave	
		WMD	RR Xing	DR. Dist.	Transm.			
Requested Tel. Co. Set Poles? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Tele. Attachment Per		Designed by: Jesufane Mentor				Date: 09/20/23
Requested Tel. Co. Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Telephone Co. Job No.		Drawn by: JJM				Check by: _____
Request CAVT Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>				Rural Location Sec. 06 TWP. 48 S, RGE. 43 E.			Dwg No. 4 OF 9	
POLE LINE FEET 0'		DUCT BANK FT. 0'		SCALE: N.T.S			Pri Map No. R0358	
POLE LINE FT. ON TRANSM. POLES 0'		TRENCH FT. 0'		St. Lt MAP No. MAP#			M/A NB	
TLM/LDS MODEL No. -		Map Posting? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Posted by: _____		WR XXXXXXXX		



Construction Notes: Call Locates before digging.

Loc. 12,13,15-17: FPL contractor to install (1)Roadway 17,000L 4000K on existing distribution pole

Loc 14: FPL contractor to install (1)Roadway 17,000L 4000K on (1) STD Wood Arm Mount 35' (29' MH)

Verify fixture is working correctly after installation.

Check 120V to terminal blocks.

'CHECK VOLTAGE – CONVERT 480V to 120V or 240V' On 480V circuits, change the relay prior to installing the lights. Verify the source and amount of lights on that relay. Contact the FPL PL to assist with this process.

-FPL crew to run #6 DPX cable to all locations shown in the drawing.

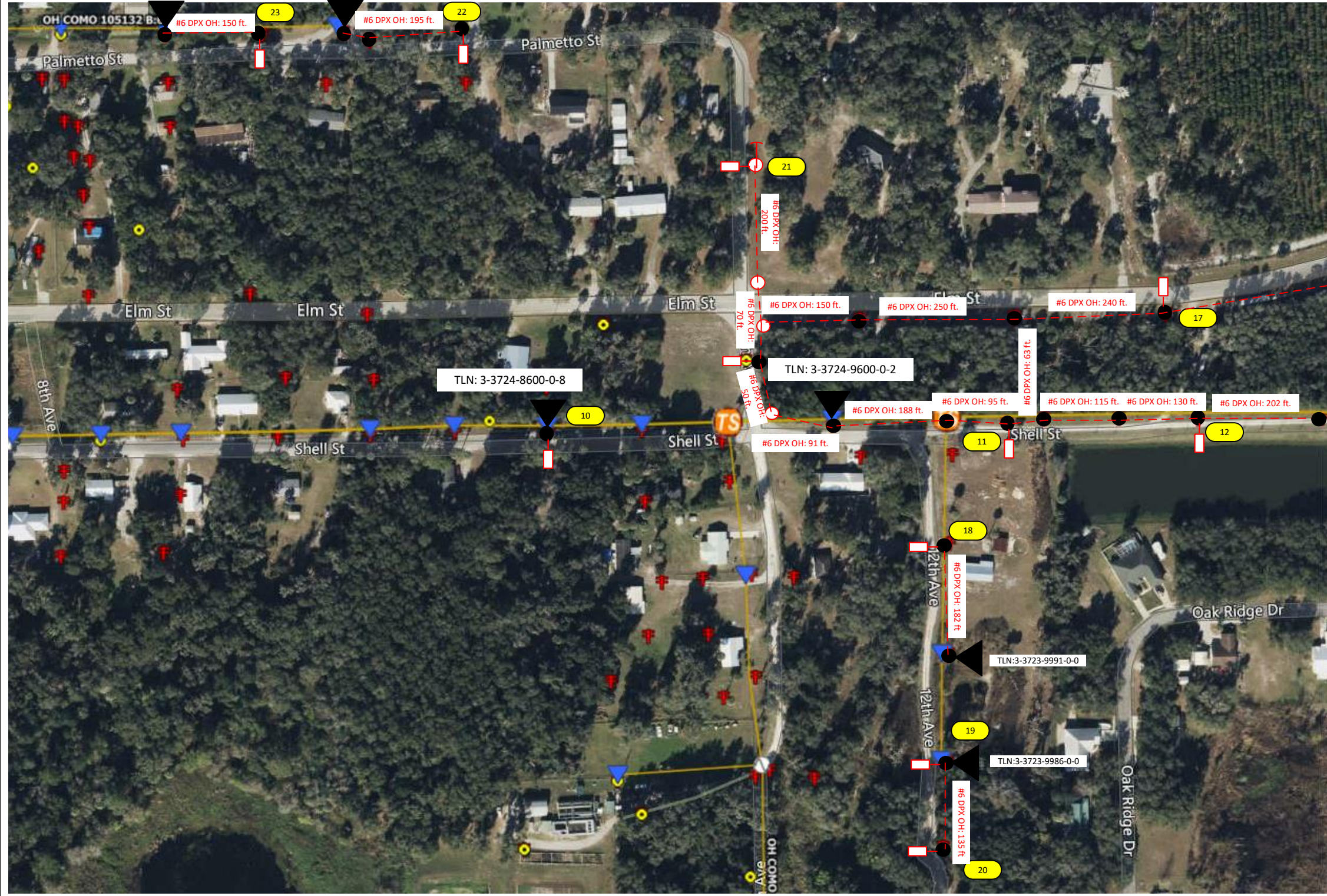
-All facilities to be installed within R/W.

-Customer to contact FPL PL and coordinate staking of all locations prior LED installations. Customer is responsible for any restoration required.

