



**AGENDA
ARCADIA CITY COUNCIL
CITY COUNCIL CHAMBERS
23 NORTH POLK AVENUE, ARCADIA FL**

**TUESDAY, MAY 17, 2016
6:00 P.M.**

INVOCATION, PLEDGE, CALL TO ORDER AND ROLL CALL

PRESENTATION

1. Recognition of Donny Stiner as the Recipient of the Ridge League of Cities Scholarship (Councilmember Judy Wertz-Strickland o/b/o Ridge League of Cities)

CONSENT AGENDA

2. City Council Minutes for May 3, 2016 (Penny Delaney – City Clerk)
3. City of Arcadia Municipal Airport March Report (Terry Stewart – City Administrator)
4. Special Event Permit – Flying Club Seminar - Friends of Arcadia Airport (Terry Stewart – City Administrator)

ACTION ITEMS

5. Fence on City Right-of-Way Located at 1408 E. Cypress Street – Robert Evans (Terry Stewart - City Administrator)
6. Improper Zoning at 1001 E. Oak Street (Jeff Schmucker – Central Florida Regional Planning Council)
7. 4th Saturday Antique Show – 2 Separate Applicants (Terry Stewart – City Administrator)
8. Amendment 7 to Loan Agreement DW140100 (Beth Carsten – Finance Director)
9. Amendment to the Tyler Technologies, Inc. Application Service Provider Agreement (Beth Carsten – Finance Director)
10. Resolution No. 2016-07 – Authorizing Amendment and Restatement of VALIC Profit Sharing Plan Document (GA#61141 Plan #002) (Beth Carsten – Finance Director)
11. Discussion of Utility and Solid Waste Rates (Councilmember Fink)

COMMENTS FROM DEPARTMENTS

12. City Marshal
13. City Attorney
14. Finance Director
15. City Administrator

PUBLIC (Please limit presentation to three minutes)

MAYOR AND COUNCIL REPORTS

ADJOURN

NOTE: Any party desiring a verbatim record of the proceedings of this hearing for the purpose of appeal is advised to make private arrangements therefore.

PLEASE TURN OFF OR SILENCE ALL CELL PHONES

AGENDA No. 1

Certificate of Recognition

Congratulations to

Donny Stiner

for being a recipient of a \$2,5000.00 scholarship from the Ridge League of Cities to further your education following your graduation from DeSoto County High School.

Presented this this 17th day of May, 2016.



Mayor Susan Coker

AGENDA No. 2



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Administration

SUBJECT: Minutes from Regular Meeting on May 3, 2016

RECOMMENDED MOTION: Approval of May 3, 2016 Meeting Minutes as presented.

SUMMARY:

FISCAL IMPACT: _____ () Capital Budget
() Operating
() Other

ATTACHMENTS: () Ordinance () Resolution () Budget (x) Other

Department Head: Penny Delaney Date: 05/05/16

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Terry Stewart  Date:

COUNCIL ACTION: () Approved as Recommended () Disapproved
() Tabled Indefinitely () Tabled to Date Certain _____ () Approved with Modifications

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, MAY 3, 2016
6:00 P.M.**

The following minutes reflect action items of the City Council of the City of Arcadia. For a verbatim copy of the minutes, you may contact City Administration to obtain a copy of the recorded meeting.

INVOCATION, PLEDGE CALL TO ORDER AND ROLL CALL

Candy Reid gave the invocation which was followed by the pledge of allegiance. The Mayor called the meeting to order at approximately 6:00 p.m. and the following members and staff were present:

Arcadia City Council

Mayor Susan Coker
Deputy Mayor Frierson
Councilmember S. Delshay Turner

Councilmember Judy Wertz-Strickland
Councilmember Joseph E. Fink

Arcadia City Staff

City Administrator Terry Stewart
City Clerk Penny Delaney
City Attorney T.J. Wohl

Code Enforcement Officer Carl McQuay
Public Works Director Steve Underwood
Marshal Matt Anderson

Mayor Coker recognized the attendance of Andrew Liebert, Legislative Aide to Representative Ben Albritton, and Karen Whaley, District Aide to Representative Ben Albritton.

PRESENTATION

Agenda Item 1 – Presentation to James Arndts – Five (5) Years of Service to the City of Arcadia

Mayor Coker presented James Arndts of the City of Arcadia Streets Department with a certificate acknowledging his five (5) years of service to the City of Arcadia

Agenda Item 2 – Presentation to Shannon Smith – Five (5) Years of Service to the City of Arcadia

Mayor Coker presented Shannon Smith of the City of Arcadia Streets Department with a certificate acknowledging his five (5) years of service to the City of Arcadia.

Walk-On Agenda Item – Proclamation – Tobacco Free Florida Week

Mayor Coker presented Jodie Skitka DeLoach, Community Health Advocate – DeSoto County of the QuitDoc Foundation a proclamation recognizing May 8-14, 2016 as Tobacco Free Florida Week.

Agenda Item 3 – International Property Maintenance Code (IPMC)

Code Enforcement Officer Carl McQuay advised the International Property Maintenance Code (IPMC) would bring the City's codes up to date and that it had been reviewed by the Property Maintenance Standards Review Committee. City Administrator Stewart advised that they were not asking for Council to act tonight, but just providing Council with information. Mr. McQuay then presented a slide-show regarding the IPMC. As a follow-up, City Administrator Stewart advised the IPMC had been adopted in the last four (4) cities he had worked and it was a model code that had been tested in court numerous times and validated to be both clear and forthright. He advised there is so much to do and it will not happen overnight. He informed Council that it will be at least a month before the issue will be brought back to them with a request for a final decision on it.

Mayor Coker suggested a workshop because she felt there were issues that they may want to tailor make for their community. She stated that she had heard that code enforcement did not have enough bite and if that was the case, what could be done to fix it. Mr. McQuay advised the IPMC would give him more. Mr. Stewart explained the steps that are taken when a property has been cited and how it can progress to a Special Master hearing. He advised that so much of Mr. McQuay's time is spent doing the paperwork in addition to the field work. Mayor Coker then asked once an order to appear has been issued, if there was a charge on the property owner to come before the magistrate and Mr. McQuay advised there would be a charge for his costs and a fee for the Special Master. Councilmember Wertz-Strickland asked if code enforcement has any recourse on collection if a property owner does not pay the fine and Mr. McQuay replied that the only recourse was by placing a lien on the property. City Administrator Stewart advised that the main limitation of enforcing a lien is foreclosure. He explained that Florida Statute 162 forbids foreclosing on a homestead property, but stated that many properties code enforcement has trouble with are properties that are not owner occupied. He pointed out that many correct the issue before it goes to the Special Master and many that go before the Special Master correct the issue, but there is a small minority that requires a lien be placed on their property.

Janie Watson, a City resident, questioned the need for changes being made to the IPMC and City Administrator Stewart stated he does not recommend any significant changes, but to possibly tweak it in regards to specific things that may relate to our community.

CONSENT AGENDA

Agenda Item 4 – City Council Minutes for Meeting on April 19, 2016

Mayor Coker advised that a change had been made on page seven (7) to reflect Councilmember Fink had cast the dissenting vote as opposed to the assenting vote and she pointed out that the correction had been made twice in the paragraph. Councilmember Wertz-Strickland made a motion to accept the minutes and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 5 – Request for Certificate of Appropriateness at 423 E. Oak Street – James Hall

Deputy Mayor Frierson made a motion to approve the request for the Certificate of Appropriateness for 423 E. Oak Street and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 6 – Request for Certificate of Appropriateness at 216 E. Oak Street - Gary Frierson

City Administrator Stewart advised he had been asked a question regarding an item on page seven (7). He stated it had to do with a document submitted to the Historic Preservation Commission by Mr. Frierson. Mr. Stewart stated that an application was being made to close a part of the alley at the rear of the property and if the application to close a portion of the alley was approved, Mr. Frierson was asking the board to approve the relocation. Mr. Stewart stated they had approved the relocation of the fence subject to the vacation of the property and it requires the applicant to apply for and receive vacation of the property. He informed Council that the applicant is going to install the fence based upon the current property line. He further informed Council that if the application for vacation is approved, then he would agree to have the fence removed. Councilmember Wertz-Strickland made a motion to approve subject to the alley closing and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 4/0, approved with Deputy Mayor Frierson abstaining from voting on the item.

Agenda Item 7 – Resolution 2016-06 – Sale of Surplus Real Property

Councilmember Wertz-Strickland made a motion to have Resolution 2016-06 read by title only and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved. The City Clerk then read Resolution 2016-06 by title only. Councilmember Wertz-Strickland made a motion to approve Resolution 2016-06 and Councilmember Turner seconded the motion. Councilmember Fink stated that he still had a problem with the fact that there are two (2) other interested people involved in this and it appears that Council is doing something possibly for reasons other than the best interest of the City. He stated it was in conflict with the action that Council took on March 15, 2016 wherein they stated they wanted the two (2) interested parties at the time to come back and if not, then Council would have a different route then. He stated he could not support it and he did not believe it was in the best interest of the City of Arcadia. Councilmember Wertz-Strickland stated that this

particular item had come up before the Council six (6) – eight (8) times. She stated they had reviewed it, looked at the pictures and provided ample time for other people who showed some interest in it to come forth and to bring their interest in it, sought legal advice on it and she felt they had done above and beyond what they are required to do to sell the property. Councilmember Wertz-Strickland stated that she felt it should be placed back on the tax roll and a bigger tax base needed to be developed in the City and it will not happen unless they are able to levy taxes on all the properties that they have to. No discussion followed and it was 3/1 approved with Councilmember Fink casting the dissenting vote and Deputy Mayor Frierson abstaining from voting on the item.

COMMENTS FROM DEPARTMENTS

Marshal Anderson provided the Police Department monthly report to the City Council. He advised that had made eight (8) felony arrests in seven (7) days and took three (3) guns off the street including one (1) AK47, one (1) rifle, and one (1) .38. He then shared of an arrest made in Louis Anderson Park of an individual brandishing a gun at people.

City Attorney Wohl advised a draft of the Historic Preservation Ordinance had been submitted to the State Historic Preservation for their review. He acknowledged the phenomenal work that Carol Mahler had invested in the project. He explained that once verified, it would be placed on a future agenda for Council approval.

City Administrator Stewart referred a request made by Lopez Ritchie to rent or lease three (3) parcels of property from the City to keep his goats. Mr. Stewart referenced a memorandum he had provided to City Council in which he advised them Mr. Ritchie already had his goats on the property and had a fence placed on the City's right-of-way and into the property. He stated that Mr. Ritchie had been ordered to remove the goats and was issued a violation regarding junk on the property. Based on the aforementioned information, Mr. Stewart recommended City Council to not lease the property to Mr. Ritchie and Council was in agreement with the recommendation.

Mr. Stewart addressed the issue of the airplane at Lake Katherine and advised he had been communicating with a representative for the Air Force. He stated they had communicated their displeasure with the condition of the airplane and had provided a list of providers of parts. He stated that Finance Director Carsten had located a canopy at one time and he has her trying to make contact with the individual who had it to see if they still have it and he thought the cost was approximately Six Thousand and 00/100 Dollars (\$6,000.00) plus costs to transport it which was a couple of thousand dollars. Mr. Stewart advised he had reached out to Rickey Hilton who rebuilds aircrafts at the Arcadia Airport and asked for his assistance in understanding what would need to be done to get the airplane in reasonable and decent looking condition. Mr. Stewart stated he was working on that project and would be coming back to Council with it in the future.

City Administrator Stewart stated that a few weeks ago, Council approved staff to rebuild a culvert on South Potter and he provided Council with pictures, one of dirt that is filling the drainage ditch. He stated that the contractor that is currently on site had provided a quote of just

under Thirteen Thousand Five Hundred and 00/100 Dollars (\$13,500.00) to clean out all the debris from Potter to the next street east and Potter to the next street west which will provide excellent drainage capacity for the neighborhood. He asked for authorization for the City to do a change order to the current contract to allow the contractor, while he is on site, to get the work done. Councilmember Fink asked if funds were available and Mr. Stewart advised funds were available and it would be coming out of stormwater. Councilmember Fink made a motion for the amount of the total of both of these items to come from storm repair to complete the work specified and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Mr. Stewart advised Council there were a number of culverts that were not planned for in the paving project that they were getting ready to do. He further stated they were not upsizing it as South Florida Water Management District would not allow such unless you have a stormwater management plan. City Administrator Stewart advised that the funds were budgeted, but it was an oversight and the cost difference is Forty-Three Thousand One Hundred Forty and 00/100 (\$43,140.00). Councilmember Wertz-Strickland made a motion to approve the Forty-Three Thousand One Hundred Forty and 00/100 (\$43,140.00) and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

City Administrator Stewart referenced the Cyndy's Place project that was previously approved. He explained that a part of the improvements to the streets is a sidewalk along 15th Avenue. Upon progressing with the work, it was discovered there is a property at the corner of 15th Avenue and Cypress that has a fence that juts out into the City's right-of-way and they would not be able to install the sidewalk if the fence remains in place. Mr. Stewart advised they had spoken with the property owner, Robert Evans, who is related to one of our employees and one of our Council Members and Mr. Evans indicated he had pulled a permit with the City to install the fence approximately twenty (20) years ago, but a record of it cannot be found. City Administrator Stewart advised that the City's survey shows the fence is within the right-of-way and staff had related to him that Mr. Evans indicated that he had at one time had a survey for when the fence was installed, but cannot locate it. He advised Council that Mr. Evans does not want to move his fence. Mr. Stewart stated he could not make that policy decision, but if Council chooses to allow him to keep the fence, it is essentially on City's property and if it ever became damaged, another fence could not be built in its place. He advised that in the Bridle Path project where fences were on the City's easements, the fences were taken out and the City was not required to put the fences back. He stated it does not mean it cannot be done, but in a former instance, that was how it was handled. Deputy Mayor Frierson asked how much fence they were talking about and Mr. Evans stated it was one hundred fifty (150) feet.

Gary Evans, Mr. Evans' son, advised Council that the fence was installed in 1997 and steps were taken to ensure it was done correctly. He provided pictures to show where the sidewalk would be and advised that the setback of the newer homes is further back. He stated that it could be on the City's right-of-way, but stated Council had options such as vacating five (5) or six (6) feet of the right-of-way. After further discussion, Councilmember Fink stated that when this was approved by City Council, Cyndy's Place had asked for a special exception to build the roadway different than originally decided. He then stated he felt they should not do this

without all the facts and suggested staff look at using a portion of the property on the other side of the fence to use for that purpose. Councilmember Wertz-Strickland suggested tabling the matter until the City Administrator could collect more information on how the problem could be resolved and Council directed the City Administrator to bring it back to the next meeting.

Marshal Anderson addressed Council again to advise the Police Department would be having a fund raiser on Friday for two (2) children within the community who have leukemia. He directed anyone interested in providing financial assistance to go to the department's Facebook page then click the link to the GoFund page. He then applauded the department and Representative Albritton for their involvement in the fund raiser.

PUBLIC

None

MAYOR AND COUNCIL REPORTS

Councilmember Wertz-Strickland stated she had spoken with Mike Taber regarding marketing for the City. She then suggested getting with the newspaper staff and the public to assist in such.

Councilmember Fink stated that Mother's Day was May 8th and wished all moms a happy mother's day.

Mayor Coker advised of the Day of Prayer scheduled for May 5, 2016 at noon at the County Commissioner's Chambers. She also advised of the DeSoto Chamber of Commerce ribbon cutting on the new water park during the early bird breakfast. City Administrator Stewart advised the City would hold their event on Saturday, May 14, 2016 from 11:00 a.m. until 1:00 p.m. and he encouraged people to bring their children because that is what the park is for.

ADJOURN

Councilmember Wertz-Strickland made a motion to adjourn and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Having no further business at this time, the meeting was adjourned at approximately 7:30 P.M.

ADOPTED THIS ___ DAY OF _____, 2016.

A TEST:

By:

Susan Coker, Mayor

Penny Delaney, City Clerk

City Council Meeting Minutes

May 3, 2016

Page 6 of 6

AGENDA No. 3



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Administration

SUBJECT: City of Arcadia Municipal Airport Report

RECOMMENDED MOTION: Approval of City of Arcadia Municipal Airport Report for the month of March 2016 as presented.

SUMMARY:

FISCAL IMPACT: _____ Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other

Department Head: _____ Date: _____

Finance Director (As to Budget Requirements) _____ Date: _____

City Attorney (As to Form and Legality) _____ Date: _____

City Administrator: Terry Stewart  _____ Date: _____

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications



City of Arcadia Municipal Airport

Monthly Flowage Report- March 2016

To: City Council

Date: May 5, 2016

From: Shelley Peacock

AVFuel gallons sold for March 3,266.2 (including Eagle Vistas)

Eagle Vistas Gallons Pumped 1,609.9

Eagle Vistas does not pay \$.07 for each gallon.

$1,656.3 / \$.07 = \115.94

Hangar Rent	\$ 8,411.50
Late Fees Collected	\$ 20.00
Vehicle Parking- \$ 30.00/5%	\$1.50
Eagle Vistas LLC (Butler Building)	\$ 1,120.15
Eagle Vistas LLC (FBO Agreement w/ partial waiver)	\$ 844.58
Eagle Vistas Agreement w/Dean Ott \$300.00/5% (Butler Building)	\$13.95
Tie Downs	\$135.00/50%=\$67.50

Total \$10,595.12

February \$9,320.19

Special Notes

A-10 past due rent

B-4 past due rent

+\$1,274.93

AGENDA No. 4



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Code Enforcement
SUBJECT: Flying Club Seminar

RECOMMENDED MOTION: **Motion to approve Friends of Arcadia Flying Club Seminar**

SUMMARY: The Friends of Arcadia Airport is requesting to hold a Flying Club Seminar which will be presented by Mr. Jamie Becket of the Aircraft Owner Pilots Association, on how to start a flying club. A flying club is a partnership between pilots to share operating costs of an airplane.
Expected attendance: 25 people

FISCAL IMPACT: _____
 Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other

Department Head: Carl A. McQuay Date: 05/17/16

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Terry Stewart  Date:

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications

RECEIVED

MAY 03 REC'D

CITY OF ARCADIA

SPECIAL EVENTS

A special event is defined as any event held in the City that is open and advertised to the public or which could limit the normal use and access to an area by the general public, or which is deemed to have an impact on the City right-of-ways or could affect public safety, and which is less than two weeks in duration. These events could be, but are not limited to:

Festivals	Fairs	Carnivals
Flea Markets	Expos	Tent Sales
Walk-a-thons	Parades	Road Races
Tournaments	Pony Rides	Petting Zoos
Concerts	Car Shows	Boat Shows
Battles of the Bands	Fireworks Displays	Public Gatherings

All special events require a SPECIAL EVENTS PERMIT. Event organizers shall obtain a Special Event Permit application from the City Administrator's office, to be returned to that office at least thirty (30) days prior to the anticipated date of the event. Any required documentation or attachments should be included with the application. The completed application must include legible information detailing:

- a) A narrative describing the approximate number of people expected to attend;
- b) Whether signs will be placed in the City right-of-ways;
- c) Any special or unusual circumstances (cooking, alcoholic beverages, wildlife, fireworks, carnival type rides, outdoor music, ect.);
- d) Indicate whether additional electrical services will be required, and if so, where;
- e) Whether streets will be closed, or barricades erected;
- f) Include details of traffic control, emergency access and parking arrangements;
- g) Describe the provisions made for collection of trash, garbage, and recycling; and
- h) If applicable, specify the location and indicate whether or not you have the owner's permission to hold the event at that location and provide owner's contact information.