FPL LED Representative: [Scot Thrapp](#)

AS-BUILT CREW PRINT		ALL REQUIRED GROUND RODS HAVE BEEN DRIVEN & VERIFIED TO BE WITHIN FPL STANDARDS, VALUES ARE SHOWN AT ALL LOCATIONS.		JOB CERTIFIED COMPLETED AS SHOWN ON THIS AS-BUILT PRINT. MATERIAL CHANGES SHOWN ON ROS		AS-BUILT COPY	
FOREMAN'S SIGNATURE _____ DATE _____		FOREMAN'S SIGNATURE _____ DATE _____		SUPERVISOR'S SIGNATURE _____ DATE _____		INITIALS _____ CERT. DATE _____	
Easement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Survey/Stake? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Work with SMO? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		FPL	
Tree Work? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Designer/Stake? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		CT/Special Mtr? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
PERMIT REQ'D		City		County Rd.		County Air	
WMD		RR Xing		DR. Dist.		State Road	
Requested Tel. Co. Set Poles? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Requested Tel. Co. Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Request CAVT Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Tele. Attachment Per	
POLE LINE FEET		DUCT BANK FT.		Rural Location Sec.		Designed by: Jesufane Mentor Date: 09/20/23	
POLE LINE FT. ON TRANSM. POLES		TRENCH FT.		SCALE: N.T.S		Drawn by: JJM Check by: Dwg No. 5 OF 9	
TLM/LDS MODEL No. -		Map Posting? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		St. Lt MAP No. MAP#		Date: 09/20/23	
		Posted by:		Pri Map No. R0358		WR XXXXXXXX M/A NB	

Permit Required for the installation of lights, trenching, and directional bore in the R/W



**Permit Required for the
 installation of lights,
 trenching, and directional
 bore in the R/W**

Construction Notes: Call Locates before digging.

Loc. 10-12,17-20,22,23: FPL contractor to install (1)Roadway 17,000L 4000K on existing distribution pole

Loc. 21: FPL contractor to install (1)Roadway 17,000L 4000K on (1) STD Wood Arm Mount 35' (29' MH) with 5/16 downguy

Loc B,C,D: Install 45/3 wood pole as intermediate pole

Verify fixture is working correctly after installation.

Check 120V to terminal blocks.

'CHECK VOLTAGE – CONVERT 480V to 120V or 240V' On 480V circuits, change the relay prior to installing the lights. Verify the source and amount of lights on that relay. Contact the FPL PL to assist with this process.

-FPL crew to run #6 DPX cable to all locations shown in the drawing.

-All facilities to be installed within R/W.

-Customer to contact FPL PL and coordinate staking of all locations prior LED installations. Customer is responsible for any restoration required.

FPL LED Representative: Scot Thrapp

AS-BUILT CREW PRINT		ALL REQUIRED GROUND RODS HAVE BEEN DRIVEN & VERIFIED TO BE WITHIN FPL STANDARDS, VALUES ARE SHOWN AT ALL LOCATIONS.		JOB CERTIFIED COMPLETED AS SHOWN ON THIS AS-BUILT PRINT. MATERIAL CHANGES SHOWN ON ROS		AS-BUILT COPY	
FOREMAN'S SIGNATURE _____		DATE _____		FOREMAN'S SIGNATURE _____		DATE _____	
SUPERVISOR'S SIGNATURE _____		DATE _____		INITIALS _____		CERT. DATE _____	
Easement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Survey/Stake? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Work with SMO? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		FPL	
Tree Work? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Designer/Stake? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		CT/Special Mtr? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
TOWN OF WELAKA		I/O Elm St and 3rd Ave		DESIGNED BY: Jesufane Mentor		DATE: 09/20/23	
DRAWN BY: JJM		CHECK BY: _____		DWG NO. 6 OF 9			
RURAL LOCATION SEC. 06		TWP. 48 S, RGE. 43 E.		SCALE: N.T.S		PRI MAP NO. R0358	
TLM/LDS MODEL No. -		Map Posting? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Posted by: WR XXXXXXXX		M/A NB	



Permit Required for the installation of lights, trenching, and directional bore in the R/W

Construction Notes: Call Locates before digging.

Loc. 54-56,58,60,27-29,25: FPL contractor to install (1)Roadway 17,000L 4000K on existing distribution pole

Loc. 24,30,31,57,59: FPL contractor to install (1)Roadway 17,000L 4000K on (1) STD Wood Arm Mount 35' (29' MH) with 5/16 downguy

Loc 26:FPL contractor to install (1)Roadway 17,000L 4000K on existing distribution pole

Loc 1, 2:Install LED with (1)Roadway 17,000L 4000K facing opposite direction of existing light

Verify fixture is working correctly after installation.

Check 120V to terminal blocks.

'CHECK VOLTAGE – CONVERT 480V to 120V or 240V' On 480V circuits, change the relay prior to installing the lights. Verify the source and amount of lights on that relay. Contact the FPL PL to assist with this process.

-FPL crew to run #6 DPX cable to all locations shown in the drawing.