The event sponsor will be responsible for any costs incurred by the City for set-up or clean-up of the event, and any security provided by on-duty law enforcement. The sponsor will have the option of providing its own security, at its own cost, through a private security company or off-duty officers.

All special events are subject to final approval by the City Administrator, Police Department, and possibly the City Council.

INSURANCE – The event organizer shall provide proof of liability insurance coverage naming the City as an additional insured on the Comprehensive General Liability Policy. An Indemnification and Hold Harmless Agreement must be signed by an authorized representative of the organizing group and submitted along with the Certificate of Insurance and application packet.

FOOD – ALL food and beverage vendors shall provide copies of their State of Florida Health Department License. All food vendors whose cooking creates grease-laden vapors shall have a mounted certified fire extinguisher.

ALCOHOL – Will alcoholic beverages be sold or consumed on the premises? If yes, organizer or sponsor shall submit a copy of the Florida Alcoholic Beverages Permit 15 days prior to the event. You can download a One/Two/Three day alcohol sales permit from the State at <https://www.myfloridalicense.com/intentions2.asp?chBoard=true&SID=&boardid=400&professionid=4002>

USE OF CITY PERSONNEL – If City personnel are used for set-up or clean-up, or for security, outside of normal work hours, it will be the responsibility of the event sponsor to pay the salary of those personnel for the time they spend on the event.

By completing and submitting the attached application, I certify that:

- I have read and agree to abide by the terms and conditions set forth above;
- That I will be designated as the (sole) contact person for the event;
- That I will be responsible for applying for and attaching all required permits and documentation; and
- That I am responsible for any fees which may be incurred as a result of this event.



Signature of Applicant/Event Sponsor

APRIL 22, 2016

Date

GEORGE B. CHASE

PRINTED Name of Above

993-0391

Contact Phone #

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



City of Arcadia

SPECIAL EVENTS PERMIT APPLICATION

Date Submitted: April 22, 2016
Event Name: Flying Club Seminar
Date(s) of Event: Sat June 4, 2016 Hours of Event: 10AM
Expected Attendance: 25
Event Sponsor: FRIENDS Non Profit? Yes No

Description of Event: A.O.P.A seminar by Jamie Beckett on how to start a flying club. A flying club is a partnership between pilots to share operating costs of an airplane.

Contact Person: George Chase Telephone () 993-0391
Fax #: Email: gjchase@embargo.net.com
Insurance Carrier: Auto owners # 0140 42567
Insurance Agent: DeSoto Ins. Agent's Phone: 494-2242

- Alcoholic Beverage? YES NO
Tents? YES NO
Cooking? YES NO
Outdoor Music? YES NO
Additional Electric? YES NO
Carnival Rides? YES NO
Wildlife? YES NO
Fireworks? YES NO
Signs Displayed? YES NO
Set-up/Clean-up by City? YES NO
City Police Required? YES NO
Road Closures? YES NO

If yes, please specify locations:

Other pertinent information:

*****FOR CITY USE ONLY*****

Received by: City Marshal City Administrator City Council
Date: / /
Approved Disapproved
Approved Disapproved
Approved Disapproved

INDEMNIFICATION & HOLD HARMLESS

I, George B. Chase, as President of

(Printed Name)

(Title or Office Held)

Friends of Arcadia Airport, do hereby agree to hold the City of Arcadia,

its agents, and employees harmless and indemnify same from any civil actions or claims of any nature

made in connection with the event known as the Flying Club Seminar to

(Name of Event)

be held at Aviation City on Sat June 4, 2016.

(Location)

(Date)

By: [Signature]
(Signature)

Printed Name: George Chase

Entity Name: FRIENDS

Its: _____

Date: _____

STATE OF FLORIDA

COUNTY OF DeSoto

Sworn to and subscribed before me this 23rd day of April, 2016, by

George Chase, as President of Friends of Arcadia Airport

who is personally known to me or [] has produced n/a as identification.



Penny M. Delaney
NOTARY PUBLIC
Printed Name: Penny M. Delaney
Commission No. FF087435
Commission Expires: 3-3-18

AGENCY 12-0507-00

POLICY 142312-20953311

13563 (8-03)

EXPIRES
8-26-2016

DESOTO INSURANCE AGENCY
PO BOX 880
ARCADIA, FL 34265

08-20-2014

Your agency's phone number is (863) 494-2242



P.O. BOX 30660, LANSING, MICHIGAN 48909-8160 • 517-323-1200
 AUTO-OWNERS INSURANCE COMPANY
 AUTO-OWNERS LIFE INSURANCE COMPANY
 HOME-OWNERS INSURANCE COMPANY
 OWNERS INSURANCE COMPANY
 PROPERTY-OWNERS INSURANCE COMPANY
 SOUTHERN-OWNERS INSURANCE COMPANY

FRIENDS OF ARCADIA AIRPORT INC
 2692 NE HIGHWAY 70 LOT 757
 ARCADIA, FL 34266-6300

You may view your policy online at www.auto-owners.com.
 To enroll, use the policy number 20953311 and
 Personal ID code 6C7 P67 T7P . Once enrolled, you may
 choose to stop receiving the paper policy in the mail.

Thank you for allowing Auto-Owners to handle your insurance needs.

Auto-Owners Insurance Group is financially sound with sufficient reserves to be ranked among the leaders in the industry for financial security. Our A++ (Superior) rating by the A.M. Best Company signifies that we have the financial strength to provide the insurance protection you need.

If your policy is an audited policy, the billing of the audit premium will be included in your regular premium billing account. This premium is due in full upon billing and failure to pay as billed may result in the cancellation of all policies on the billing account. If you have questions on your audit or about your insurance needs, please contact your agent at the telephone number shown at the top of this letter.

Auto-Owners Insurance - The "No Problem" People ®

***** THIS IS NOT A BILL. *****

IF ADDITIONAL PREMIUM IS OWED, A BILL WILL BE MAILED SEPARATELY. PLEASE PAY ANY UNPAID BILLS.

~ *Serving Our Policyholders and Agents for More Than 90 Years* ~



Southern-Owners

Page 1

55039 (11-87)
Issued 06-23-2015

INSURANCE COMPANY
6101 ANACAPRI BLVD., LANSING, MI 48917-3999

TAILORED PROTECTION POLICY DECLARATIONS

Renewal Effective 08-06-2015

AGENCY DESOTO INSURANCE AGENCY
12-0507-00 MKT TERR 068 (863) 494-2242

POLICY NUMBER 142312-20953311-15

INSURED FRIENDS OF ARCADIA AIRPORT INC

ADDRESS 2692 NE HIGHWAY 70 LOT 757
ARCADIA, FL 34266-6300

Company
Bill

POLICY TERM	
12:01 a.m.	12:01 a.m.
08-06-2015	to 08-06-2016

In consideration of payment of the premium shown below, this policy is renewed. Please attach this
Declarations and attachments to your policy. If you have any questions, please consult with your agent.

COMMON POLICY INFORMATION

BUSINESS DESCRIPTION: Non Profit Club

ENTITY: Corporation

THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PART(S).	PREMIUM
THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.	
COMMERCIAL GENERAL LIABILITY COVERAGE	\$129.00
MINIMUM PREMIUM ADJUSTMENT (GL)	172.00
TOTAL	\$301.00

FORMS THAT APPLY TO ALL COVERAGE PART SHOWN ABOVE (EXCEPT GARAGE LIABILITY, DEALER'S
BLANKET, COMMERCIAL AUTOMOBILE, IF APPLICABLE)
55156 (03-95)

A Merit Rating Plan Factor of 0.95 Applies.

Countersigned By: DESOTO INSURANCE AGENCY



SOUTHERN-OWNERS INS. CO.

55040 (11/87)
Issued 06-23-2015

AGENCY DESOTO INSURANCE AGENCY
12-0507-00 MKT TERR 068

Company POLICY NUMBER 142312-20953311-15
Bill

INSURED FRIENDS OF ARCADIA AIRPORT INC

Term 08-06-2015 to 08-06-2016

COMMERCIAL GENERAL LIABILITY COVERAGE

LIMITS OF INSURANCE

General Aggregate (Other Than Products-Completed Operations)	\$2,000,000
Products-Completed Operations Aggregate	2,000,000
Personal Injury And Advertising Injury	1,000,000
Each Occurrence	1,000,000
Damage to Premises Rented to You (Fire Damage)	50,000 Any One Premises
Medical Payments	5,000 Any One Person

Twice the "General Aggregate Limit", shown above, is provided at no additional charge for each 12 month period in accordance with form 55300.

AUDIT TYPE: Non-Audited

FORMS THAT APPLY TO THIS COVERAGE: 59350 (01-15) 55146 (06-04) 55160 (12-04)
IL0021 (07-02) 55296 (09-09) 55300 (07-05) CG0220 (03-12) IL0017 (11-85)
55513 (11-11) 55181 (12-04)

LOCATION OF PREMISES YOU OWN, RENT OR OCCUPY

LOC 001 BLDG 001 1067 Se A C Polk Dr
Arcadia, FL 34266

TERRITORY: 006 COUNTY: De Soto

Classification	Subline	Premium Basis	Rates	Premium
CODE 41670				
Clubs - Civic, Service Or Social - No Buildings Or Premises Owned Or Leased Except For Office Purposes (Not-For Profit)	Prem/Op	Members	Each 1	
	Prod/Comp Op	60	1.278	\$77.00
CODE 49950				
Additional Interests Designated Per/Organization L City Of Arcadia	Prem/Op	Flat Charge		\$25.00
	Prod/Comp Op	Flat Charge		\$25.00
TERRORISM - CERTIFIED ACTS	SEE FORM	59350		\$1.00

LOCATION 001 PREMIUM \$129.00

COMMERCIAL GENERAL LIABILITY
55181 (12-04)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
CITY OF ARCADIA
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. SECTION II - WHO IS AN INSURED is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule but only with respect to liability for "bodily injury", "property damage", "personal injury" or "advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations;
or

2. In connection with your premises owned by or rented to you.

B. The following is added to SECTION III - LIMITS OF INSURANCE:

The limits of liability for the additional insured are those specified in the written contract or agreement between the insured and the designated person or organization, not to exceed the limits provided in this policy. These limits are inclusive of and not in addition to the limits of insurance shown in the Declarations.



AGENDA No. 5



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Administration
SUBJECT: Fence ROW Encroachment at 1408 East Cypress

RECOMMENDED MOTION: **Council Discussion and direction on resolution of fence encroachment on City ROW at 1408 East Cypress.**

SUMMARY:

- Cyndy's Place is in the process of completing roadway and sidewalk improvements for its housing development on 15 Avenue. Sidewalks are a part of their required improvements. They cannot proceed any further with construction of required sidewalks due the presence of a fence located into the ROW at 1408 East Cypress.
- The property owner at 1408 E. Cypress, Mr. Evans, asserts that the fence has been in place for approximately 20 years and that he obtained all required permits. Further, he asserts that he had a survey done prior to placement of the fence.
- Mr. Evans has been unable to provide a copy of the permit or of the survey upon which fence installation was completed.
- Mr. Evans refuses to voluntarily remove and reposition the fence and appeared at the council meeting of 5/2/16 to plead his case.
- After Mr. Evans appeal to the council on 5/2/16, Council member Fink suggested there is a resolution council approved regarding width of the roadway and asked for that information in order to help make a decision. Resolution 2015-03 is included herewith.

FISCAL IMPACT: _____ () Capital Budget
() Operating
() Other

ATTACHMENTS: () Ordinance () Resolution () Budget (x) Other

Department Head: _____ Date: _____

Finance Director (As to Budget Requirements) _____ Date: _____

City Attorney (As to Form and Legality) _____ Date: _____

City Administrator: Terry Stewart  Date: 5/9/16

COUNCIL ACTION: () Approved as Recommended () Disapproved
() Tabled Indefinitely () Tabled to Date Certain _____ () Approved with Modifications

RESOLUTION 2015-03

A RESOLUTION APPROVING A REQUEST TO WAIVE THE REQUIRED MINIMUM DEVELOPMENT STANDARDS FOR ROADWAY PAVEMENT WIDTHS PROVIDING FOR THE CONSTRUCTION OF AN EXISTING UNIMPROVED CITY RIGHT-OF-WAY, MORE SPECIFICALLY BEING THE RIGHT-OF-WAY AREA IDENTIFIED AS NORTH 15TH AVENUE LOCATED BETWEEN EAST CYPRESS STREET AND NORTHEAST HICKORY STREET, ARCADIA, FLORIDA; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Cyndy's Place, LLC. (applicant) has submitted a site plan for the proposed development of a new roadway segment within an existing City right-of-way; such roadway being North 15th Avenue which will serve a proposed single-family residential infill project known as Cyndy's Place consisting of 18 single family residential dwelling units in the City of Arcadia; and

WHEREAS, the proposed roadway (being North 15th Avenue) is proposed to be constructed between the existing roadways of East Cypress Street and Northeast Hickory Street; and

WHEREAS, Section 6.02.03(E) of the City of Arcadia Unified Land Development Code requires that all paving shall not be less than twenty-four (24) feet in width for roads constructed with a curb and gutter and thirty (30) feet in width for roads constructed with a shoulder and drainage swale; and

WHEREAS, the applicant has submitted a site plan for the proposed roadway reflecting the required roadway pavement width per adopted street design standards in accordance with Section 6.02.03 of the City of Arcadia Unified Land Development Code, as depicted in Exhibit "B" attached; and

WHEREAS, the applicant requests a waiver of four (4) feet from the required roadway pavement width of thirty (30) feet for paved roadways constructed with a shoulder and drainage swale; and

WHEREAS, the applicant proposes to construct the roadway with a total width of twenty-six (26) feet, whereby twenty (20) feet will be paved drive lanes (ten (10) feet wide for each lane) and six (6) feet will be a stabilized, sodded shoulder area (three (3) feet on either side of the paved drive lanes); and

WHEREAS, the proposed roadway will be a local road with low traffic volumes primarily serving nearby residential uses; and

WHEREAS, the City of Arcadia, through the Housing Element of the City's Comprehensive Plan supports the development of sufficient and affordable housing for present and future populations; and

WHEREAS, the City of Arcadia, through the Housing Element of the City's Comprehensive Plan shall ensure that it's zoning and site plan regulations provide for adequate sites for housing for low and moderate income families; and

WHEREAS, the City of Arcadia, through the Housing Element of the City's Comprehensive Plan shall continue to review and amend where necessary City housing codes and standards relating to the care and maintenance of residential and neighborhood environments and facilities; and

WHEREAS, City staff has reviewed similar affordable housing projects within the City, including existing roadway conditions within the vicinity of the proposed project location and has found that comparable projects have been constructed exhibiting similar roadway design standards as proposed by the applicant; and

WHEREAS, City staff has found that the construction of the proposed roadway, as requested by the applicant, will adequately serve the proposed residential infill development, comply with supported engineering standards as reviewed by DeSoto County, meet transportation concurrency requirements, and meet the safety standards required by the DeSoto County Fire Safety Department; and

WHEREAS, in exercise of its authority the City Council has satisfactorily determined that a waiver of the required minimum roadway pavement width for the construction of North 15th Avenue in the City of Arcadia, shall be permitted within the area depicted in Exhibit "A" attached, and made a part hereof, to ensure that the proposed roadway is in full compliance with the City of Arcadia's Unified Land Development Code and engineering standards.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA:

Section 1. The required minimum development standards for roadway pavement widths shall be waived to allow the applicant to construct the proposed roadway (being North 15th Avenue) at a total width of twenty-six (26) feet, whereby twenty (20) feet will be provided for drive lanes and six (6) feet for shoulder area, located between East Cypress Street and Northeast Hickory Street in the City of Arcadia within the area depicted in Exhibit "A."

Section 2. This Resolution shall become effective immediately upon its passage.

Section 3. A certified copy of this Resolution shall be duly recorded in the public records of the City of Arcadia, DeSoto County, Florida.

INTRODUCED AND PASSED by the City Council of the City of Arcadia, Florida, in regular session, this 19th day of May, 2015.



CITY OF ARCADIA, FLORIDA

Judy Wertz Strickland

Judy Wertz-Strickland, Mayor

Penny Delaney

Penny Delaney, City Clerk

Approved as to form:

[Signature]

Thomas J. Wohl, City Attorney

Exhibit "A"
Resolution 2015-03

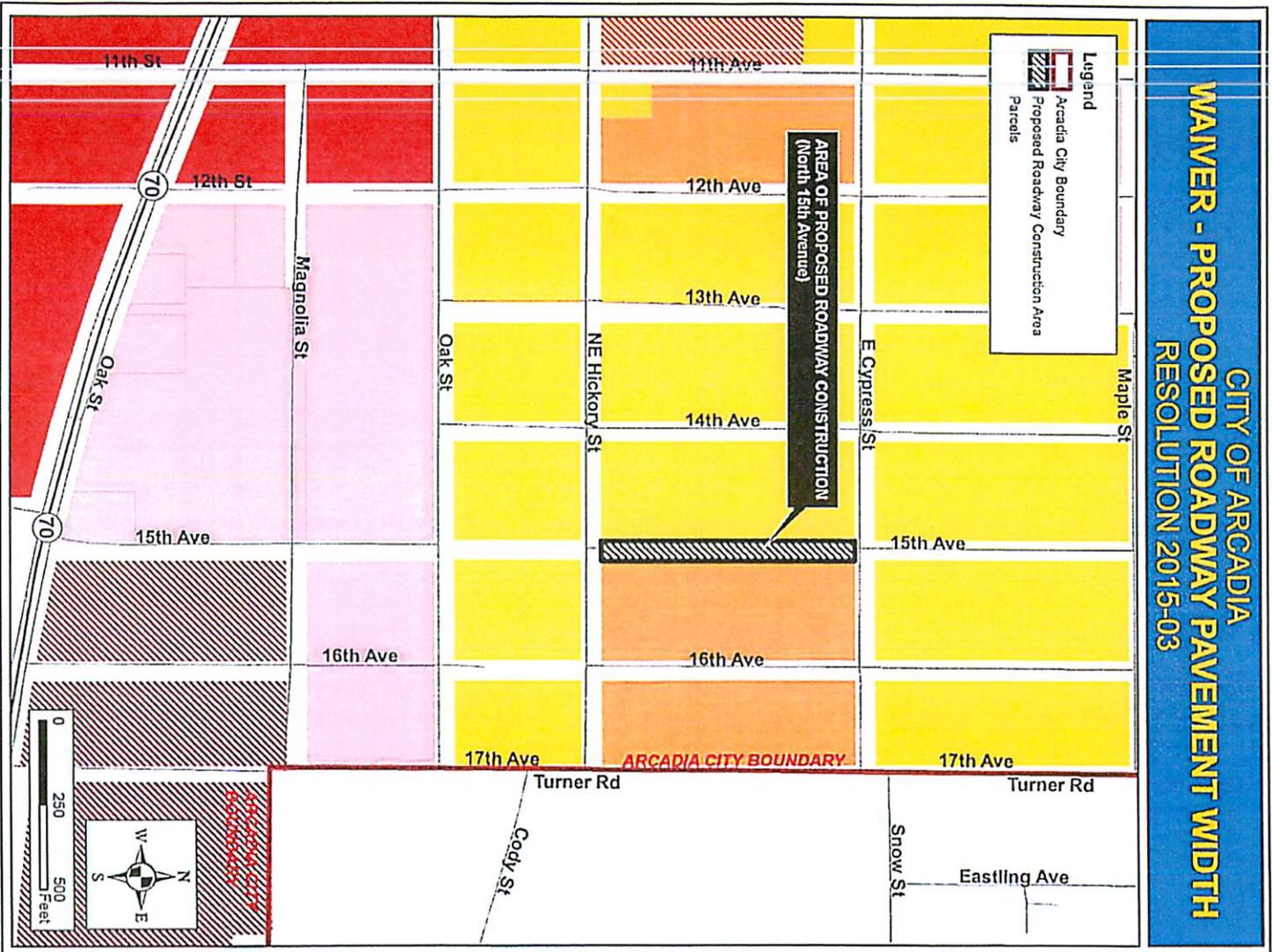
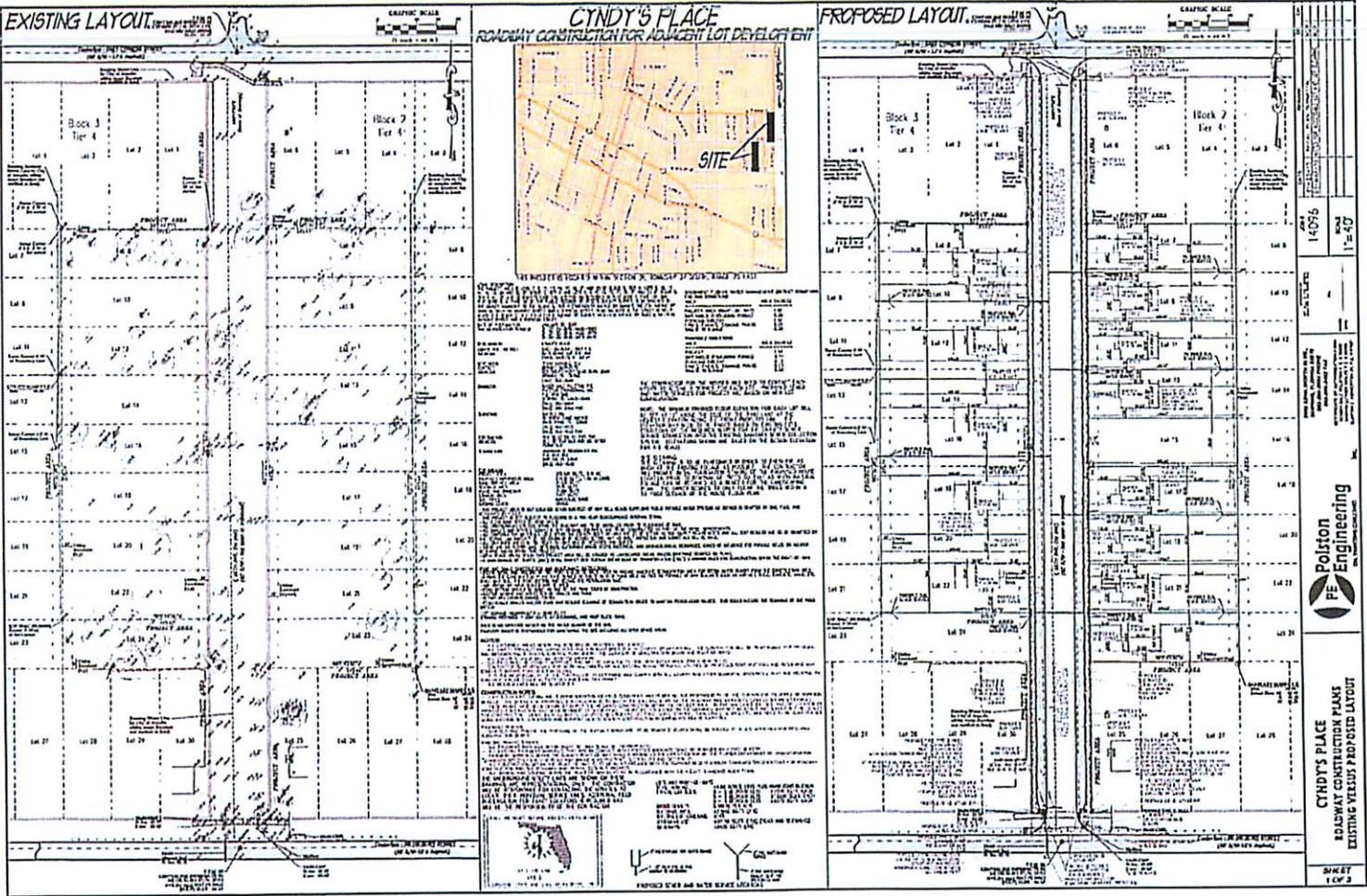


Exhibit "B"
Resolution 2015-03





LAND PLANNING
SITE DESIGN
SOIL SCIENCE
ROAD DESIGN
WATER SYSTEM DESIGN
WASTE WATER DESIGN

P.O. BOX 588, SEBRING, FLORIDA 33871-0588 * (863) 385-5564 * FAX (863) 385-2462

June 30, 2015

Mr. Jeff Schmucker
Central Florida Regional Planning Council
555 East Church Street
Bartow, FL 33830-3931

Re: Cyndy's Place – Single-Family Residential Development and
North 15th Avenue Right-of-Way Improvement

Dear Mr. Schmucker,

This letter is in response to comments made in your Site Plan Review Comments for
Cyndy's Place project dated 19-June-2015.

Comments:

1. The applicant's engineer would like to reduce the pavement section. They have provided the County with a structural calculation to support a different pavement design than what the County recommended. Given that they meet the only structural number requirement in the DeSoto County LDRs and that there is no specific pavement section required in either the City for County LDRs, the County may recommend the approval of the revised design provided it is documented on the plans consistent with what was discussed.

The street section has been reduced to 20' of pavement with 6' wide stabilized shoulders on each side of the pavement. The pavement section includes the materials as discussed with the County.

2. The applicant's engineer would like to substitute a crushed brick paver material in lieu of the road base in the road section. They may either include this in the next revision or request it be changed out at a later date. The County requested they provide gradation and material properties to support its structural capacity comparable to the material which it is replacing. The County also indicated that while they may agree it is sufficient from an engineering perspective, the City road department and utilities department should also evaluate from a practical standpoint as they may need to excavate this material in the future.

The owner would like to reserve the right to submit test results for an equivalent material, at a later date, as a substitution for the base material.

3. The size of the roadside treatment swale is anticipated to change based on comments received from SWFWMD. The applicant's engineer indicated that SWFWMD has required additional treatment on the developed lots which will result in an increase in the proposed swale width.

The roadside swale section has been modified. We are currently in the permit review process with SWFWMD and since the City is also a permittee for this project SWFWMD will send a permit to the City when approved.

4. The applicant's engineer would like to sod the banks of the swale and seed or sprig the bottom. The County is in support of this approach provided that the contractor is required to ensure establishment of the grass and is responsible for any erosion or repairs until the grass is established.

The owner would like to reserve the right to sod the bottom of the swale within the right-of-way to improve the aesthetics of the area.

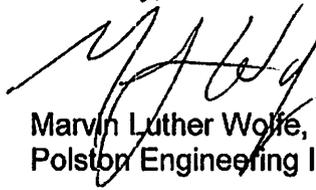
Fire Safety Comments:

1. Please reflect on the revised plan the distances to the nearest existing fire hydrants, both north and south of the proposed infill residential units along 17th Ave (Turner Rd). No new hydrants are required. Additional comments may be issued upon review of resubmitted plans.

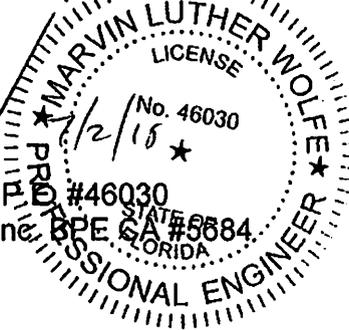
The distances between the existing fire hydrants is now shown on the plan from the south.

If you have any questions please contact me at 863-385-5564.

Sincerely,



Marvin Luther Wolfe, P.E. #46030
Polston Engineering Inc. BPE GA #5584



APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, S. Delshay Turner, hereby disclose that on May 17, 20 16 :

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

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, Robert EVANS _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

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

my father Robert EVANS will come by the council about an issued with his fence.

05/09/16
Date Filed

S. Delshay Turner
Signature

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

AGENDA No. 6



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Administration
SUBJECT: Improper Zoning at 1001 East Oak Street

RECOMMENDED MOTION: **Motion to direct staff to proceed with a rezoning of 1001 E. Oak Street from a B-3 zoning to a zoning of PUD-C, with an Expiration Date of 180 days.**

SUMMARY:

- During a Code Enforcement action, it was discovered that the property at 1001 E. Oak Street is improperly zoned for the business which it houses. The property is zoned B-3 which does not permit businesses performing major automotive repair.
- In 2012, the business was issued a Business Tax License by the city, but such issuance does not constitute zoning approval by a zoning authority.
- Please see the attached memo from Mr. Jeff Schmucker, CFRPC, City Planner detailing the situation and its background. It also contains a recommended solution from Mr. Schmucker.
- That recommendation is to rezone the property under a Planned Unit Development-Commercial (PUD-C), with an Expiration Date of 180 days. The Expiration Date requires that if use of the property as a major automotive repair shop shall cease for greater than 180 days, then use as a major automotive repair facility is no longer available.
- This item requires discussion by council and direction to staff on how it wishes this matter to be resolved, including whether such action must be applicant initiated or City initiated.

FISCAL IMPACT: _____ Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other

Department Head: _____ Date: _____

Finance Director (As to Budget Requirements) _____ Date: _____

City Attorney (As to Form and Legality) _____ Date: _____

City Administrator: Terry Stewart  _____ Date: 5/9/16

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications

MEMO

TO: City of Arcadia

DATE: May 5, 2016

RE: Consideration for Planned Unit Development Rezoning – 1001 E. Oak St.

ATTACHMENT: Zoning/Aerial Overlay Map

The City of Arcadia is considering a rezoning of property located at 1001 E. Oak Street. The property currently has a Future Land Use of Business and a zoning of B-3 (General Business Commercial). An automotive repair business, which performs “major” automotive repair work, is currently located on the subject site, which is not a permitted use in the B-3 zoning district.

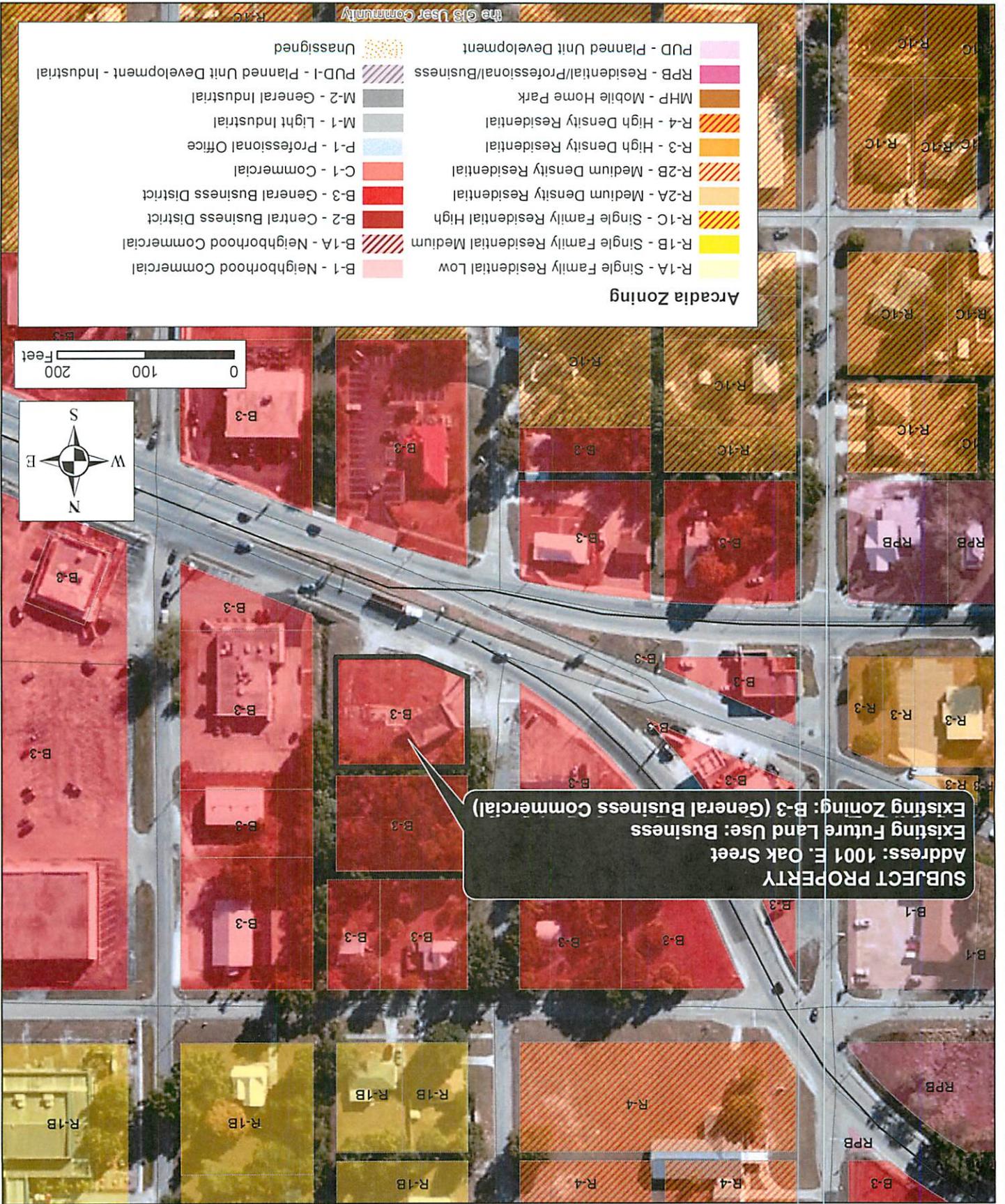
In 2012, the business owner was issued a business tax license to operate the automotive repair business on the site. However, issuance of a business tax license, in of itself, does not constitute approval by the planning and zoning authority to conduct business, if the use does not meet zoning regulations. At that time, the City’s Land Development Code (LDC) permitted “automobile and truck repair establishments” in the B-3 zoning district, by special approval. However, the City does not have record of a special approval having been granted nor can the applicant furnish proof of a special approval, thus the current operation of the automotive repair business on the site is in violation of the City’s LDC.

Per the current LDC, adopted in February of 2014, automotive repair businesses, that conduct major automotive repair, are not a permitted use in the B-3 zoning district, neither by-right or by special approval. Such use would only be permitted in C-1 (Commercial) and M-2 (Heavy Industrial), which are more intensive land use zoning districts. Considering the location of the subject site and the characteristics of the surrounding area, a rezoning of C-1 or M-2 would not be consistent with the character of the surrounding area.

In order to allow the business to continue to operate, the property may be considered for a rezoning to a Planned Unit Development-Commercial (PUD-C). The PUD-C provides an opportunity for the current business to continue without rezoning to a more intensive zoning designation that would be incompatible with the area. The PUD-C would be consistent with the existing Business Future Land Use designation. Through the PUD process, the property can be conditioned to recognize the continued operation of the existing business, but also allow only those uses that are permitted within the B-3 zoning district. Additional considerations may also be made to condition the expiration of the automotive repair use. For instance, if it ceases to operate for more than 180-days the use expires and cannot be re-established. If this were to occur, the property would allow only those uses permitted in the B-3 zoning to establish moving forward.

The PUD process is a rezoning which requires a public hearing before the City's Planning and Zoning Board for recommendation to the City Council. The City Council will consider the rezoning, by Ordinance, which is heard at two (2) meetings, the second of which is a public hearing. Properties rezoned as PUD require a site development plan also be submitted as part of the rezoning approval.