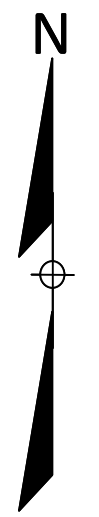
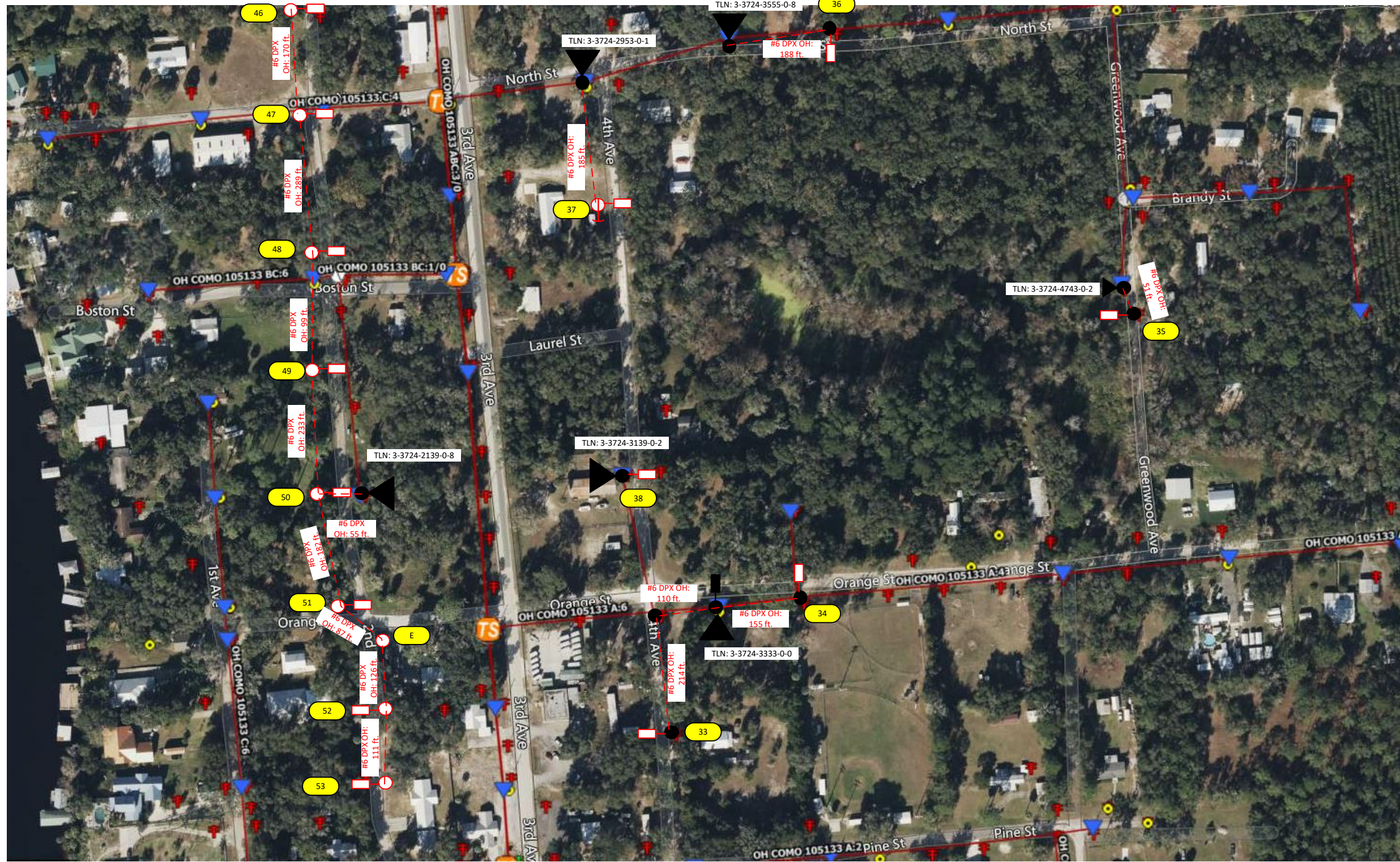
-All facilities to be installed within R/W.

-Customer to contact FPL PL and coordinate staking of all locations prior LED installations. Customer is responsible for any restoration required.

FPL LED Representative: Scot Thrapp

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Easement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Survey/Stake? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Work with SMO? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		FPL		
Tree Work? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Designer/Stake? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		CT/Special Mtr? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
PERMIT REQ'D		City	County Rd.	County Air	State Road	FAA	Town of Welaka I/O Elm St and 3rd Ave	
		WMD	RR Xing	DR. Dist.	Transm.			
Requested Tel. Co. Set Poles? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Tele. Attachment Per		Designed by: Jesufane Mentor				Date: 09/20/23
Requested Tel. Co. Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Telephone Co. Job No.		Drawn by: JJM				Check by: _____
Request CAVT Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		POLE LINE FEET 0'		DUCT BANK FT. 0'		Rural Location Sec. 06 TWP. 48 S, RGE. 43 E.		
TLM/LDS MODEL No. -		POLE LINE FT. ON TRANSM. POLES 0'		TRENCH FT. 0'		SCALE: N.T.S. St. Lt MAP No. MAP# Pri Map No. R0358		
Map Posting? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Posted by:		WR XXXXXXXX			M/A NB	

INACCESSIBLE 13 kV FUTURE 23 kV 23 kV SALT SPRAY



Permit Required for the installation of lights, trenching, and directional bore in the R/W

Construction Notes: Call Locates before digging.
 Loc. 33-36: FPL contractor to install (1) Roadway 17,000L 4000K on existing distribution pole
 Loc. 37,46-53: FPL contractor to install (1) Roadway 17,000L 4000K on (1) STD Wood Arm Mount 35' (29' MH)
 Loc E: Install 45/3 wood pole as intermediate pole
 Verify fixture is working correctly after installation.
 Check 120V to terminal blocks.
 'CHECK VOLTAGE – CONVERT 480V to 120V or 240V' On 480V circuits, change the relay prior to installing the lights. Verify the source and amount of lights on that relay. Contact the FPL PL to assist with this process.
 -FPL crew to run #6 DPX cable to all locations shown in the drawing.
 -All facilities to be installed within R/W.
 -Customer to contact FPL PL and coordinate staking of all locations prior LED installations. Customer is responsible for any restoration required.

FPL LED Representative: Scot Thrapp

AS-BUILT CREW PRINT		ALL REQUIRED GROUND RODS HAVE BEEN DRIVEN & VERIFIED TO BE WITHIN FPL STANDARDS, VALUES ARE SHOWN AT ALL LOCATIONS.		JOB CERTIFIED COMPLETED AS SHOWN ON THIS AS-BUILT PRINT. MATERIAL CHANGES SHOWN ON ROS		AS-BUILT COPY	
FOREMAN'S SIGNATURE _____ DATE _____		FOREMAN'S SIGNATURE _____ DATE _____		SUPERVISOR'S SIGNATURE _____ DATE _____		INITIALS _____ CERT. DATE _____	
Easement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Survey/Stake? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Work with SMO? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		FPL	
Tree Work? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Designer/Stake? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		CT/Special Mtr? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
PERMIT REQ'D		City		County Rd.		County Air	
WMD		RR Xing		DR. Dist.		State Road	
Requested Tel. Co. Set Poles? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Requested Tel. Co. Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Request CAVT Transfer? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		Tele. Attachment Per _____ Telephone Co. Job No. _____	
POLE LINE FEET 0'		DUCT BANK FT. 0'		POLE LINE FT. ON TRANSM. POLES 0'		TRENCH FT. 0'	
TLM/LDS MODEL No. -		Map Posting? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Posted by: _____		Designed by: Jesufane Mentor Date: 09/20/23	
						Drawn by: JJM Check by: _____ Dwg No. 8 OF 9	
						Rural Location Sec. 06 TWP. 48 S, RGE. 43 E.	
						SCALE: N.T.S. St. Lt MAP No. MAP# Pri Map No. R0358	
						WR XXXXXXXX M/A NB	



Permit Required for the installation of lights, trenching, and directional bore in the R/W

Construction Notes: Call Locates before digging.
 Loc. 39-43: FPL contractor to install (1)Roadway 17,000L 4000K on existing distribution pole
 Loc. 44,45: FPL contractor to install (1)Roadway 17,000L 4000K on (1) STD Wood Arm Mount 35' (29' MH)
 Verify fixture is working correctly after installation.
 Check 120V to terminal blocks.
 'CHECK VOLTAGE – CONVERT 480V to 120V or 240V' On 480V circuits, change the relay prior to installing the lights. Verify the source and amount of lights on that relay. Contact the FPL PL to assist with this process.
 -FPL crew to run #6 DPX cable to all locations shown in the drawing.
 -All facilities to be installed within R/W.
 -Customer to contact FPL PL and coordinate staking of all locations prior LED installations. Customer is responsible for any restoration required.
 FPL LED Representative: Scot Thrapp

AS-BUILT CREW PRINT		ALL REQUIRED GROUND RODS HAVE BEEN DRIVEN & VERIFIED TO BE WITHIN FPL STANDARDS, VALUES ARE SHOWN AT ALL LOCATIONS.		JOB CERTIFIED COMPLETED AS SHOWN ON THIS AS-BUILT PRINT. MATERIAL CHANGES SHOWN ON ROS		AS-BUILT COPY	
FOREMAN'S SIGNATURE _____ DATE _____		FOREMAN'S SIGNATURE _____ DATE _____		SUPERVISOR'S SIGNATURE _____ DATE _____		INITIALS _____ CERT. DATE _____	
Easement?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Survey/Stake?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Work with SMO?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	FPL	
Tree Work?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Designer/Stake?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CT/Special Mtr?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
PERMIT REQ'D	City	County Rd.	County Air	State Road	FAA	Town of Welaka I/O Elm St and 3rd Ave	
	WMD	RR Xing	DR. Dist.	Transm.			
Requested Tel. Co. Set Poles?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Tele. Attachment Per		Designed by: Jesufane Mentor		Date: 09/20/23	
Requested Tel. Co. Transfer?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Telephone Co. Job No.		Drawn by: JJM		Check by: _____	
Request CAVT Transfer?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			Rural Location Sec.		06 TWP. 48 S, RGE. 43 E.	
POLE LINE FEET	0'	DUCT BANK FT.		SCALE: N.T.S		St. Lt MAP No. MAP#	
POLE LINE FT. ON TRANSM. POLES	0'	TRENCH FT.		Pri Map No.		R0358	
TLM/LDS MODEL No.	-	Map Posting? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Posted by:		WR XXXXXXXX M/A NB	

From: Town Clerk
Sent: Monday, October 30, 2023 11:26 AM
To: Kim Dugger <kdugger@welaka-fl.gov>
Subject: RE: 11/6/23 Special-Called Town Council Meeting, 5:05 PM

Will do. Thank you.