CITY OF ARCADIA ZONING/AERIAL OVERLAY MAP 1001 E. OAK STREET



  					
Home	Contact Us	E-Filing Services	Document Searches	Forms	Help
Previous on List	Next on List	Return to List	<input type="text" value="Fictitious Name Search"/>		
No Filing History			<input type="button" value="Submit"/>		
<h3>Fictitious Name Detail</h3>					
<u>Fictitious Name</u> EASTSIDE AUTCMOTIVE&TRANSMISIONS					
<u>Filing Information</u> Registration Number G12000044777 Status ACTIVE Filed Date 05/14/2012 Expiration Date 12/31/2017 Current Owners 1 County DESOTO Total Pages 1 Events Filed NONE FEI/EIN Number 45-5182856					
<u>Mailing Address</u> 1001 E OAK ST ARCADIA, FL 34266					
<u>Owner Information</u> MEILER, CHRISTOPHER CHARLES 4885 SE OATS AVE ARCADIA, FL 34266 FEI/EIN Number: NONE Document Number: NONE					
<u>Document Images</u> 05/14/2012 -- Fictitious Name Filing <input type="button" value="View image in PDF format"/>					
Previous on List	Next on List	Return to List	<input type="text" value="Fictitious Name Search"/>		
No Filing History			<input type="button" value="Submit"/>		
Home Contact us Document Searches E-Filing Services Forms Help <small>Copyright © and Privacy Policies State of Florida, Department of State</small>					

AGENDA No. 7



CITY COUNCIL AGENDA ITEM

Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Code Enforcement

SUBJECT: Tater Hill Antique & Collectible Show

RECOMMENDED MOTION: **Motion to approve Tater Hill Antique & Collectible Show**

SUMMARY: Tater Hill Antique & Collectibles are requesting to hold an antique fair every fourth Saturday of the month for a period of one year. This event will take place from the corner of S. Orange Ave. and W. Oak St. to the corner of E Oak St. and S. Desoto Ave. Venders will also set up at the Tree of Knowledge and in the parking lot of Suntrust Bank. The requested hours of this event will be from 6:00 am. to 5:00 pm.

FISCAL IMPACT: _____ () Capital Budget
() Operating
() Other

ATTACHMENTS: () Ordinance () Resolution () Budget (x) Other

Department Head: Carl A. McQuay Date: 05/17/16

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Terry Stewart  Date:

COUNCIL ACTION: () Approved as Recommended () Disapproved
() Tabled Indefinitely () Tabled to Date Certain _____ () Approved with Modifications

SPECIAL EVENTS

A special event is defined as any event held in the City that is open and advertised to the public or which could limit the normal use and access to an area by the general public, or which is deemed to have an impact on the City right-of-ways or could affect public safety, and which is less than two weeks in duration. These events could be, but are not limited to:

Festivals	Fairs	Carnivals
Flea Markets	Expos	Tent Sales
Walk-a-thons	Parades	Road Races
Tournaments	Pony Rides	Petting Zoos
Concerts	Car Shows	Boat Shows
Battles of the Bands	Fireworks Displays	Public Gatherings

All special events require a SPECIAL EVENTS PERMIT. Event organizers shall obtain a Special Event Permit application from the City Administrator's office, to be returned to that office at least thirty (30) days prior to the anticipated date of the event. Any required documentation or attachments should be included with the application. The completed application must include legible information detailing:

- a) A narrative describing the approximate number of people expected to attend;
- b) Whether signs will be placed in the City right-of-ways;
- c) Any special or unusual circumstances (cooking, alcoholic beverages, wildlife, fireworks, carnival type rides, outdoor music, ect.);
- d) Indicate whether additional electrical services will be required, and if so, where;
- e) Whether streets will be closed, or barricades erected;
- f) Include details of traffic control, emergency access and parking arrangements;
- g) Describe the provisions made for collection of trash, garbage, and recycling; and
- h) If applicable, specify the location and indicate whether or not you have the owner's permission to hold the event at that location and provide owner's contact information.

The event sponsor will be responsible for any costs incurred by the City for set-up or clean-up of the event, and any security provided by on-duty law enforcement. The sponsor will have the option of providing its own security, at its own cost, through a private security company or off-duty officers.

All special events are subject to final approval by the City Administrator, Police Department, and possibly the City Council.

INSURANCE – The event organizer shall provide proof of liability insurance coverage naming the City as an additional insured on the Comprehensive General Liability Policy. An Indemnification and Hold Harmless Agreement must be signed by an authorized representative of the organizing group and submitted along with the Certificate of Insurance and application packet.

FOOD – ALL food and beverage vendors shall provide copies of their State of Florida Health Department License. All food vendors whose cooking creates grease-laden vapors shall have a mounted certified fire extinguisher.

ALCOHOL – Will alcoholic beverages be sold or consumed on the premises? If yes, organizer or sponsor shall submit a copy of the Florida Alcoholic Beverages Permit 15 days prior to the event. You can download a One/Two/Three day alcohol sales permit from the State at <https://www.myfloridalicense.com/intentions2.asp?chBoard=true&SID=&boardid=400&professionid=4002>

USE OF CITY PERSONNEL – If City personnel are used for set-up or clean-up, or for security, outside of normal work hours, it will be the responsibility of the event sponsor to pay the salary of those personnel for the time they spend on the event.

By completing and submitting the attached application, I certify that:

- I have read and agree to abide by the terms and conditions set forth above;
- That I will be designated as the (sole) contact person for the event;
- That I will be responsible for applying for and attaching all required permits and documentation; and
- That I am responsible for any fees which may be incurred as a result of this event.



Signature of Applicant/Event Sponsor

5/3/16

Date

Robert D. Fine

PRINTED Name of Above

941-587-9424

Contact Phone #

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



City of Arcadia

SPECIAL EVENTS PERMIT APPLICATION

Date Submitted: 5-3-16

Event Name: Tater Hill Antiques & Collectible Show

Date(s) of Event: 4th Sat of every month Hours of Event: 6 AM - 5 PM PACK / UNPACK

Expected Attendance: up to 100 dealer Show 8-3

Event Sponsor: Tater Hill Non Profit? Yes No

Description of Event: Outside event in park, sidewalks, bank parking lot down to Orange Street

Contact Person: Bobby Defina Telephone (941) 587-9424

Fax #: _____ Email: _____

Insurance Carrier: First Insurance / De Soto Insurance (on file)

Insurance Agent: Phil Hunt Agent's Phone: 813-494-2242

- Alcoholic Beverage? YES NO
- Tents? YES NO
- Cooking? YES NO
- Outdoor Music? YES NO
- Additional Electric? YES NO
- Carnival Rides? YES NO
- Wildlife? YES NO
- Fireworks? YES NO
- Signs Displayed? YES NO
- Set-up/Clean-up by City? YES NO
- City Police Required? YES NO
- Road Closures? YES NO

If yes, please specify locations: Tents may be used in the bank parking lot & the park (in front & back)

Other pertinent information: _____

*****FOR CITY USE ONLY*****

Received by: _____ Date: / /

City Marshal am Approved Disapproved

City Administrator Approved Disapproved

City Council Approved Disapproved

INDEMNIFICATION & HOLD HARMLESS

I, Bobby Defino, as _____ of _____
(Printed Name) (Title or Office Held)

TATER HILL ANTIQUE SHOW, do hereby agree to hold the City of Arcadia,
(4th Saturday)
its agents, and employees harmless and indemnify same from any civil actions or claims of any nature

made in connection with the event known as the TATERHILL ANTIQUE SHOW to
(Name of Event) (4th Saturday)

be held at on Oak St. to Orange on 4th Saturday of every
(Location) (Date) month

PARK - front, back
SunTrust BANK
PARKING LOT

By: [Signature]
(Signature)

Printed Name: Robert Defino

Entity Name: _____

Its: _____

Date: _____

STATE OF FLORIDA

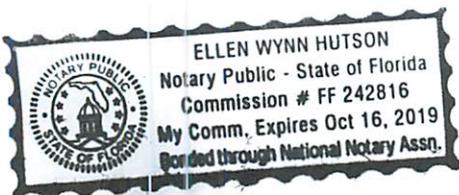
COUNTY OF DeSoto

Sworn to and subscribed before me this 3 day of May, 2016, by

Robert Defino, as _____,

who [] is personally known to me or [] has produced _____ as identification.

(SEAL)



[Signature]

NOTARY PUBLIC

Printed Name: Ellen Wynn Hutson

Commission No. 242816

Commission Expires: 10-16-19

Notary Public
Commission Expires Oct 18, 2014
Bonded through National Notary Assn



Date
May 05, 2016

Page
1 of 1

DE SOTO INSURANCE AGENCY, INC.
243 North Brevard Avenue
P. O. Box 880
Arcadia, FL 34265-0880
863-494-2242 Voice * 863-494-1991 Fax

MEMO

To: **Miss Pearls Place - Joe and Sherry Fink dba**
120 West Oak Street

Arcadia ,FL 34266

RE: **Com. General Liability** Policy #: **20907990**

Insurance Carrier: **Southern-Owners**

Effective Date: **8/1/2015 12:00:00 AM** Expiration Date: **8/1/2016 12:00:00 AM**

Dear Mr. & Mrs. Fink,

The above noted policy that covers your 5th Saturday special events expires 8/1/2016. The renewal of this policy will be effective 8/1/2016 thru 8/1/2017 and that annual premium is projected to be \$625.00 for the policy period. This premium will include the antique fairs sponsored by you on City of Arcadia premises.

This estimation is for information purpose only. Policy will renew only if renewal information and premium is provided prior to 8/1/2016.

Respectfully Yours,
Phil Hunt
DeSoto Insurance Agency
(863)494-2242

From:
Customer Service Rep.

Southern-Owners

Page 1

55055 (7-87)

Issued 11-13-2015

INSURANCE COMPANY
6101 ANACAPRI BLVD., LANSING, MI 48917-3999

TAILORED PROTECTION POLICY DECLARATIONS

AGENCY DESOTO INSURANCE AGENCY
12-0507-00 MKT TERR 068

Change Endorsement Effective 10-26-2015

INSURED JOE & SHERI FINK
DBA MISS PEARLS PLACE

(863) 494-2242

POLICY NUMBER 112312-20907990-15

ADDRESS 120 W OAK ST

Company
Bill

POLICY TERM	
12:01 a.m.	12:01 a.m.
08-01-2015	to 08-01-2016

ARCADIA, FL 34266-3914

DESCRIPTION OF CHANGE

ADDED CLASS CODE 00505 - SPECIAL EVENT - 1

ANTIQUE FAIR
5 SATURDAYS AT THE CITY PARK
\$300

TRANSACTION NUMBER: 002

ENDORSEMENT PREMIUM:	\$56.00 ADDITIONAL
(THIS IS NOT A BILL)	

SOUTHERN-OWNERS INS. CO.

Page 2

55056 (07-87)

Issued 11-13-2015

AGENCY DESOTO INSURANCE AGENCY
12-0507-00 MKT TERR 068

Company POLICY NUMBER 112312-20907990-15
Bill

~~INSURED JOE & SHERI FINK~~

~~Term 08-01-2015 to 08-01-2016~~

SUPPLEMENTAL DECLARATIONS

00505 - SPECIAL EVENT:
ANTIQUE FAIR
6 SATURDAYS AT THE CITY PARK
\$300



DESOTO INSURANCE AGENCY, INC.
243 N. Brevard Avenue
P. O. Box 880
Arcadia, FL 34265-0880
Phone: (863) 494-2242
Web address: desotoinsurance.com

Serving Our Community Since 1917

FAX

To:	City of Arcadia Attn: Carl McQuay	From:	Phil Hunt
Fax:	(863)494-4712	Pages:	4
Phone:	(863)494-4114	Date:	5/5/16
Re:	MISS PEARLS 5 TH SATURDAY EVENT	cc:	

Comments:

Mr. McQuay,

Per our phone conversation attached is projected renewal premium for the special events undertaken by Mrs. Fink on city property.

Advise if you have questions.

Thank-you,

Phil Hunt

DeSoto Insurance Agency

☎ (863) 494-2242 Ext. 205

☎ (863) 494-1991

✉ Email: mad@desotoinsurance.com

IMPORTANT NOTICE

The information contained in the notice is privileged and confidential. It is intended only for the use of the individual named above. If the reader of the message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of the communication is



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/12/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER DeSoto Insurance Agency 243 N. Brevard Ave. P. O. Box 880 Arcadia, Florida 34265-0880	Phone: (853)494-2242 Fax: (853)494-1991	CONTACT NAME: Lewis Ambler PHONE: (853)494-2242 FAX: (853)494-1991 E-MAIL: lew@desotoinurance.com ADDRESS:	INSURER(S) AFFORDING COVERAGE INSURER A: Southern-Owners Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
--	--	--	---

COVERAGES CERTIFICATE NUMBER: 1279 REVISION NUMBER:

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

CLASS	TYPE OF INSURANCE	INSURER	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAMS-MADE <input checked="" type="checkbox"/> OCCUR GEN. AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PER ACC. <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:		20907990	8/1/2015	8/1/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPACT AGG \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> EXCLUDED <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Per occurrence) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per person) \$
	<input type="checkbox"/> UMBRELLA LIAID <input type="checkbox"/> EXCESS LIAID <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAMS-MADE					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in HI) If yes, describe each DESCRIPTION OF OPERATIONS (If any)					<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER EA, EACH ACCIDENT \$ EA, DISEASE - EA EMPLOYEE \$ EA, DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Coverage for Saturday Antique fairs

CERTIFICATE HOLDER (Holder's Nature of Interest: Certificate Holder) City of Arcadia PO Box 351 Arcadia, FL 34265	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--



Joan Raulerson
Vice President/Branch Manager

SunTrust Bank
10 S Desoto Ave
Arcadia, FL 34266
Tel 863.263.3347
Fax 863.993.2802
joan.raulerson@suntrust.com

May 5, 2016

Tater Hill Antique and Collectable Show

Dear Bobby:

Please accept this letter as authorization to use the SunTrust Bank parking lot on the 4th Saturday of each month upon approval of the City of Arcadia permit.

Sincerely,

Joan Raulerson

Joan Raulerson
SunTrust Bank
Vice President/Branch Manager



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Code Enforcement
SUBJECT: 4th Saturday Antique Fair

RECOMMENDED MOTION: **Motion to approve Antique Association Fair of Arcadia**

SUMMARY: Antique Association of Arcadia, Inc. is requesting to hold antique fairs every fourth Saturday of the month for a period of one year. This event will take place from the corner of S. Orange Ave. and W. Oak St. to the corner of E. Oak St. and S. Desoto Ave. Venders will also set up at the Tree of Knowledge and the Suntrust Bank parking lot. The hours of this event will be from 6:00 am. to 3:00 pm.

FISCAL IMPACT: _____
 Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other

Department Head: Carl A. McQuay Date: 05/17/16

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Terry Stewart  Date:

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications

SPECIAL EVENTS

RECEIVED

MAY 05 REC'D

CITY OF ARCADIA

A special event is defined as any event held in the City that is open and advertised to the public or which could limit the normal use and access to an area by the general public, or which is deemed to have an impact on the City right-of-ways or could affect public safety, and which is less than two weeks in duration. These events could be, but are not limited to:

Festivals	Fairs	Carnivals
Flea Markets	Expos	Tent Sales
Walk-a-thons	Parades	Road Races
Tournaments	Pony Rides	Petting Zoos
Concerts	Car Shows	Boat Shows
Battles of the Bands	Fireworks Displays	Public Gatherings

All special events require a SPECIAL EVENTS PERMIT. Event organizers shall obtain a Special Event Permit application from the City Administrator's office, to be returned to that office at least thirty (30) days prior to the anticipated date of the event. Any required documentation or attachments should be included with the application. The completed application must include legible information detailing:

- a) A narrative describing the approximate number of people expected to attend;
- b) Whether signs will be placed in the City right-of-ways;
- c) Any special or unusual circumstances (cooking, alcoholic beverages, wildlife, fireworks, carnival type rides, outdoor music, ect.);
- d) Indicate whether additional electrical services will be required, and if so, where;
- e) Whether streets will be closed, or barricades erected;
- f) Include details of traffic control, emergency access and parking arrangements;
- g) Describe the provisions made for collection of trash, garbage, and recycling; and
- h) If applicable, specify the location and indicate whether or not you have the owner's permission to hold the event at that location and provide owner's contact information.

The event sponsor will be responsible for any costs incurred by the City for set-up or clean-up of the event, and any security provided by on-duty law enforcement. The sponsor will have the option of providing its own security, at its own cost, through a private security company or off-duty officers.

All special events are subject to final approval by the City Administrator, Police Department, and possibly the City Council.

INSURANCE – The event organizer shall provide proof of liability insurance coverage naming the City as an additional insured on the Comprehensive General Liability Policy. An Indemnification and Hold Harmless Agreement must be signed by an authorized representative of the organizing group and submitted along with the Certificate of Insurance and application packet.

FOOD – ALL food and beverage vendors shall provide copies of their State of Florida Health Department License. All food vendors whose cooking creates grease-laden vapors shall have a mounted certified fire extinguisher.

ALCOHOL – Will alcoholic beverages be sold or consumed on the premises? If yes, organizer or sponsor shall submit a copy of the Florida Alcoholic Beverages Permit 15 days prior to the event. You can download a One/Two/Three day alcohol sales permit from the State at <https://www.myfloridalicense.com/intentions2.asp?chBoard=true&SID=&boardid=400&professionid=4002>

USE OF CITY PERSONNEL – If City personnel are used for set-up or clean-up, or for security, outside of normal work hours, it will be the responsibility of the event sponsor to pay the salary of those personnel for the time they spend on the event.

By completing and submitting the attached application, I certify that:

- I have read and agree to abide by the terms and conditions set forth above;
- That I will be designated as the (sole) contact person for the event;
- That I will be responsible for applying for and attaching all required permits and documentation; and
- That I am responsible for any fees which may be incurred as a result of this event.

Flo Rife

Signature of Applicant/Event Sponsor

5-5-16

Date

Flo Rife

PRINTED Name of Above

863-494-2500

Contact Phone #

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



City of Arcadia

SPECIAL EVENTS PERMIT APPLICATION

Date Submitted: MAY 5, 2016

Event Name: 4th SATURDAY Antigue Fair

Date(s) of Event: 4th SATURDAY Every Month Hours of Event: 8a.m - 3p.m

Expected Attendance: Varies in season 500 - 3000

Event Sponsor: Antigue Association of Arcadia Non Profit? Yes No

Description of Event: same as last several years. Vendors set up in downtown area, Tree of Knowledge Park, and Suntrust Bank Parking lot to sell antiques/collectibles in conjunction with restaurants and downtown shops

Contact Person: FLO RICE Telephone (863) 993-5105

Fax #: _____ Email: maddysantigues@earthlink.net

Insurance Carrier: Charlotte Insurance

Insurance Agent: on file Agent's Phone: _____

- Alcoholic Beverage? YES NO
- Tents? YES NO
- Cooking? YES NO
- Outdoor Music? YES NO
- Additional Electric? YES NO
- Carnival Rides? YES NO
- Wildlife? YES NO
- Fireworks? YES NO
- Signs Displayed? YES NO
- Set-up/Clean-up by City? YES NO
- City Police Required? YES NO
- Road Closures? YES NO

If yes, please specify locations: Tents cooking & clean up in Tree of Knowledge park and Suntrust Bank Parking Lot

Other pertinent information: _____

*****FOR CITY USE ONLY*****

Received by: C.M. Egan Date: 5/5/16

City Marshal C.M. Egan Approved for Christal Anderson Disapproved _____

City Administrator _____ Approved _____ Disapproved _____

City Council _____ Approved _____ Disapproved _____

INDEMNIFICATION & HOLD HARMLESS

I, FLO RIFE, as President of
(Printed Name) (Title or Office Held)

Antique Association of Arcadia, do hereby agree to hold the City of Arcadia,
its agents, and employees harmless and indemnify same from any civil actions or claims of any nature
made in connection with the event known as the 4th Saturday Antique Fair to
(Name of Event)
be held at Downtown Arcadia, Tree of Knowledge Park and Suntrust Bank on 4th Saturday each month.
(Location) (Date) excludes Dec. 2016
~~stopping at~~

By: Flo Rife
(Signature)

Printed Name: FLO RIFE

Entity Name: Ant Assn of Arcadia

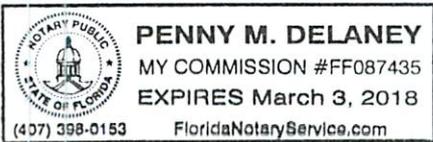
Its: President

Date: 5-5-16

STATE OF FLORIDA

COUNTY OF DeSoto

Sworn to and subscribed before me this 5th day of May, 2016, by
Flo Rife, as President of Antique Assoc. of Arcadia,
who is personally known to me or [] has produced nila as identification.