Very Best Regards,

Meghan E. Allmon

Town Clerk
Town of Welaka
400 4th Avenue
Welaka, FL 32193
(386) 467-9800 ext. 102
TownClerk@welaka-fl.gov
www.Welaka-fl.gov



Welaka, FL
River of Lakes

From: Kim Dugger <kdugger@welaka-fl.gov>
Sent: Monday, October 30, 2023 10:47 AM
To: Town Clerk <townclerk@welaka-fl.gov>
Subject: Re: 11/6/23 Special-Called Town Council Meeting, 5:05 PM

Meghan
Please add renaming Field of Dreams Park to November 14 agenda.
And parking for the new townhouse development on Sportsman Drive.
I appreciate it!
Kim

**TOWN OF WELAKA
REQUEST TO SPEAK AT MEETING**

**ZONING BOARD _____
TOWN COUNCIL ✓
CODE ENFORCEMENT BOARD _____**

Requested Date to Speak 10-14-2023

Name: Isqiah Mills
Address: 992 Elm St
City: Welaka State FL Zip 32193
Phone No. 3865592142 Cell _____ Fax _____

Subject Matter

Request Vacant Lot be cleaned
next to 217 th Ave Welaka
FL

Signature Brian B. Mc
Date 11-2-2023



RFP 2023-03

**REQUEST FOR PROPOSAL (RFP)
LEASING AND OPERATION OF WELAKA MEDICAL FACILITY
Town of Welaka, FL**

PROJECT: Leasing and Operation of Medical Facility

The Town of Welaka, Florida, 400 4th Avenue, Welaka, Florida, 32193 desires to lease medical facility space owned by the Town of Welaka (the “Town”), for the express purpose of provide medical care to the Welaka community.

SUBMITTAL REQUIREMENTS:

This Request for Proposal (“RFP”) is issued to provide the selection process for the leasing a Town-owned medical office building located at 405 Elm St, Welaka, FL 32193. Responses to this RFP shall submit, at a minimum, the following:

Qualifications

- Your firm’s background, including experience of the firm and staff, and statement of relevant qualifications. Include the resumes for the and key staff members.
- Provide a list of all facilities you currently operate in the state of Florida.

Narrative explaining your approach to the operation at this specific location

- Name all key personnel that will be a part of the team for this location and describe the specific experience of each.
- Provide a description of the nature of the medical services you will provide at this location, describing any treatments and/or equipment that will be available to treat/diagnose patients at this location.
- Indicate whether your firm operates as an FQHC, private practitioner or other.

Narrative explaining your approach to the administration side of the operation

- Will you have an on-site office administrator? Will you have onsite billing staff?
- Do you own or lease your other facilities?

Terms of the Lease

- Provide your proposed lease rate and any lease terms you may prefer in the lease agreement.
- Describe any buildout that will be necessary for you to occupy the premises.
- Although there is no stated intention from the Town Council to sell the property - if you prefer to purchase, you may propose a purchase price. You should expect that any consideration for purchasing will likely include a deed restriction limiting the use to a medical facility that will service the local community.

The Town of Welaka will take sealed proposals until **4:00 p.m. EST, on December 22, 2023**, at the Welaka Town Hall, 400 4th Ave, Welaka, Florida 32193. Proposals will be publicly opened and read immediately thereafter in the Commission Chambers. All interested parties are invited to attend. Submittals shall consist of six (6) complete sets, including one (1) original, five (5) high quality, legible copies, and one (1) electronic copy on a USB drive or jump drive.

Submittal envelopes must be clearly marked “RFP 2023-03 Leasing and Operation of Medical Facility” and shall be addressed as follows for mail/courier or hand delivery:

**Town of Welaka
Atte: Meghan Allmon, Town Clerk
400 4th Avenue, Welaka, FL 32193**

Submitters are strongly encouraged to make an appointment by contacting Town Hall at 386-467-9800, ext. 102 to request a visit to the medical facility prior to submitting a proposal. The facility is actively operating as a medical clinic and cannot be viewed without an appointment scheduled through Town Hall. The current tenant is eligible to submit a proposal.

Questions regarding responses to this Request for Proposal (RFP 2023-03) must be submitted via e-mail to the Welaka Town Clerk at TownClerk@welaka-fl.gov no later than December 22, 2023, by 4:00 pm.

Substantive questions about this RFP by phone or in person will not be answered. However, if you have technical questions about the submittal requirements, please contact Town Hall at 386-467-9800, ext. 102.

Documents are available in .pdf format and may be downloaded from the Town's website, www.welaka-fl.gov or by requesting via email to TownClerk@welaka-fl.gov.

The Town reserves the right to reject any or all bids.

BACKGROUND:

The Town of Welaka acquired the property at 405 Elm Street in October 2006 for the express purpose of attracting a health care provider to our underserved community. The building is approximately 2,130 sq. ft. and built to suit a medical facility, including an x-ray machine.



In June 2007, the Town entered into a lease agreement with Rural Health Care, Inc., an FQHC currently operating under the fictitious name Aza Health.

The terms of the lease were highly favorable to the current tenant to attract a medical clinic to our community, and it has proven to be beneficial to the community. However, after 16 years under such terms, the Town has determined that it is in the best interests of the residents and business owners in the Town to seek proposals to make certain that the Town is receiving the best quality health care options pursuant to the best possible lease terms for all concerned.

PROJECT DESCRIPTION:

1.1 LOCATION

The medical facility is located at the corner of Elm Street (CR 308B) and 4th Avenue, with a physical address of 405 Elm Street, Welaka, FL 32193.

1.2 PREFERRED USE

The Town would prefer a full-service urgent care clinic or full-service medical clinic but will consider proposals for a walk-in clinic or private practice physician.

1.3 LEASEHOLD DESCRIPTION

A 2,130 square foot office space built out for medical services, including an x-ray machine that was purchased by the Town.

1.4 LEASE AGREEMENT

The Lease Agreement will be prepared by the Town of Welaka.

1.5 LEASE TERM

It is anticipated the Lease will be for a period of up to five years. The proposer may include suggested terms for lease renewal.

1.6 LEASE RATE

The Tenant shall specify the monthly Rental Amount requested in the proposal. The final Rental Amount will be determined by the outcome of the competitive RFP process. If capital improvements are proposed by the selected Tenant, a rent credit may be considered.

1.7 RENTAL CONCESSION

TBD.

1.8 CONDITION OF SPACE

Finished interior space shall be delivered “as-is.” Submitters should schedule a visit of the premises to determine any buildout(s) needs.

1.9 IMPROVEMENTS

Response to this RFP should address the build out of the interior space needs of the tenant.

1.10 OTHER CHARGES AND ASSESSMENTS

In addition to the monthly rental fee, there are the following:

Security Deposit: One month’s rent, refundable at the termination of the agreement.

Annual Town of Welaka Business Tax Receipt.

Sales and Use Tax on the Rental, Lease.

Maintenance and Utilities: The Tenant shall be responsible for all utilities in addition to daily and routine maintenance for the safe and sanitary operation of the premises. The Town shall be responsible for major repairs, including HVAC and plumbing, and shall maintain the exterior of the premises as needed.

1.12 STATEMENT OF RIGHTS AND UNDERSTANDING

The Town reserves, and may in its sole discretion, exercise the following rights and options with respect to this Request for Proposals (RFP)

- a.** To accept, reject, or negotiate modifications to any and all proposals as it shall, in its sole discretion, deem to be in its best interest; submission of an RFP does not bind the Town to any action or to any party. Submissions do not create or assume any relationship, agency or obligation by the Town, its officers, or employees.
- b.** To issue additional solicitations for proposals and/or addenda to the RFP.

- c. To award the Lease to the Tenant the Town has determined to be most responsive, who has submitted a complete proposal which meets the specifications and requirements which are deemed by the Town most advantageous to and in the best interest of the Town.
- d. To negotiate with any one or more of the respondents.
- e. To waive any irregularities in any proposal.
- f. To select any proposal as the basis for negotiations or a Lease Agreement, and to negotiate with respondents for amendment or other modifications to their proposals.
- g. To conduct investigations with respect to the qualification of each respondent; to obtain additional information deemed necessary to determine the ability of the respondent to carry out the obligations of the Lease. This includes information needed to evaluate the experience and financial capability of the respondent.

INDEMNIFICATION AND INSURANCE REQUIREMENTS

Tenant shall procure and maintain at Tenant's own expense for the duration of the agreement, the following insurance against claims for injuries to persons or damages to property which may arise from or in connection with the possession, occupancy, operation and use of the Premises by Tenant, Tenant's agents, representatives, employees, or subcontractors:

- Comprehensive/Commercial General Liability of not less than \$1,000,000 per occurrence/\$2,000,000 aggregate.
- Workers' Compensation and Employer's Liability.
- Property insurance against all risks of loss to any tenant improvements and personal property at full replacement cost with no coinsurance penalty provision.
- Insurance certificates naming the Town as additional insured will be required prior to occupancy, but not required as part of this submittal.

INDEPENDENT CONTRACTOR

The tenant in the performance of the Lease Agreement will be acting in a wholly independent capacity from the Town and not as agents, employees, partners, or joint ventures of the Town.

PROPOSAL EVALUATION

The Town Council will review all proposals. Respondents who submit a proposal in response to this RFP may be required to give an oral presentation to the Town Council. This will provide an opportunity for the submitter to clarify or elaborate on the proposal. The Town will award the Lease based on the proposal that best meets the Town's requirements outlined in this RFP, would provide the best service to the public, and would provide the greatest benefit to the Town.

EVALUATION CRITERIA

The following criteria, not necessarily listed in order of importance, will be used to evaluate proposals. The Town reserves the right to weigh its evaluation criteria as it deems appropriate.

- Thoroughness and completeness of proposal; responsiveness to RFP requirements.
- The scope of medical services proposed for this location.
- The scope, extent, applicability, and quality of proposer's experience.
- Financial resources, history, and references of the submitter.

CONTACT

Meghan Allmon, Town Clerk
400 4th Avenue
Welaka, FL 32913
townclerk@welaka-fl.gov
386-467-9800

SCHEDULE OF EVENTS

The anticipated schedule below outlines milestones for the project:

DATE	TIME	EVENT
November 15, 2023		RFP Issued
November 25, 2023	11:00 AM	Non-mandatory site visit
December 2, 2023	2:00 PM	Non-mandatory site visit
December 8, 2023	2:00 PM	Deadline for receipt of questions and inquiries
December 15, 2023		Final responses to questions, addendum one
December 22, 2023	4:00 PM	Deadline for submission of proposals from candidates
December 29, 2023		Notification to short-listed candidates
January ___ tentative		Town Commission Interviews/Approval of Selected Candidate
January ___ tentative		Finalize contract negotiations (Anticipated)
February 13, 2024		Contract Award (Anticipated)

ADDITIONAL INSTRUCTIONS

The Town is looking to base their decision on the qualifications of the proposing firms.

- Pages in the proposal shall be typed with the maximum number of pages of proposal information (excepting cover sheet, index sheet, blank pages, table of contents similar project profile sheets, and other supplemental proposal forms required or requested) to be limited to thirty (30) pages numbered in sequential order.
- Statement of Proposals shall be delivered in person or by mail/courier service, by **4:00 pm on Friday December 22, 2023**. Submittals shall consist of six (6) complete sets, including one (1) original, five (5) high quality, legible copies, and one (1) electronic copy on a USB drive or jump drive.
- Submittal envelopes must be clearly marked “” and shall be addressed as follows for mail/courier or hand delivery:
Town of Welaka
Atte: Meghan Allmon, Town Clerk
400 4th Avenue
Welaka, FL 32913
- No Proposing Firm may submit more than one (1) proposal. Multiple submissions under different names will not be accepted.
- Each respondent must comply with the submission requirements as outlined. Submittals that

fail to comply with the requirements as specified may be deemed non-responsive and such determination will result in no further consideration of that respondent or the respondent's submittals by the Town. At any stage, the Town reserves the right to terminate, suspend or modify this selection process; reject any or all submittals at any time; and waive any informalities, irregularities, or omissions in submittals, as the best interests of the Town may require.