(SEAL) 

Penny M. Delaney
NOTARY PUBLIC
Printed Name: Penny M. Delaney
Commission No. FF087435
Commission Expires: 3-3-18

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joseph E. Fink, hereby disclose that on May 17, 20 16:

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

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

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

Insurance used to cover event is from my business insurance policy

5/6/16
Date Filed

Joseph E. Fink
Signature

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

AGENDA No. 8



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Finance
SUBJECT: Amendment 7 to Loan Agreement DW140100

RECOMMENDED MOTION: Motion to adopt Amendment 7 to Loan Agreement DW14100 for the Drinking Water State Revolving Fund.

SUMMARY: Amendment 7 will do the following: Adjust the Project costs to reflect actual costs and revise the Semiannual Loan Payment stated in Amendment 6 to reflect adjustment for Capitalized Interest. The Semiannual Loan Payment will be \$156,910.18 - \$4,062.18 higher than was stated in Amendment 6 (\$152,848).

FISCAL IMPACT: Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other

Department Head: Beth Carsten Date:

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Terry Stewart  Date:

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications

**DRINKING WATER STATE REVOLVING FUND
AMENDMENT 7 TO LOAN AGREEMENT DW140100
CITY OF ARCADIA**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF ARCADIA, FLORIDA, (Project Sponsor) existing as a local government agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, the Department and the Project Sponsor entered into a Drinking Water State Revolving Fund Loan Agreement, Number DW140100, as amended, authorizing a Loan amount of \$9,152,704, excluding Capitalized Interest and including a Principal Forgiveness amount of \$4,870,000; and

WHEREAS, the Project costs need adjustment to reflect actual costs; and

WHEREAS, the Semiannual Loan Payment amount needs revision to reflect adjustment of the Capitalized Interest.

NOW, THEREFORE, the parties hereto agree as follows:

1. The total Loan amount disbursed is \$4,282,704.
 2. The total disbursed Principal Forgiveness amount is \$4,870,000.
 3. The Loan Service Fee is \$85,654. Capitalized Loan Service Fee interest is \$10,413.57.
 4. The total principal amount loaned to the Project Sponsor was \$4,638,237.93, which consisted of \$4,282,704.00 disbursed to the Project Sponsor and \$355,533.93 of accrued Capitalized Interest.
 5. The unpaid principal balance of the Loan is \$4,638,237.93, which amount accounts for the Department's receipt of one Semiannual Loan Payment and consists of the following:
 - (a) Amendment 1 unpaid balance of \$3,278,190.41 at an interest rate of 3.06 percent per annum.
 - (b) Amendment 2 unpaid balance of \$1,360,047.02 at an interest rate of 2.50 percent per annum.
- The total amount remaining to be repaid, which includes the unpaid balance of the Loan Service Fee is \$4,650,005.66.
6. The Semiannual Loan Payment amount, adjusted to account for repayments received to date, is hereby revised and shall be in the amount of \$156,910.18. Such payments shall be

received by the Department on July 15, 2016 and semiannually thereafter on January 15 and July 15 of each year until all amounts due hereunder have been fully paid.

7. The Project Sponsor and the Department acknowledge that changes in Project costs may occur as a result of the Project Sponsor's Project audit or a Department audit pursuant to Chapter 62-552 of the Florida Administrative Code. Unless this Agreement is amended subsequent to an audit, the following Project disbursements shall be final.

CATEGORY	PROJECT COST(\$)
Administrative Allowance	40,769.00
Planning Allowance	66,300.00
Engineering Allowance	434,871.00
Construction and Demolition	7,670,323.00
Technical Services During Construction	940,441.00
SUBTOTAL (Total Disbursed)	9,152,704.00
Less Principal Forgiveness	(4,870,000.00)
Adjusted Loan Amount	4,282,704.00
Capitalized Interest	355,533.93
TOTAL (Loan Principal Amount)	4,638,237.93

8. The Project-specific audit required under Subsection 2.03(4) of the Agreement shall be submitted within twelve months after the effective date of this amendment.

9. All other terms and provisions of the Loan Agreement shall remain in effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 7 to Loan Agreement DW140100 shall be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee, and the Project Sponsor has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for
CITY OF ARCADIA

Mayor or City Administrator

Attest:

Attest as to form and legal sufficiency:

City Clerk

City Attorney

SEAL

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Secretary or Designee

Date

AGENDA No. 9



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Finance
SUBJECT: Amendment to the Tyler Technologies, Inc. Application Service Provider Agreement

RECOMMENDED MOTION: Motion to allow staff to execute Amendment to Application Service Provider Agreement with Tyler Technologies, Inc.

SUMMARY: The City's Application Service Provider Agreement with Tyler Technologies, Inc. has expired on April 30, 2016. We have been in a 3 year contract which began April 23, 2013. The annual amount was \$31,908 with a three year total contract amount of \$95,724. This annual amount is included in the City's annual budget. Staff is requesting authority to renew this contract for 3 years. The new annual amount will be \$35,779. The contract price for the entire 3 years will be \$107,337. The total contract amount has increased by \$11,613, due to additional modules added to our system through the last 3 years.

FISCAL IMPACT: Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other

Department Head: Beth Carsten Date:

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Terry Stewart  Date:

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications

AMENDMENT TO APPLICATION SERVICE PROVIDER AGREEMENT

This amendment ("Amendment") is made the _____ day of _____, 2016 between Tyler Technologies, Inc., with offices at 1 Tyler Drive, Yarmouth, Maine 04096 ("Tyler") and the City of Arcadia, with offices at 23 N. Polk Avenue, Arcadia, Florida 34265 ("Client").

WHEREAS, Tyler and the Client are parties to the Application Service Provider Agreement dated April 23, 2013 ("Agreement"); and

WHEREAS, the Term of the Agreement expires April 30, 2016;

THEREFORE, in consideration of the mutual covenants contained herein, Tyler and the Client agree as follows.

1. SaaS Term. The term of the Agreement is hereby renewed for a three (3) year term commencing on May 1, 2016 and expiring on April 30, 2019 ("Term"). After April 30, 2019, the Term will renew automatically for additional one (1) year terms at our then-current SaaS Fees unless terminated in writing by either party at least sixty (60) days prior to the end of the then-current term. We will provide you notice of any increase in SaaS Fees no less than ninety (90) days prior to the commencement of the renewal term.
2. SaaS Fees. SaaS Fees, as detailed in the attached Sales Quotation, for year one (\$35,779) are invoiced annually in advance, beginning on the Term commencement date. Subsequent annual SaaS Fees are invoiced annually in advance, beginning on the anniversary of the initial invoice date.
3. Concurrent Users. The SaaS fees are based on twenty (20) concurrent users. Should the number of concurrent users be exceeded, Tyler reserves the right to re-negotiate the SaaS fees based upon any resulting changes in the pricing categories.
4. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement.
5. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, persons having been duly authorized and empowered to enter into this Amendment hereunto executed this Amendment effective as of the date last set forth below.

Tyler Technologies, Inc.

City of Arcadia

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

MUNIS Crystal Reports	\$1,956.00	3.0	\$5,868.00	0
Munis Office	\$1,152.00	3.0	\$3,456.00	0
Role Tailored Dashboard	\$520.00	3.0	\$1,560.00	0
Tyler Forms Processing	\$1,575.00	3.0	\$4,725.00	0
Other:				
Concurrent Users (20)	\$5,000.00	3.0	\$15,000.00	0
TOTAL:	\$35,779.00		\$107,337.00	0

Summary	One Time Fees	Recurring Fees
Total SaaS	\$0.00	\$35,779.00
Total Tyler Software	\$0.00	\$0.00
Total Tyler Services	\$0.00	\$0.00
Total 3rd Party Hardware, Software and Services	\$0.00	\$0.00
Summary Total	\$0.00	\$35,779.00
Contract Total	\$107,337.00	

Unless otherwise indicated in the contract or Amendment thereto, pricing for optional items will be held for Six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval: _____ Date: _____
 Print Name: _____ P.O. #: _____

All primary values quoted in US Dollars



Quoted By: Cindy Chase
 Date: 4/25/2016
 Quote Expiration: 9/26/2016
 Quote Name: City of Arcadia - SaaS Renewal
 Quote Number: 2016-19335
 Quote Description: City of Arcadia - SaaS Renewal

Sales Quotation For

City of Arcadia
 P. O. Box 1000
 Arcadia, Florida 34265
 Phone (863) 494-2514

SaaS

Description	Annual Fee Net	# Years	Total SaaS Fee	Impl. Days
Financials:				
Accounting/GL/BG/AP	\$4,814.00	3.0	\$14,442.00	0
Cash Management	\$1,040.00	3.0	\$3,120.00	0
Purchase Orders	\$1,663.00	3.0	\$4,989.00	0
Requisitions	\$1,039.00	3.0	\$3,117.00	0
Payroll/HR:				
HR Management	\$3,224.00	3.0	\$9,672.00	0
Payroll	\$5,708.00	3.0	\$17,124.00	0
Revenue:				
Accounts Receivable	\$1,612.00	3.0	\$4,836.00	0
Business License	\$1,382.00	3.0	\$4,146.00	0
General Billing	\$624.00	3.0	\$1,872.00	0
Utility Billing	\$3,015.00	3.0	\$9,045.00	0
Productivity:				
Citizen Self Service	\$1,455.00	3.0	\$4,365.00	0

Comments

Tyler recommends the use of a 128-bit SSL Security Certificate for any Internet Web Applications, such as the MUNIS Web Client and the MUNIS Self Service applications if hosted by the Client. This certificate is required to encrypt the highly sensitive payroll and financial information as it travels across the public internet. There are various vendors who sell SSL Certificates, with all ranges of prices.

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the size and scope of your project. The actual amount of services depends on such factors as your level of involvement in the project and the speed of knowledge transfer.

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

Tyler's form library prices are based on the actual form quantities listed, and assume the forms will be provided according to the standard Munis form template. Any forms in addition to the quoted amounts and types, including custom forms or forms that otherwise require custom programming, are subject to an additional fee. Please also note that use of the Tyler Forms functionality requires the use of approved printers as well. You may contact Tyler's support team for the most current list of approved printers.

Tyler's cost is based on all of the proposed products and services being obtained from Tyler. Should significant portions of the products or services be deleted, Tyler reserves the right to adjust prices accordingly.

The SaaS fees are based on 20 concurrent users. Should the number of concurrent users be exceeded, Tyler reserves the right to re-negotiate the SaaS fees based upon any resulting changes in the pricing categories.

The Tyler Software Product Tyler Forms Processing must be used in conjunction with a Hewlett Packard printer supported by Tyler for printing checks.

AGENDA No. 10



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Finance

SUBJECT: Resolution #2016-07 Authorizing Amendment and Restatement of VALIC Profit Sharing Plan Document (GA#61141 Plan #002)

RECOMMENDED MOTION: Motion to Adopt Resolution #2016-07 Authorizing Amendment and Restatement of the City for Arcadia Profit Sharing Plan via adoption of Valic Retirement Services Plan for Governmental Employers

SUMMARY:

The City's Employee Profit Sharing Plan required an adoption document be signed and filed by April 30th, 2016.

To satisfy this deadline requirement, and after discussion with the City Attorney, the document was signed and forwarded to VALIC. However, per the City Attorney, the adoption document is not effective until this Resolution is adopted.

Thus, passage of this Resolution is required to effectuate this change, that is: Adoption of the VALIC Retirement Services Company Retirement Plan for Governmental Employers document.

FISCAL IMPACT: Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other

Department Head: Beth Carsten Date:

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date: 5/2/16

City Administrator: Terry Stewart  Date:

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications

RESOLUTION 2016-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, AUTHORIZING AMENDMENT AND RESTATEMENT OF THE CITY OF ARCADIA PROFIT SHARING PLAN VIA ADOPTION OF VALIC RETIREMENT SERVICES COMPANY RETIREMENT PLAN FOR GOVERNMENTAL EMPLOYERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Arcadia, Florida (hereinafter, the "City") previously established the City of Arcadia Profit Sharing Plan (hereinafter the "Plan") for the exclusive benefit of its employees and their beneficiaries, which Plan was originally effective as of October 1, 2013; and

WHEREAS, the City retained the power to amend the Plan; and

WHEREAS, the City now desires to amend and restate the Plan by adopting the VALIC Retirement Services Company Retirement Plan for Governmental Employers document.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA:

SECTION 1. The foregoing whereas clauses are hereby adopted and incorporated herein.

SECTION 2. That the City hereby amends and restates the Plan, effective October 1, 2015, by adopting the document titled "VALIC Retirement Services Company Retirement Plan for Governmental Employers" in the form and substance as the document heretofore presented to the City Council of the City of Arcadia.

SECTION 3. That the City Administrator is hereby authorized and directed to (i) execute the adoption agreement to the VALIC Retirement Services Company Retirement Plan for Governmental Employers document as approved; (ii) execute all other documents and to do all other things as may be necessary or appropriate to make the VALIC Retirement Services Company Retirement Plan for Governmental Employers document effective October 1, 2015, including the execution of any amendments required by the Internal Revenue Service in order to continue and maintain the qualified and exempt status of the Plan; and (iii) execute any other documents required to obtain reliance on

advisory letters issued to the VALIC Retirement Services Company Retirement Plan for Governmental Employers by the Internal Revenue Service.

SECTION 4. This Resolution shall take effect immediately upon its passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, in regular session this ____ day of May, 2016.

ATTEST:

CITY OF ARCADIA, FLORIDA

Penny Delaney, City Clerk

Susan Coker, Mayor

APPROVED AS TO FORM:

Thomas J. Wohl, City Attorney

VALIC Retirement Services Company
Retirement Plan for Governmental Employers
Adoption Agreement #001 – Profit Sharing Plan
Advisory Letter Number: J593778a

The undersigned, City of Arcadia ("Employer"), by executing this Adoption Agreement, elects to establish (or restate) a retirement plan (and trust, if applicable) (hereinafter, the "Plan") under the VALIC Retirement Services Company Retirement Plan for Governmental Employers (the "Basic Plan Document"). The Employer, subject to the Employer's elections in this Adoption Agreement, adopts fully the Plan provisions (and if applicable, the Trust provisions). The Adoption Agreement and the Basic Plan Document together constitute the Employer's entire Plan (and Trust, if applicable) document. All section references within this Adoption Agreement are Adoption Agreement section references unless the Adoption Agreement or the context indicates otherwise. All "Article" references, and all "Plan Section" references, are references to the applicable article or section of the Basic Plan Document.

The Employer makes the following elections, as permitted under the corresponding provisions of the Basic Plan Document:

A. VOLUME SUBMITTER PRACTITIONER INFORMATION.

VALIC Retirement Services Company
Attn: Institutional Services
2929 Allen Parkway, L8-10
Houston, Texas 77019
888-478-7020

B. PLAN INFORMATION.

1. Plan Name: City of Arcadia Profit Sharing Plan
2. Plan Number (e.g., 001, 002, etc.): 001
3. Effective Date: *(Note: The Effective Date for a new Plan or the Restated Effective Date for a restated Plan generally cannot be earlier than the first day of the Plan Year in which this plan or restatement is adopted. If this is a restatement to comply with the Pension Protection Act of 2006 ("PPA"), the Restated Effective Date may be the first day of the current Plan Year as the Plan contains applicable retroactive effective dates with respect to provisions affected by PPA and subsequent legislation/guidance. Section 414(h) pick-up contributions must relate solely to Compensation for services rendered after the later of the adoption or effective date of this Plan or restatement.)*
 - a. This is a new Plan effective as of _____ (hereinafter "Effective Date").
 - b. This amendment is a restatement of a previously established qualified plan which was originally effective October 1, 2013 (hereinafter "Effective Date"). The effective date of this restatement is October 1, 2015 (hereinafter "Restated Effective Date").
4. Plan Year/Limitation Year means the 12-consecutive month period (except for Short Plan Years) ending every (Check a. or b., and c., if applicable).
 - a. December 31
 - b. Other: September 30
 - c. Short Plan Year commencing on _____ and ending on _____.
5. Anniversary Date (annual Valuation Date):
 - a. last day of the Plan Year
 - b. first day of the Plan Year

C. EMPLOYER INFORMATION.

1. Name of Employer: City of Arcadia
2. Address: 23 N. Polk Ave
(Number and Street)
Arcadia Florida 34266
(City) (State) (Zip Code)
3. Telephone Number: (863-494-4114)
4. Employer Identification Number: 59 - 6000266

5. By signing this Adoption Agreement, the Employer represents and affirms that it is a state or local governmental entity, as defined in Code section 414(d), and is a:
- a. K-12 educational organization
 - b. higher educational organization
 - c. city or county government
 - d. state government
 - e. other governmental entity (specify) _____

6. Employer's Fiscal Year: September 30th

D. TRUST ELECTION.

1. All or a portion of this Plan shall be Trusteed pursuant to Article V of the Plan.
- a. No, this Plan shall be funded exclusively with annuity contracts pursuant to Article X.
 - b. Yes, this Plan shall have a nondiscretionary Trustee (as described in Article V).
 - c. Yes, this Plan shall have a discretionary Trustee (as described in Article V).

E. SERVICE.

1. PREDECESSOR EMPLOYER OR OTHER EMPLOYER.

This Plan shall recognize service with a predecessor Employer or other entity.