SUMMARY OF PROPOSAL REQUIREMENTS

Proposals should include, but are not limited to, the following items:

- Statement of interest and health care services that submitter will provide if selected
- Experience
- Concept & Operation
- Proposed Rent & Terms
- Proposed improvements, if any, with estimated capital investment & source of funding

QUESTIONS, INQUIRIES, AND AMENDMENTS REGARDING THIS RFP

Questions and inquiries regarding the RFP should be directed to the Town Clerk listed above by the date aforementioned. The Town will issue a response to all questions by email and posting on the Town's website. Questions should not be submitted to any other parties; doing so could cause this candidate's removal from the RFP process.

PROPOSING FIRMS TO FULLY INFORM THEMSELVES

Proposers are required to fully inform themselves of all conditions and demographics which may impact their proposal and the Town's requirements prior to submitting a proposal. Proposers should become acquainted with the nature and extent of the services to be undertaken and make all necessary examinations, investigations, and inspections prior to submitting a proposal.

There are prescheduled site visit dates and times stated above. If requested in advance, the Town may provide a submitting firm access to the site to examine the facilities.

The Proposing Firm is to consider federal, state, and local Laws and Regulations that may affect cost, progress, performance or furnishing of the medical services. The Town will not consider any claims arising from failure to take such actions.

If a satisfactory agreement with the proposer cannot be reached, at a price that is determined to be fair and reasonable, negotiations with that firm shall be formally terminated. Negotiations with the second ranked proposer may then be initiated. Failing accord with the second ranked proposer, the Town shall formally terminate negotiations and may then undertake negotiations with the third ranked proposer or re-issue the RFP at their discretion.

The Town will have sole determination of which proposal is in the Town's best interest.

RIGHT OF REJECTION

The Town reserves the right to accept or reject any or all responses to this RFP and to enter into discussions and/or negotiations with one or more qualified submitting firms, if such action is in the best interest of the Town. The Town has the right, in its sole and absolute discretion, to select the proposal or proposals that the Town determines best meets its needs.

MODIFICATION AND WITHDRAWAL OF PROPOSAL

Withdrawn proposals may be resubmitted up to the time designated for the receipt of proposals due date/time provided that they are then fully in conformance with the RFP. If, within twenty- four hours after proposals

are opened, any company that provides written notice to the Town and promptly thereafter demonstrates to the reasonable satisfaction of Town that there was a material and substantial mistake in the preparation of its proposal, that company may withdraw its proposal. Thereafter, that company will be disqualified from further bidding on this project.

PROPOSALS TO REMAIN OPEN SUBJECT TO ACCEPTANCE

All proposals shall remain open for ninety (90) days after the day of the proposal opening, but the Town may, in its sole discretion, release any proposal prior to that date.

COST OF PROPOSALS

Expenses incurred in the preparation of proposals in response to this RFP are the Proposing Firm's sole responsibility. The Town assumes no responsibility for payment of any expenses incurred by any Proposing Firm as part of the RFP process.

EXHIBIT A – EXISTING FLOOR PLAN OF BUILDING

(To Be Included)

PROPOSAL

To: Town Council

Date: October 6, 2023

Re: Planning and Legal Services for Finding of Necessity

SCOPE: The following is a proposal for providing professional planning and legal services to conduct a finding of necessity pursuant to section 163.355, Florida Statutes, for the Town of Welaka as a precursor to establishing a community redevelopment area for the Town. My proposal is based on the following scope of work and time frames for completing the work:

30 days	Conduct one public meeting to establish the proposed study area for the finding of necessity and explain the process.
60-90 days	Analyze the study area on a property-by-property basis to determine whether the area meets the definition of a “Blighted Area” under section 163.340(8), Florida Statutes. Draft report of findings including a proposed ordinance/resolution if appropriate.
90-120 days	Present findings at a public workshop/meeting.
120 to 130 days	Schedule for Council meeting and issue notices to taxing authorities of intent in adopt the finding of necessity in accordance with section 163.346, Florida Statutes, which shall include sending of the registered letters as required therein.
130 to 180 days	Present the proposed ordinance/resolution establishing the finding of necessity to the Town Council for adoption.

As reflected above, once the project is approved to move forward, I anticipate 30 days to get the first public meeting scheduled, with the whole process taking approximately 180 days to complete. There may be a need to conduct a heads-up meeting with the County officials; but this will be up to the Town Council. We will need to coordinate all necessary meetings to allow for proper notice and preparation of materials needed for the meeting.

The analysis and reporting effort will determine whether there are “a substantial number of deteriorated or deteriorating structures; in which conditions, as indicated by government-maintained statistics or other studies, endanger life or property or are leading to economic distress” as well determine which of the enumerated factors outlined in section 163.340(8) are present within the proposed study area. There are 15 listed factors, and the analysis will need to be able to show at least two of these factors are present (the complete list is attached as an

addendum to this proposal). Some of the listed factors are clearly not relevant and we should be able to determine which factors are worthy of further analysis after we establish the study area boundaries and conduct the initial field surveys of the area.