- a. No
- b. Yes, service with _____ shall be recognized for purposes of (check all that apply):
 - (i) eligibility
 - (ii) vesting
 - (iii) contribution accrual
 - (iv) early retirement
 - (v) normal retirement
 - (vi) other: _____

2. SERVICE CREDITING METHODS.

If this Plan requires an annual service requirement to receive an Employer contribution as selected in Section G, the Hours of Service crediting method shall be used for this purpose, and the applicable computation period shall be the Plan Year (or Short Plan Year). The service crediting method for all other purposes shall be as follows:

- a. SERVICE CREDITING METHOD (select one)
 - (i) Hours of Service crediting method
 - (ii) elapsed time crediting method
- b. If the Hours of Service crediting method is selected in Section E.2.a.(i) above, then the following must be completed, and shall apply to all Employees:
 - (i) Hours of Service crediting method (select one of the following):
 - (a) actual hours
 - (b) days worked
 - (c) months worked
 - (d) other: _____
 - (ii) Year of Service means the applicable computation period during which an Employee has completed (select one of the following):
 - (a) at least 1,000 Hours of Service. (May not exceed 2000 hours.)
 - (b) other: _____
- c. Break in service rules (described in Plan Section 6.04(e)) will be applied under this Plan.
 - (i) No
 - (ii) Yes

- d. If the Hours of Service Crediting Method is selected in E.2.a.(i) above, then the following computation period elections must be completed, and shall apply to all Employees (select all applicable):
- (i) If service is required for eligibility, the computation period for eligibility shall begin on the date an Employee first performs an Hour of Service and
 - (a) each anniversary thereof.
 - (b) shift to the Plan Year which includes the first anniversary of the date on which the Employee first performed an Hour of Service.
 - (ii) If service is required for vesting, early retirement or normal retirement, the computation period for such purposes shall begin on the date an Employee first performs an Hour of Service and:
 - (a) each anniversary thereof.
 - (b) shift to the Plan Year which includes the first anniversary of the date on which the Employee first performed an Hour of Service.
 - (c) end on the last day of each Plan Year.

F. ELIGIBILITY REQUIREMENTS; INITIAL PLAN ENTRY; PLAN ENTRY DATE.

NOTE: This Section F must not be completed in a manner which restricts an Employee's participation to the Plan Year in which that Employee terminates employment.

1. EXCLUDED CLASSIFICATIONS OF EMPLOYEES shall mean all Employees of the Employer checked below: (**NOTE:** Any classification under "other" must be objectively determinable and free from Employer discretion, and may not identify specific individuals (other than by eligible position or title). In addition, any classification under "other" must not exclude all employees other than a closed or finite group of individuals. Exclusions shall not apply to contributions under Section G.3.b. of this Adoption Agreement.)

<u>For all purposes of the Plan (Do not check items in additional columns if this column selected):</u>	<u>For purposes of Employee nonelective (414(h) pick-up) contributions:</u>	<u>For purposes of Employer matching contributions:</u>	<u>For purposes of Special Pay contributions and Employer contributions, other than Employer matching contributions:</u>
<input checked="" type="checkbox"/> N/A. No exclusions	<input type="checkbox"/> N/A. No exclusions	<input type="checkbox"/> N/A. No exclusions	<input type="checkbox"/> N/A. No exclusions
<input type="checkbox"/> hourly paid	<input type="checkbox"/> hourly paid	<input type="checkbox"/> hourly paid	<input type="checkbox"/> hourly paid
<input type="checkbox"/> salaried	<input type="checkbox"/> salaried	<input type="checkbox"/> salaried	<input type="checkbox"/> salaried
<input type="checkbox"/> union employees	<input type="checkbox"/> union employees	<input type="checkbox"/> union employees	<input type="checkbox"/> union employees
<input type="checkbox"/> non-resident aliens	<input type="checkbox"/> non-resident aliens	<input type="checkbox"/> non-resident aliens	<input type="checkbox"/> non-resident aliens
<input type="checkbox"/> Leased Employees	<input type="checkbox"/> Leased Employees	<input type="checkbox"/> Leased Employees	<input type="checkbox"/> Leased Employees
<input type="checkbox"/> Reclassified Employees (as defined in the basic plan document)	<input type="checkbox"/> Reclassified Employees (as defined in the basic plan document)	<input type="checkbox"/> Reclassified Employees (as defined in the basic plan document)	<input type="checkbox"/> Reclassified Employees (as defined in the basic plan document)
<input type="checkbox"/> employees who have not accumulated at least _____ Special Pay days.	<input type="checkbox"/> employees who have not accumulated at least _____ Special Pay days.	<input type="checkbox"/> employees who have not accumulated at least _____ Special Pay days.	<input type="checkbox"/> employees who have not accumulated at least _____ Special Pay days.
<input type="checkbox"/> other (see limitations in "Note" above) _____	<input type="checkbox"/> other (see limitations in "Note" above) _____	<input type="checkbox"/> other (see limitations in "Note" above) _____	<input type="checkbox"/> other (see limitations in "Note" above) _____

2. CONDITIONS OF ELIGIBILITY (Plan Section 3.01).

Any Employee who is not a member of an excluded classification (Section F.1.) must satisfy the following minimum age and service requirements, if any, for participation in the Plan (other than contributions described in G.3.b.): (Check one of a. – e. May also check f., if applicable).

- a. No age or service required.
- b. Attainment of age 21 (not to exceed 26).
- c. Completion of 1 (not to exceed 5) Year(s) of Service.
- d. Completion of _____ (not to exceed 60) Month(s) of Service.
- e. Other age or service requirement (not to exceed the parameters in b.- d. above):

- f. FOR NEW PLANS ONLY – Regardless of any of the above age or service requirements, any Employee who was employed on the Effective Date of the Plan shall be eligible to participate in Employer contributions as of such date. (Must also elect 3.f. below.)

3. EFFECTIVE DATE OF PARTICIPATION (Plan Section 3.02).

An Employee who has satisfied the requirements, if any, of Section F shall become a Participant as of: (Check one of a. – e.; check f. if applicable.)

- a. such Employee's first Hour of Service (no age or service requirements).
 b. the first day of the first payroll period coinciding with or next following the date the eligibility requirements are satisfied.
 c. the earlier of the first day of the Plan Year or the first day of the seventh month of the Plan Year coinciding with or next following the date on which the eligibility requirements are satisfied.
 d. the first day of the Plan Year next following the date the eligibility requirements are satisfied.
 e. other: _____
 f. FOR NEW PLANS ONLY – Any Employee who was employed on the Effective Date of the Plan shall become a Participant on the Effective Date of the Plan. All other Employees shall become Participants as of the date selected in 3.a. through 3.e. above. (Must also elect 2.f. above.)

G. CONTRIBUTIONS AND FORFEITURES.

1. EMPLOYEE NONELECTIVE CONTRIBUTIONS (414(h) pick-up; Plan Section 4.01(c)):

- a. N/A. No Employee nonelective contributions are allowed.
 b. Employee nonelective contributions in the amount of _____ (must be greater than zero if selected) percent of Compensation shall be made to the Plan.

2. EMPLOYER MATCHING CONTRIBUTIONS:

a. Formulas (select all that apply):

- (i) N/A. No Employer matching contributions in this Plan.
 (ii) A discretionary percentage of a Participant's elective deferral contributions.
 (iii) _____% of a Participant's elective deferral contributions. Elective deferral contributions in excess of _____% of a Participant's Compensation for the year shall not be matched. (Must also complete G.2.b. below.)
 (iv) Equals the percentage of elective deferral contributions determined under the following schedule: (Must also complete G.2.b. below.)

Years of Service	Matching Percentage
_____	_____%
_____	_____%
_____	_____%
_____	_____%
_____	_____%

Elective deferral contributions in excess of _____% of a Participant's Compensation for the year shall not be matched.

- (iv) Other: _____

- b. Employer matching contributions shall be made based on elective deferral (pre-tax) contributions to the following plan(s) of the Employer (insert name of plan(s) to which the elective deferral contributions being matched will be made):

3. EMPLOYER CONTRIBUTIONS (other than Employer matching contributions):

The Employer profit sharing contribution is:

- a. EMPLOYER CONTRIBUTIONS GENERALLY (choose all that apply): (Note: Contributions under this Section G.3.a. must be "substantial and recurring" in accordance with Treasury Regulation Sections 1.401-1(a)(3) and – 1(b)(2), and must be for the exclusive benefit of Employees or their Beneficiaries. The applicable dollar amount or percentage of Compensation in options (ii) through (v) below must be greater than zero.)
- (i) A discretionary amount to be allocated to each Participant's Account in the same proportion that each such Participant's Compensation for the Plan Year bears to the total Compensation of all Participants for such Plan Year.
 (ii) A discretionary amount equal to \$ _____ on behalf of each Participant per period indicated below:
 (a) calendar quarter

- (b) month
- (c) pay period
- (d) week
- (e) plan year
- (iii) A discretionary amount equal to \$_____ per Hour of Service up to _____ hours per Plan Year.
- (iv) A discretionary amount, equal to _____% of each Participant's Compensation for the Plan Year, or \$_____ on behalf of each Participant for the Plan Year. (May select either percentage of Compensation or dollar amount, but not both.)
- (v) A discretionary amount equal to _____% of each Participant's Compensation for the Plan Year, plus _____% of such Compensation in excess of \$_____ (Must be an amount which is less than the applicable "annual compensation limit" as specified in Plan Section 1.08).
- (vi) The Employer will make a separate discretionary contribution on behalf of each of the following classifications of Employees. Such contribution will be allocated in the following manner:
 - (a) in the same ratio that each Participant's Compensation in that classification bears to the total Compensation of all Participants in that classification for the Plan Year.
 - (b) in the same dollar amount for each Participant in that classification for the Plan Year.

Note: Must describe classifications by objective, determinable business criteria.

Classification 1: _____

Classification 2: _____

Classification 3: _____

Classification 4: _____

- (vii) Other: _____
- b. CONTRIBUTIONS FOR PART-TIME, SEASONAL AND TEMPORARY EMPLOYEES: An amount equal to 7.5% of the Participant's Compensation for the entire Plan Year, reduced by the Employee Nonelective Contributions described in Section G.1. actually contributed to the Participant's account during such Plan Year, provided that such Contribution shall be made solely for Part-time, Seasonal, or Temporary Employees who are not otherwise covered by another qualifying public retirement system as defined for purposes of Treasury Regulation Section 31.3121(b)(7)-2.
- c. SPECIAL PAY CONTRIBUTIONS: An amount equal to the Employee's current daily rate of pay, multiplied by the Participant's number of unused accumulated Special Pay Days in excess of _____ (enter 0 if no excluded days), but not to exceed _____ days (enter N/A if no upper limit).

Special Pay contributions shall be made with respect to:

- (i) accumulated Vacation Pay Days
- (ii) accumulated Sick Leave Days
- (iii) both accumulated Vacation Pay and accumulated Sick Leave Days

Such contributions shall be made for a Plan Year:

- (i) for any Employee who is terminating employment during such Plan Year and who has accumulated Special Pay Days described in this Section G.3.c.
- (ii) for any active or terminating Employee with accumulated Special Pay Days described in this Section G.3.c.

4. HOURS REQUIRED TO SHARE IN ALLOCATION: An active Participant must work a specified number of Hours of Service in order to share in:

a. Employer matching contributions.

- (i) No minimum number of hours is required.
- (ii) Yes, a Participant must work a minimum of _____ Hours of Service during such year. (May not exceed 2000 hours. This option not available if matching contributions are remitted to the Plan each pay period.)

b. Employer contributions described in Section G.3.a.

- (i) No minimum number of hours is required.
- (ii) Yes, a Participant must work a minimum of _____ Hours of Service during the Plan Year. (May not exceed 2000 hours. This option not available if Special Pay contributions are elected in Section G.3.c. This option also not available if Employer contributions are remitted to the Plan each pay period, or if an allocation period other than the Plan Year is selected in Section G.3.a.(ii).)

5. FORFEITURES (Plan Section 4.03(e)):

Forfeitures of Employer contributions under Sections G.2. and G.3.a. shall be:

- a. N/A. Employer contributions are 100% Vested.

- b. used to reduce future Employer contributions under this Plan.
- c. allocated to all Participants eligible to share in the allocations in the same proportion that each Participant's Compensation for the Plan Year bears to the Compensation of all Participants for the year.
- d. Other (must require use/exhaustion of forfeitures as soon as administratively feasible):

6. CONTRIBUTIONS AND FORFEITURES ALLOCATED TO TERMINATED PARTICIPANTS (Plan Section 4.03(e)):

For contributions described in Section G.2. only, a Terminated Participant shall share in the allocation of Employer matching contributions and forfeitures for the Plan Year as follows:

- a. A Participant must be employed on the last day of the Plan Year in order to share in the allocation.
- b. A Participant must be employed on the last day of the Plan Year in order to share in the allocation, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement.
- c. A Participant must be employed on the last day of the Plan Year in order to share in the allocation, unless such Participant worked at least _____ Hours of Service during such year. (May not exceed 2000 hours.)
- d. A Participant must be employed on the last day of the Plan Year in order to share in the allocation, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement, and such Participant worked at least _____ Hours of Service during such year. (May not exceed 2000 hours.)
- e. A Participant is not required to be employed on the last day of the Plan Year or work a minimum number of hours in order to share in the allocation.

For contributions described in Section G.3.a. only, a Terminated Participant shall share in the allocation of Employer contributions (other than Employer matching contributions) for the Plan Year or other allocation period as follows. Notwithstanding the period selected in Section G.3.a.(ii), forfeitures shall be allocated based on the Plan Year.

- a. A Participant must be employed on the last day of such Plan Year (or other applicable period as selected in Section G.3.a.(ii)) to share in the allocation of Employer contributions.
- b. A Participant must be employed on the last day of the Plan Year (or other allocation period as selected in Section G.3.a.(ii)) in order to share in the allocation, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement. Notwithstanding the period selected in Section G.3.a.(ii), forfeitures shall be allocated to any Participant employed on the last day of the Plan Year, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement.
- c. A Participant must be employed on the last day of the Plan Year (or other applicable period as selected in Section G.3.a.(ii)) in order to share in the allocation, unless such Participant worked at least _____ Hours of Service during such year. (May not exceed 2000 hours.) If Section G.3.a.(ii) is selected, then the Hours of Service requirement is applicable to allocation of forfeitures only.
- d. A Participant must be employed on the last day of the Plan Year (or other applicable period as selected in Section G.3.a.(ii)) in order to share in the allocation, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement, and such Participant worked at least _____ Hours of Service during such year. (May not exceed 2000 hours.) If Section G.3.a.(ii) is selected, then the Hours of Service requirement is applicable to allocation of forfeitures only.
- e. A Participant is not required to be employed on the last day of the Plan Year (or other applicable period as selected in Section G.3.a.(ii)) or work a minimum number of hours in order to share in the allocation.

7. FROZEN PLAN:

- a. N/A. Plan is not frozen.
- b. This Plan is a frozen plan effective _____. No contributions will be made to the Plan with respect to any period following the stated date.

8. CONTINUED BENEFIT ACCRUALS FOR PARTICIPANTS ON MILITARY LEAVE (Plan Section 12.02). Continued benefit accruals for the HEART Act will not apply unless elected below:

- a. The provisions of Plan Section 12.02 apply effective as of: (select one)
 - (i) the first day of the 2007 Plan Year
 - (ii) _____ (may not be earlier than first day of the 2007 Plan Year)

However, the provisions no longer apply effective as of: (select if applicable)

- (iii) _____

H. COMPENSATION.

1. COMPENSATION with respect to any Participant means:

- a. Wages, tips and other Compensation on Form W-2.
- b. 415 safe-harbor compensation.
- c. Code section 3401 wages (wages for Federal income tax withholding).

However, Compensation shall exclude:

- (i) N/A. No exclusions
- (ii) overtime
- (iii) bonuses
- (iv) commissions
- (v) shift differential pay
- (vi) other _____

(Must be objectively determinable and applied in a uniform, nondiscriminatory basis, e.g., taxable reimbursements or other fringe benefits.)

2. Compensation shall be based on:

- a. the Plan Year.
- b. the Fiscal Year ending with or within the Plan Year.
- c. the calendar year ending with or within the Plan Year.

3. However, for an Employee's first year of participation, Compensation shall be recognized as of:

- a. the first day of the period selected in 2. above.
- b. the Participant's Effective Date of Participation (Section F.3.).

4. In addition, Compensation shall include compensation that is not currently includible in the Participant's gross income (salary reduction amounts) by reason of the application of Code Sections 125, 402(g)(3) or 457, and 132(f)(4).

- a. Yes
 - (i) Code Section 125 elective deferrals will include deemed Code Section 125 compensation.
 - (ii) Code Section 125 elective deferrals will not include deemed Code Section 125 compensation.
- b. No

5. Compensation for purposes of calculating contributions to the Plan will be determined:

- a. on an annual basis.
- b. on a payroll period basis (must also check (i) or (ii) below).
 - (i) Contributions will be adjusted, if necessary, to meet the Plan formula on an annual basis.
 - (ii) Contributions will not be adjusted to meet the Plan formula on an annual basis.

6. Differential wage payments (as described in Plan Section 12.03) will be treated, for Plan Years beginning after December 31, 2008, as Compensation for all Plan benefit purposes unless a. is elected below:

- a. In lieu of the above default provision, the Employer elects the following (select all that apply):
 - (i) The inclusion is effective for Plan Years beginning after _____ (may not be earlier than December 31, 2008).
 - (ii) The inclusion only applies to Compensation for purposes of Employee nonselective contributions.
 - (iii) Differential wage payments shall not be treated as Compensation for purposes of any Plan benefit accruals.

7. Compensation paid after severance from employment (Plan Section 4.04). Note: The Employer only needs to complete Section H.7.b. in order to override the default provisions set forth in H.7.a., below. If the Plan will use all of the default provisions, then Section H.7.b. should be skipped.

- a. **Default provisions.** Unless the Employer elects otherwise in Section H.7.b. below, the following defaults will apply:
 - (i) The provisions of the Plan setting forth the definition of compensation for purposes of Code § 415 (hereinafter referred to as "415 Compensation") shall be modified (with respect to amounts paid after Severance from Employment) by (1) including payments for unused sick, vacation or other leave and payments from nonqualified unfunded deferred compensation plans (Plan Section 4.04(d)(2)(ii)), (2) excluding salary continuation payments for participants on military leave (Plan Section 4.04(d)(2)(iii)), and (3) excluding salary continuation payments for disabled participants (Plan Section 4.04(d)(2)(iv)).
 - (ii) The "first few weeks rule" does not apply for purposes of 415 Compensation (Plan Section 4.04(d)(2)).
 - (iii) The Plan's definition of compensation for allocation purposes (hereinafter referred to as "Plan Compensation") shall be modified to provide for the same adjustments to Plan Compensation (for all contribution types) that are made to 415 Compensation pursuant to this Section H.7.

- b. In lieu of the default provisions in H.7.a., above, the following apply (select all that apply; if no selections are made, then the defaults apply):

415 Compensation (select all that apply):

- (i) Exclude leave cashouts and deferred compensation (Plan Section 4.04(d)(2)(ii))
- (ii) Include military continuation payments (Plan Section 4.04(d)(2)(iii))
- (iii) Include disability continuation payments (Plan Section 4.04(d)(2)(iv)) for all participants, and the salary continuation will continue for the following fixed or determinable period: _____
- (iv) Apply the administrative delay ("first few weeks") rule (Plan Section 4.04(d)(2))

Plan Compensation (select all that apply):

- (v) No change from existing Plan provisions
- (vi) Exclude all post-severance compensation
- (vii) Exclude post-severance regular pay
- (viii) Exclude leave cashouts and deferred compensation
- (ix) Include post-severance military continuation payments
- (x) Include post-severance disability continuation payments for all participants, and the salary continuation will continue for the following fixed or determinable period: _____
- (xi) Other: _____

Plan Compensation Special Effective Date. The definition of Plan Compensation is modified as set forth herein effective as of the same date as the 415 Compensation change is effective unless otherwise specified:

- (xii) _____ (enter the effective date)

I. TRANSFERS AND ROLLOVERS FROM OTHER EMPLOYER PLANS (Plan Section 4.06) will be allowed:

- 1. No.
- 2. Yes, for Participants only.
- 3. Yes, for all Employees. (Must be selected for plans which intend to accept transfers or rollovers from Code Section 414(k) accounts under defined benefit plans for all Employees, regardless of their status as Participants.)

If I.2. or I.3. is chosen:

Distributions from a Participant's Rollover Account may be made at any time, even if there is no distributable event which permits a distribution of other accounts.

- a. No
- b. Yes

J. VESTING. (Plan Section 6.04(b)).

- 1. The vesting schedule(s) for Employer contributions (other than those described in G.1., G.3.b. or G.3.c.), based on number of Years of Service (or twelve month Periods of Service, if Elapsed Time) shall be as follows:

Employer contributions (other than matching):

- a. 100% immediate
- b. 3 - Year Cliff (not to exceed 15 years)
- c. Graded:

<u>Years of Service</u> <u>(not to exceed 15)</u>	<u>Vesting Percentage</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	100%

Employer matching contributions:

- a. 100% immediate
- b. _____ - Year Cliff (not to exceed 15 years)
- c. Graded:

<u>Years of Service</u> <u>(not to exceed 15)</u>	<u>Vesting Percentage</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	100%

- d. Other (must provide for 100% vesting after no more than 15 years of service): _____

- 2. In determining Years of Service or Periods of Service for vesting purposes, the following service shall be EXCLUDED:

- a. N/A. All Years of Service or Periods of Service shall be counted.
- b. Service prior to the Effective Date of the Plan or a predecessor plan.
- c. Service prior to the time an Employee attained age 18.

- 3. Vesting Upon Death
 - a. 100% vesting, or
 - b. apply vesting schedule
- 4. Vesting Upon Disability
 - a. 100% vesting, or
 - b. apply vesting schedule

K. NORMAL RETIREMENT AGE; EARLY RETIREMENT AGE.

- 1. NORMAL RETIREMENT AGE ("NRA") means:
 - a. attainment of age 65 (not to exceed 65).
 - b. the later of attainment of age _____ (not to exceed 65) or the _____ (not to exceed 10th) anniversary of the first day of the Plan Year in which participation in the Plan commenced.
 - c. other: _____.
- 2. EARLY RETIREMENT AGE ("ERA") means:
 - a. no early retirement provision.
 - b. attainment of age 55 (not to exceed 65).
 - c. the later of attainment of age _____ (not to exceed 65) or the _____ (not to exceed 10th) anniversary of the first day of the Plan Year in which participation in the Plan commenced.
 - d. the later of attainment of age _____ (not to exceed 65) or completion of _____ (not to exceed 10) Years of Service or _____ (not to exceed 120) Months of Service.
 - e. other: _____.

L. IN-SERVICE DISTRIBUTIONS (Plan Section 6.10)

- 1. Except as provided in Sections I or M, no distribution may be made prior to termination of employment. (must be selected for plans that select G.3.b.)
- 2. Distributions may be made, at the Participant's election, from any accounts that are 100% Vested without requiring the Participant to terminate employment, provided the following condition(s) has been satisfied (must select at least one):
 - a. the Participant has attained age 59 1/2.
 - b. the amount distributed has accumulated for at least two (2) Plan Years.
 - c. the Participant has participated in the Plan for at least five (5) Plan Years.

M. HARDSHIP DISTRIBUTIONS (Plan Section 6.11)

- 1. Hardship distributions may be made from any accounts that are 100% Vested:
 - a. No (must be selected for plans that select G.3.b.)
 - b. Yes (must also complete item 2. below)
- 2. Hardship distributions for expenses of Beneficiaries will be allowed effective as of August 17, 2006, unless a. or b. is elected below (applies only to plans that allow hardship distributions):
 - a. Hardship distributions for Beneficiary expenses are allowed effective as of _____ (may not be earlier than August 17, 2006).
 - b. Hardship distributions for Beneficiary expenses are not allowed.

N. DISTRIBUTIONS UPON TERMINATION OF EMPLOYMENT (Plan Section 6.04(a)). Distributions upon termination of employment shall not be made unless the following conditions have been satisfied:

- 1. N/A. Immediate distributions may be made at Participant's election.
- 2. The Participant has incurred _____ (not to exceed five (5)) 1-Year Break(s) in Service.
- 3. The Participant has reached Early or Normal Retirement Age.
- 4. Distributions may be made at the Participant's election on or after the Anniversary Date following termination of employment.

O. RESTRICTIONS ON FORM OF DISTRIBUTIONS (Plan Sections 6.05 and 6.06). If the Employer has designated one or more annuity contracts as eligible investments under the Plan, distributions under the Plan may be made in the form of an annuity. In all cases, distributions under the Plan may be made:

- 1. in lump sums.
- 2. in lump sums or installments.

P. INVOLUNTARY DISTRIBUTIONS

An immediate distribution of a terminated Participant's Vested interest in the Plan may be made without the consent of the Participant. Note: If the Employer elects 3. or 4., below, the Employer must select an IRA provider for automatic rollovers. See Plan Section 6.05(b).

1. No.
2. Yes, but only if the distribution does not exceed \$1,000.
3. Yes, but only if the Participant's Vested interest does not exceed the cash-out limit in effect under Code Section 411(a)(11)(A) for the Plan Year that includes the date of distribution. For purposes of determining whether the Participant's Vested interest exceeds the cash-out limit, rollover contributions shall be (must select a. or b. below):
 - a. excluded
 - b. included
4. Yes, regardless of the amount. Note: If any portion of the Participant's Vested interest is attributable to contributions for Part-time, Seasonal or Temporary Employees under Section G.3.b., distribution may not be made without the Participant's consent if the Participant's Vested interest is greater than the cash-out limit in effect under Code Section 411(a)(11)(A) for the Plan Year that includes the date of distribution.
5. Other: _____.

Q. NON-SPOUSAL ROLLOVERS (Plan Section 6.14(g)). Non-spousal rollovers are allowed after December 31, 2006 unless 1. or 2. is elected below (Plan Section 6.14(g) provides that such distributions are always allowed after December 31, 2009):

1. Non-spousal rollovers are not allowed prior to January 1, 2010.
2. Non-spousal rollovers are allowed effective _____ (not earlier than January 1, 2007 and not later than December 31, 2009).

R. IN-SERVICE DISTRIBUTIONS OF TRANSFERRED MONEY PURCHASE ASSETS (Plan Section 6.10). In-service distributions (of amounts transferred to this Plan from a money purchase pension plan) will not be allowed unless 1. is elected below:

1. In-service distributions (of amounts transferred to this Plan from a money purchase pension plan) will be allowed for Participants at age ___ (cannot be less than 62) effective as of the first day of the 2007 Plan Year unless another date is elected below:
 - a. ___ (may not be earlier than the first day of the 2007 Plan Year).

AND, the following limitations apply to such in-service distributions:

- b. The Plan already provides for in-service and the restrictions set forth in the Plan (e.g., minimum amount of distributions or frequency of distributions) are applicable to in-service distributions of amounts transferred from a money purchase plan.
- c. N/A. No limitations.
- d. The following elections apply to in-service distributions of transferred money purchase assets (select all that apply):
 - (i) The minimum amount of a distribution is \$_____ (may not exceed \$1,000).
 - (ii) No more than _____ distribution(s) may be made to a Participant during a Plan Year.
 - (iii) Distributions may only be made from accounts that are fully Vested.
 - (iv) In-service distributions may be made subject to the following provisions:
_____ (must be definitely determinable and not subject to discretion).

S. QUALIFIED RESERVIST DISTRIBUTIONS (Plan Section 6.12). Qualified Reservist Distributions will not be allowed unless 1. is elected below:

1. Qualified Reservist Distributions are allowed effective as of _____ (may not be earlier than September 12, 2001).

T. DISTRIBUTIONS FOR "DEEMED" SEVERANCE OF EMPLOYMENT OF PARTICIPANT ON MILITARY LEAVE (Plan Section 12.04). The Plan does not permit distributions pursuant to Plan Section 12.04 unless otherwise elected below:

1. The Plan permits such distributions, effective January 1, 2007.
2. The Plan permits such distributions effective as of _____ (may not be earlier than January 1, 2007).

U. WRERA (RMD WAIVERS FOR 2009) (Plan Section 6.16). The provisions of Plan Section 6.16(a) apply (RMDs continue in accordance with the terms of the Plan for Participants or Beneficiaries receiving installment payments unless such Participant or Beneficiary elects otherwise, whereas RMDs are suspended for all other Participants and Beneficiaries) unless otherwise elected below:

1. The provisions of Plan Section 6.16(b) apply (RMDs continue in accordance with the terms of the Plan for all Participants and Beneficiaries, unless otherwise elected by a Participant or Beneficiary).
2. The provisions of Plan Section 6.16(c) apply (RMDs continue in accordance with the terms of the Plan for all Participants and Beneficiaries, but only Participants or Beneficiaries receiving installment payments may elect otherwise).
3. Other: _____.

For purposes of Plan Section 6.16, the Plan will also treat the following as eligible rollover distributions in 2009: (If no election is made, then a direct rollover will be offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(H)):

4. 2009 RMDs (as defined in Section 6.16(a) of the Plan) and installment payments that include 2009 RMDs.
5. 2009 RMDs (as defined in Section 6.16(a) of the Plan) but only if paid with an additional amount that is an eligible rollover distribution without regard to Code §401(a)(9)(H).

V. LOANS TO PARTICIPANTS (Plan Section 11.01)

Loans to Participants shall be made:

1. No (must be selected for plans that select G.3.b.)
2. Yes, for any reason
3. Yes, but only on account of hardship or financial need

W. DIRECTED INVESTMENT ACCOUNTS (Plan Section 4.09) are permitted for the interest in any one or more accounts:

1. Yes, but subject to the following restrictions:

- a. No restrictions apply.
- b. Only if accounts are 100% vested.

2. No

3. Other: _____

X. DOMESTIC RELATIONS ORDERS (Plan Section 6.13). Distributions to an "alternate payee" may be made prior to the time when the Participant is entitled to a distribution under the terms of the Plan:

1. No
2. Yes

Y. TOTAL AND PERMANENT DISABILITY (Plan Section 1.45). Total and Permanent Disability will be determined based on the definition in Section 1.45 of the Plan unless an alternate definition is elected and described below:

1. Alternate definition: _____

RESTRICTIONS ON USE OF ADOPTION AGREEMENT: This Adoption Agreement may be used solely in conjunction with the VALIC Retirement Services Company Retirement Plan for Governmental Employers (the Basic Plan Document). The Adoption Agreement and the Basic Plan Document together constitute the "volume submitter document" that is being adopted by the Employer.

APPROVAL BY VOLUME SUBMITTER PRACTITIONER REQUIRED: This volume submitter specimen document may be adopted only with the approval of the Volume Submitter Practitioner identified in Section A above. However, the adoption of this Plan, its qualification by the IRS, and the related tax consequences are the responsibility of the Employer and its independent tax and legal advisors. The Volume Submitter Practitioner will inform the adopting Employer of any amendments made to the volume submitter document, or of the discontinuance or abandonment of the volume submitter document.

RELIANCE ON VOLUME SUBMITTER PLAN: The adopting Employer may rely on an advisory letter issued to the Volume Submitter Practitioner by the Internal Revenue Service as evidence that the plan is qualified under Code Section 401 only if (1) the Employer's plan is identical to a volume submitter specimen plan with a currently valid favorable advisory letter, (2) the Employer has chosen only options permitted under the Adoption Agreement portion of the specimen document, (3) the Employer has followed the terms of the plan, and (4) all other conditions of section 19 of Revenue Procedure 2011-49 have been satisfied.

The Employer may not rely on an advisory letter in certain circumstances or with respect to certain qualification requirements as described in section 19 of Revenue Procedure 2011-49. For example, the Employer may not rely on an advisory letter with respect to the requirements of Section 415 if the Employer maintains or has ever maintained another plan covering some of the same participants. In those circumstances where an Employer is not permitted to rely on an advisory letter issued to the Volume Submitter Practitioner, either generally or with respect to a particular qualification requirement, the Employer may choose to apply to the Internal Revenue Service for a determination letter.

CAUTION: This volume submitter document has been designed for use solely by Employers that are state or local governmental entities. As such, it is designed solely for "governmental plans" that are exempt from Title I of ERISA and certain provisions of the Internal Revenue Code that otherwise apply to qualified plans. However, there may be restrictions under state or local law on a governmental Employer's right to establish its own qualified plan (or on the types of provisions that may be included in such plan). The Employer should consult with legal counsel to verify that the establishment of this plan (or the specific provisions elected in this Adoption Agreement) are not contrary to existing state law. Neither the Volume Submitter Practitioner nor its employees or representatives are authorized to provide legal or tax advice to the Employer or its employees or representatives. Failure to properly complete this Adoption Agreement may result in disqualification of the plan.

Appendix A

Special Effective Dates

Pursuant to Section 7.01(a) of the Basic Plan Document, the Employer may specify or change the effective date of one or more provisions of the Adoption Agreement by completing this Appendix A. The Employer may wish to specify one or more special effective dates if, for example, (i) certain Plan provisions will not be effective until a later date, or (ii) the Plan is being restated for the Pension Protection Act of 2006 (retroactive to the first day of the current Plan Year), and special effective dates are needed to reflect discretionary amendments to the Plan since the beginning of the Plan Year. However, no special effective date may be earlier than the Effective Date (or the Restated Effective Date, in the case of a restatement) of the Plan, and no special effective date shall result in the delay of a Plan provision beyond the permissible effective date under any applicable law. For periods prior to the special effective date(s) specified below, the Plan terms in effect prior to its restatement under this Adoption Agreement will control for purposes of the designated provisions.

SPECIAL EFFECTIVE DATES. The following special effective dates apply: (select a. or all that apply)

- a. **N/A.** The Employer is not electing any special effective dates.
- b. **Eligibility Requirements.** The Eligibility and/or Entry Date provisions in Section F. are effective: _____
- c. **Contributions and Forfeitures.** The Contribution and/or Forfeiture provisions in Section G. are effective: _____
- d. **Compensation.** The Compensation provisions in Section H. are effective: _____
- e. **Vesting.** The Vesting provisions in Section J. are effective: _____
- f. **Other special effective date(s):** _____

PARTICIPATION AGREEMENT

[X] Check here if not applicable and do *not* complete this page

The undersigned, by executing this Participation Agreement, elects to become a Participating Employer in the Plan identified in Section B.1. of the accompanying Adoption Agreement, as if the Participating Employer were a signatory to that Adoption Agreement. The Participating Employer accepts, and agrees to be bound by, all of the elections granted under the provisions of the Plan as made by the Signatory Employer to the Adoption Agreement, except as otherwise provided in this Participation Agreement.

1. **EFFECTIVE DATE.** (Note: The Effective Date for a new Plan (or the Restated Effective Date for a restated plan) cannot be earlier than the first day of the Plan Year in which this plan is adopted (or restated). Restatements for the Pension Protection Act of 2006 ("PPA") may be effective as of the first day of the current Plan Year, as the Plan contains applicable retroactive effective dates with respect to provisions affected by PPA and subsequent legislation/guidance. Section 414(h) Pick-up contributions must relate solely to Compensation for services rendered after the later of the adoption or effective date of this Plan or restatement.)

The Effective Date (or Restated Effective Date) of the Plan for the Participating Employer is: _____.

2. **NEW PLAN/RESTATEMENT.** The Participating Employer's adoption of this Plan constitutes: (Choose one of (a) or (b))

- a. The adoption of a new plan by the Participating Employer.
- b. The adoption of an amendment and restatement of a plan currently maintained by the Participating Employer identified as: _____ and having an original effective date of: _____.

3. **PREDECESSOR EMPLOYER SERVICE.** In addition to the predecessor service credited by reason of Section E.1. of the Adoption Agreement, the Plan credits as Service under this Plan, service with this Participating Employer for purposes of: (Choose one or more of (a) through (e) as applicable)

- a. Eligibility.
- b. Vesting.
- c. Contribution Accrual.
- d. Early Retirement Age.
- e. Normal Retirement Age.

Name of Plan: _____

Name of Participating Employer: _____

Signed: _____

Name: _____

Title: _____

Date: _____

Participating Employer's EIN: _____

Acceptance by the Signatory Employer of the Adoption Agreement and by the Trustee, if applicable.

Name of Signatory Employer: _____

Name(s) of Trustee: _____

Signed: _____

Signed: _____

Name/Title: _____

Name/Title: _____

Date: _____

Date: _____

[Note: Each Participating Employer must execute a separate Participation Agreement.]

Signed this 28th day of April, 2016.

Name of Employer: City of Arcadia

Signed: Terrance Stewart

Printed name and title: Terrance Stewart, City Administrator

Name of Trustee*: _____

Signed: _____

Printed name and title: _____

Name of Co-Trustee*: _____

Signed: _____

Printed name and title: _____

Mailing Address of Trustee(s)*:

Approval of Volume Submitter Practitioner: The Employer's adoption of this volume submitter document is approved by the Volume Submitter Practitioner, VALIC Retirement Services Company.