This work will require field surveys, map surveys, photographs, gathering of data from various sources such as the county property appraiser and county tax collector, and pulling all of this together into a report. The report will include a recommendation as to whether a finding of necessity is appropriate and, presuming it does, the report will include a proposed ordinance or resolution adopting the findings. The report and all supporting documents belong to the Town and will be turned over upon payment of the first invoice.

The report will be presented in a public meeting for public review, questions and comments. Following this workshop, the ordinance/resolution will be scheduled for review and adoption by the town council. The timing of this will depend on the council but notice to the taxing authorities must be sent out at least 15 days prior.

FEE: I am proposing to complete the scope of work within the time frames outlined above for a total lump sum fee of \$7,500 plus costs and expenses. Additional fees will be charged for any additional public meetings required beyond those reflected herein at \$146 per hour.

The fees will be billed in two parts – 50% upon completion of the report of my findings and 50% upon presentment of the ordinance or resolution to the town council for approval.

Costs and expenses will largely consist of printing and copying cost as well as advertising costs. Copying and printing will be handled by my firm, unless the Town chooses to handle it directly. I will charge 20 cents per page for black and white copies and 25 cents per page for color. My firm will prepare the advertisements and notice letters, but the advertising and mailing will be published or mailed through Town Hall and paid for directly by the Town. There are no anticipated travel costs unless the Town requests travel out of Putnam County; in which case travel will be charged at the mileage rate set by the Internal Revenue Service.

Please advise if you have any questions, comments, or concerns.

Respectfully Submitted,



Patrick Kennedy
The Law Offices of Patrick J Kennedy, PA

Factors Establishing Presence of Blight Under Florida Law:

- (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities.
- (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions.
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
- (d) Unsanitary or unsafe conditions.
- (e) Deterioration of site or other improvements.
- (f) Inadequate and outdated building density patterns.
- (g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality.
- (h) Tax or special assessment delinquency exceeding the fair value of the land.
- (i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality.
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality.
- (k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality.
- (l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality.
- (m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.
- (n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.
- (o) A substantial number or percentage of properties damaged by sinkhole activity which have not been adequately repaired or stabilized.

Prepared By:
The Law Offices of Patrick J. Kennedy, PA
P.O. Box 298
Welaka, Florida 32193

Inst: 202354024698 Date: 11/02/2023 Time: 2:10PM By: DF, DC,
Matt Reynolds, Putnam, County Page 1 of 1 B: 1731 P: 917

Return To:
Town of Welaka
400 4th Avenue
Welaka, Florida 32193

RELEASE OF LIEN

The Town of Welaka, a municipal corporation of the State of Florida, for mutual consideration that is hereby acknowledged, releases the liens imposed by the Town of Welaka recorded in the official record for Putnam County, Florida, as follows:

Book 1253 Page 1710
Book 1271 Page 1462
Book 1298 Page 419
Book 1322 Page 85
Book 1330 Page 1427
Book 1353 Page 1043
Book 1380 Page 1667

and any other recorded or unrecorded lien for unpaid utilities in place on or before October 31, 2023, as against the real property described below:


WELAKA VILLAGE UNIT 1 MB6 P83 LOT 64. ADDRESS: 105 SIESTA CIRCLE..
PARCEL # 03-12-26-9240-0000-0640

ATTEST:

BY:

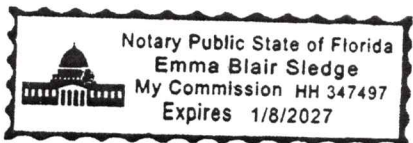


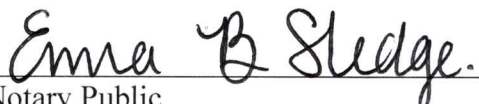
Meghan E. Allmon, Town Clerk



Jamie D. Watts, Mayor

Sworn to and subscribed before me this 1ST day of November, 2023, by Jamie D. Watts, Mayor of the Town of Welaka, a Florida municipal corporation, who is personally know to me or produced _____ as identification.





Notary Public

Matt Reynolds
Clerk of the Circuit Court
Putnam County

PO Box 758
Palatka, FL 32178

**Official Records Receipt
Recording**

Username: dfig02

Changed By: dfig02

Receipt#: 202316519 **Payee Name:** TOWN OF WELAKA
Receipt Date: 11/02/2023 PO BOX 1098
WELAKA, FL 32193-1098
Escrow Balance:
Escrow Customer:

Instrument(s): 202354024698-BK1731/PG917-RELEASE

Details

RE-INDEXING 1	\$0.00
RE-REC A.V/BOCC 93	\$2.00
RE-REC A.V/FACC 94	\$0.10
RE-REC AV/RMTF II 95	\$1.90
RE-RECORDING 3	\$5.00
RE-RECORDS TRUST 9	\$1.00

Receipt Total:	\$10.00
Amount Tendered:	\$10.00
Amount Paid (including any fees):	\$10.35
Overage:	\$0.00

Credit Card	\$10.00	9404874
Auth. Code: 934965		Tender: FBbb001698948619003
Card: 4788		AID: A0000000980840
Payment Method: visa		TID: P400Plus-803619535
Payment Variant: visacommercialdebit		MID: 420429000031091

This payment will be processed by MyFloridaCounty.com and will appear on your credit card or debit card statement as "MyFloridaCounty.com (877-326-8689)". There is a non-refundable 3.5% service fee per transaction to provide this service. MyFloridaCounty.com is powered by CiviTek.