By: _____

Name: _____

Title: _____

Date: _____

AGENDA No. 11



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 17, 2016

DEPARTMENT: Administration
SUBJECT: Utility and Solid Waste Rates

RECOMMENDED MOTION: Discussion Item

SUMMARY:

Council Member Joseph Fink has asked this item to be placed on the agenda for the purpose of discussing whether to continue the resolutions establishing automatic rate increases for Utility and Solid Waste rates.

Resolutions 2012-14 and 2012-15 were approved to create an automatic annual rate increase. Copies of those resolutions are included for reference.

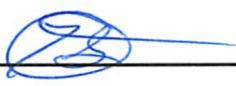
FISCAL IMPACT: _____ Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other

Department Head: _____ Date: _____

Finance Director (As to Budget Requirements) _____ Date: _____

City Attorney (As to Form and Legality) _____ Date: _____

City Administrator: Terry Stewart  _____ Date: 5/9/16

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications

RESOLUTION 2012-14

A RESOLUTION OF THE CITY OF ARCADIA, FLORIDA INCREASING
GARBAGE AND TRASH COLLECTION SERVICE CHARGES,
EFFECTIVE OCTOBER 2, 2012

WHEREAS, the City wishes to amend Resolution 99-16, A RESOLUTION INCREASING GARBAGE AND TRASH COLLECTION SERVICE CHARGES and any subsequent increases adopted by Council since adoption of Resolution 99-16, and

WHEREAS, due to increasing costs of operating expenses and the need for replacement capital assets, the City finds it necessary to increase garbage and trash collection service charges to fund necessary operating expenses and capital asset expenses.

NOW THEREFORE IT BE RESOLVED, by the City Council of the City of Arcadia, Florida as follows:

Section 1. That all residential garbage and trash collection charges be increased \$1.35 a month to \$14.85.

Section 2. That all commercial garbage and trash collection charges be increased \$1.65 a month to \$18.15.

Section 3. That all commercial containerized garbage and trash collection charges be increased from \$2.95 a cubic yard to \$3.25 a cubic yard.

Section 4. That the increased garbage and trash collection charges be effective November 1, 2012.

Section 5. That the garbage and trash collection rates as stated above will be automatically increased annually at a rate of 2% and shall become effective October 1 of each year and will be reflected on the October billings.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA in regular session this 2nd day of October, 2012.

ATTEST:


VIRGINIA HAAS, CMC
CITY RECORDER

CITY OF ARCADIA, FLORIDA


KEITH KEENE
MAYOR

ON BEHALF
APPROVED AS TO FORM:
THOMAS J WOHL
CITY ATTORNEY


SCOTT LECONEY

RESOLUTION 2012-15

**A RESOLUTION ESTABLISHING WATER AND SEWER RATES
EFFECTIVE NOVEMBER 1, 2012, ALLOWING FOR AN AUTOMATIC
ANNUAL INCREASE AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, in order to meet State and Federal Environmental laws, to establish proportionate user charges that places the cost of abatement directly on the sources of pollution, conserves potable water, and maintains financial self-sufficiency, and to provide the full and required revenues for the Operation, Maintenance, Renewal and Debt Service requirements of the City's Water and Sewer Systems, and

WHEREAS, City of Arcadia Ordinance No. 822 provides that water and sewer rates shall be adopted from time to time by Resolution, and

WHEREAS, the City wishes to amend Resolution 2009-24, A RESOLUTION ESTABLISHING WATER AND SEWER RATES EFFECTIVE JANUARY 2010 AND ALLOWING FOR AN ANNUAL INCREASE BASED ON THE FLORIDA PUBLIC SERVICE INDEX and any subsequent increases adopted by Council since adoption of Resolution 2009-24, and

WHEREAS, the proposed water and sewer rates are reasonable in light of the expenses necessary to operate the systems, and

WHEREAS, the rates and charges of Resolution 2009-24 not changed herein shall remain in effect until changed by further Resolution of Council,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, that the following water and sewer rates are hereby adopted and shall be effective November 1, 2012 and shall be reflected on the November billings:

WATER:

<u>Monthly Use</u>	<u>Rate</u>
First 3,000 gallons	\$30.24
3,001 – 5,000 gallons	\$ 5.02

SEWER:

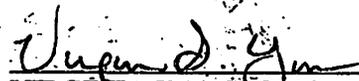
<u>Monthly Use</u>	<u>Rate</u>
First 3,000 gallons	\$30.60
3,001 – 5,000 gallons	\$ 5.11

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, that the rates as stated above will be automatically increased annually at a rate of 3% and shall become effective October 1 of each year and will be reflected on the October billings.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, in regular session at the City Council Chambers of said City of Arcadia, Florida this 2nd day of OCTOBER, 2012.

ATTEST:

CITY OF ARCADIA, FLORIDA


VIRGINIA HAAS, CMC
CITY RECORDER


KEITH KEENE
MAYOR

APPROVED AS TO FORM BY


ON BEHALF
THOMAS J. WOHL
CITY ATTORNEY
SCOTT LECONEY

DEPARTMENT REPORTS

CITY OF ARCADIA
SUMMARY OF ALL FUNDS
AS OF MAY 9, 2016

REVENUES:

FUND:	AMENDED BUDGET	ACTUAL REVENUE	REMAINING	% REC'D
GENERAL FUND:	4,836,924	2,854,091	1,982,833	59.0%
SM. CTY SURTAX/ CAP IMP.:	428,136	284,659	143,477	66.5%
ROAD / STREET PROJECTS	1,144,764	1,144,764	-	100.0%
MCSWAIN RESTORATION	544,726	544,726	-	100.0%
<u>ENTERPRISE FUNDS:</u>				
WATER/SEWER FUND:	5,326,915	2,864,454	2,462,461	53.8%
SOLID WASTE FUND:	793,799	491,857	301,942	62.0%
AIRPORT FUND:	283,452	187,655	95,797	66.2%
TOTAL ALL FUNDS:	13,358,716	8,372,206	4,986,510	62.7%

EXPENSES

FUND:	BUDGETED EXPENSES	ACTUAL EXPENSES	REMAINING	% USED
GENERAL FUND:	4,836,924	2,714,296	2,122,628	56.1%
SM. CTY SURTAX/ CAP IMP.:	428,136	11,378	416,758	2.7%
ROAD / STREET PROJECTS	1,144,764	294,457	850,307	25.7%
MCSWAIN RESTORATION	544,726	397,345	147,381	72.9%
<u>ENTERPRISE FUNDS:</u>				
WATER/SEWER FUND:	5,326,915	1,903,890	3,423,025	35.7%
SOLID WASTE FUND:	793,799	396,382	397,417	49.9%
AIRPORT FUND:	283,452	64,426	219,026	22.7%
TOTAL ALL FUNDS:	13,358,716	5,782,174	7,576,542	43.3%

CITY OF ARCADIA
REVENUE BUDGET REPORT
GENERAL FUND
AS OF MAY 9, 2016

GENERAL FUND REVENUES		AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
AD VALORUM TAXES					
Ad Valorem Taxes - Current		1,473,256	970,691	502,565	65.9%
Ad Valorem Taxes - Delinquent		-		-	0.0%
Interest on AD Valorem Tax		-		-	100.0%
Tax Certificate Sales		-	85	(85)	0.0%
Total AD Valorem Taxes		1,473,256	970,776	502,480	65.9%
SALES & USE TAX					
State Local Option Fuel Tax New (1-5 Cent Tax)		88,274	52,822	35,452	59.8%
Gas Tax 5 & 6 Cents (1-6 Cent Tax)		181,642	104,606	77,036	57.6%
Total Sales & Use Tax		269,916	157,428	112,488	58.3%
FRANCHISE FEES					
Electricity Franchise		400,000	262,780	137,220	65.7%
Total Franchise Fees		400,000	262,780	137,220	65.7%
UTILITY SERVICE TAX (PST)					
Electricity Utility Tax		300,000	220,535	79,465	73.5%
Water Utility Tax		107,000	87,154	19,846	81.5%
Gas Utility Tax		20,000	10,359	9,641	51.8%
Communications Service Tax		227,125	116,880	110,245	51.5%
Total Utility Service Tax		654,125	434,928	219,197	66.5%
OTHER GENERAL TAXES					
Local Business Tax Receipts		40,000	16,041	23,959	40.1%
Total Other General Taxes		40,000	16,041	23,959	40.1%
OTHER REVENUES					
Cemetary Lots		9,000	5,972	3,028	66.4%
Total Other Revenues		9,000	5,972	3,028	66.4%
BUILDING PERMITS					
Building Permits		5,000	9,670	(4,670)	193.4%
Total Building Permits		5,000	9,670	(4,670)	193.4%

CITY OF ARCADIA
REVENUE BUDGET REPORT
GENERAL FUND
AS OF MAY 9, 2016

GENERAL FUND REVENUES	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
OTHER LICENSES & PERMITS				
Zoning Fees	2,750	400	2,350	14.5%
Maps	-	-	-	0.0%
Other Licenses & Permits	6,000	750	5,250	12.5%
Total Other Licenses & Permits	8,750	1,150	7,600	13.1%
FEDERAL GRANTS	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
COPS Grant	-	-	-	0.0%
Victims of Crime Grant (Voca)	29,204	26,962	2,242	92.3%
Rural Investigation Grant	-	-	-	0.0%
JAGC 2016-DESO-2 R3-097 GRANT	8,437	-	8,437	0.0%
JAGC 2015 1 R1 003 BODY CAMERA GRANT	-	1,696	(1,696)	0.0%
Total Federal Grants	37,641	28,658	8,983	76.1%
STATE GRANTS	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Dept. of Transportation US 17 Widening	-	-	-	0.0%
Dept. of Economic OPP Planning Grant	-	-	-	0.0%
Hurricane Grant	-	-	-	0.0%
Total State Grants	-	-	-	0.0%
STATE SHARED REVENUES	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
State Half Cents Sales Tax	268,692	157,660	111,032	58.7%
State Shared Motor Fuel	66,176	37,511	28,665	56.7%
State Shared Sales Tax	213,048	120,698	92,350	87.1%
Mobile Home License	2,500	2,177	323	87.1%
Alcoholic Beverage Licenses	3,300	4,731	(1,431)	143.4%
State of FL Lighting Maintenance Agreement	44,498	-	44,498	0.0%
State of FL Traffic Light Maintenance Agreement	43,168	-	43,168	0.0%
State of FL Pension Contribution	-	-	-	0.0%
Total State Shared Revenues	641,382	322,777	318,605	50.3%
SHARED REVENUES FROM LOCAL UNITS	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
School Guard Crossing - School Board	18,000	7,810	10,190	43.4%
DeSoto County Business Tax	1,500	2,173	(673)	100.0%
Total Shared Revenue from Local Units	19,500	9,983	9,517	51.2%

CITY OF ARCADIA
REVENUE BUDGET REPORT
GENERAL FUND
AS OF MAY 9, 2016

GENERAL FUND REVENUES	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
PUBLIC SERVICE REVENUE				
Police Services	-	-	-	0.00%
Fire Protection Services - MSBU	239,980	-	239,980	0.00%
Accident Reports	900	1,368	(468)	152.02%
Code Enforcement Fees	1,000		1,000	0.00%
Total Public Safety Revenue	241,880	1,368	240,512	0.57%
CULTURE/RECREATION	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
GOLF COURSE & PRO SHOP				
Golf Course Green Fees	75,000	66,462	8,538	88.6%
Cart Rentals	100,000	79,908	20,092	79.9%
Golf Course Membership Fees	100,000	67,404	32,596	67.4%
Pro Shop & Food and Beverage	60,000	25,196	34,804	42.0%
Total Golf Course & Pro Shop	335,000	238,970	96,030	71.3%
Other Culture / Recreation				
Rent Fees for Speer Center	1,000	-	1,000	0.0%
Way Building Rent	-	-	-	0.0%
Parks Maintenance Agreements	-	-	-	0.0%
Total Other Culture / Recreation	1,000	-	1,000	0.0%
Total Culture / Recreation	336,000	238,970	97,030	71.1%
FINES & FORFEITURES	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Court Fines	23,000	23,053	(53)	100.2%
Police Education	-	-	-	0.0%
Misc Charges for Services	8,000	5,829	2,171	72.9%
Taxi Application Fees	4,000	2,150	1,850	53.8%
Parking Violations	500	506	(6)	0.0%
Towing Fees	-	-	-	0.0%
Impound	8,500	2,925	5,575	34.4%
Confiscated and Restitution (from Law Enforcement Trust)	-	-	-	0.0%
Total Fines and Forfeitures	44,000	34,463	9,537	78.3%
INTEREST EARNINGS	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Law Enforcement Trust Income	-	-	-	0.0%
Other Interest	250	-	250	0.0%
Unrealized Gain	-	-	-	0.0%
Bond Interest	-	-	-	0.0%
Total Interest Earnings	250	-	250	0.0%

CITY OF ARCADIA
REVENUE BUDGET REPORT
GENERAL FUND
AS OF MAY 9, 2016

GENERAL FUND REVENUES	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
RENTS & ROYALTIES				
Mobile Home Park Rent	194,000	131,221	62,779	67.6%
Mobile Home Park Laundry	1,000	533	467	53.3%
Total Rents & Royalties	195,000	131,754	63,246	67.6%
SALES/COMP FOR LOSS OF FIXED ASSET	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Sale of Fixed Asset	-	-	-	-
SALE OF SURPLUS MATERIALS/SCRAP	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Sale of Surplus Materials	5,000	272	4,728	5.4%
Total Sale of Surplus Materials	5,000	272	4,728	5.4%
CONTRIBUTIONS/DONATIONS FROM PRIVATE	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Miscellaneous Donations -Police	-	-	-	0.0%
Jim Space Foundation Donation	-	-	-	0.0%
Total Contributions/ Donations from Private	-	-	-	0.0%
OTHER MISC REVENUE	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Copies - City Hall	200	123	77	61.5%
Copies - Police Station	-	-	-	0.0%
Miscellaneous	500	475	25	95.0%
Miscellaneous Refunds	-	56,534	(56,534)	0.0%
Special Detail APD	4,000	7,683	(3,683)	0.0%
Shop With A Cop	-	12,376	(12,376)	0.0%
Housing Authority Prior Payment	-	-	-	0.0%
Total Other Misc Revenue	4,700	77,190	(72,490)	2.62%
CONTRIBUTION FROM OTHER FUNDS	AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Transfer from Water (Loan)	53,000	-	53,000	0.0%
Transfer from Surtax to Streets for Street Sweeper (BA#2016-03)	19,171	19,171	-	100.0%
Transfer from Surtax to Fire Control for Fire Truck (BA#2016-03)	22,900	22,900	-	100.0%
Transfer from Surtax to Fire Control for Roof Rpr (BA#2016-03)	7,840	7,840	-	100.0%
Transfer from Street Project to Street Dept. (BAX#2016-03)	100,000	100,000	-	100.0%
Total Contribution from Other Funds	202,911	149,911	53,000	73.9%

CITY OF ARCADIA
 REVENUE BUDGET REPORT
 GENERAL FUND
 AS OF MAY 9, 2016

CHARGE BACKS FROM ENTERPRISE FUNDS		AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Transfers In		248,613	-	248,613	0.0%
FUND BALANCE		AMENDED BUDGET	ACTUAL	REMAINING	% REC'D
Fund Balance			-	-	0.0%
TOTAL GENERAL FUND REVENUES		4,836,924	2,854,091	1,982,833	59.0%

CITY OF ARCADIA
EXPENSE BUDGET REPORT
GENERAL FUND
AS OF AS OF MAY 9, 2016

LEGISLATIVE/COUNCIL EXPENSES				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	22,932	15,297	7,635	66.7%
Operating Expenses	57,514	17,923	39,591	31.2%
TOTAL LEGISLATIVE/COUNCIL	80,446	33,220	47,226	41.3%

RETIREE & COUNCIL RETIREES				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	88,022	76,678	11,344	87.1%

EXECUTIVES				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	326,339	199,297	127,042	61.1%
Operating Expenses	31,711	11,862	19,849	37.4%
TOTAL EXECUTIVE	358,050	211,159	146,891	59.0%

FINANCIAL & ADMINISTRATIVE				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	168,284	106,898	61,386	63.5%
Operating Expenses	87,523	68,795	18,728	78.6%
TOTAL FINANCE & ADMINISTRATIVE	255,807	175,693	80,114	68.7%

LEGAL COUNCIL				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Professional Services	70,100	26,596	43,504	37.9%
Other Legal Services	10,000	120	9,880	1.2%
TOTAL LEGAL COUNCIL	80,100	26,716	53,384	33.4%

COMPREHENSIVE (COMMUNITY DEVELOPMENT)				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	71,060	40,031	31,029	56.3%
Operating Expenses	64,884	28,032	36,852	43.2%
TOTAL COMPREHENSIVE	135,944	68,063	67,881	50.1%

CITY OF ARCADIA
EXPENSE BUDGET REPORT
GENERAL FUND
AS OF AS OF MAY 9, 2016

OTHER GOVERNMENT SERVICES				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	15,000	5,849	9,151	39.0%
Operating Expenses	157,816	104,282	53,534	66.1%
Contingency	116,638	-	116,638	0.0%
TOTAL OTHER GOVERNMENTAL SERVICES	289,454	110,131	179,323	38.0%

LAW ENFORCEMENT				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	1,154,897	694,574	460,323	60.1%
Operating Expenses	220,862	122,117	98,745	55.3%
Capital Outlay	27,000	25,849	1,151	95.7%
TOTAL LAW ENFORCEMENT	1,402,759	842,540	560,219	60.1%

*NOTE: The Police & Fire Pension is split 50.5% for Police and 49.5% for Fire Control. The amount allocated to Police year to date is \$93,618.39. The amount for Fire is \$91,764.57 and is expended under Fire Control.

VICTIMS OF CRIMES GRANT				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	40,479	26,334	14,145	65.1%
TOTAL VICTIMS OF CRIMES GRANT	40,479	26,334	14,145	65.1%

POLICE EQUIPMENT GRANT				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
APD ANTI-DRUG - 2016	8,437	8,363	74	99.1%
TOTAL POLICE EQUIPMENT GRANT	8,437	8,363	74	99.1%

SCHOOL CROSSING GUARD				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	18,447	9,710	8,737	52.6%
Operating Expenses	375	365	10	100.0%
TOTAL SCHOOL CROSSING GUARD	18,822	10,075	8,747	53.5%

SHOP WITH A COP EXPENSES				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Operating Expenses	-	11,411	(11,411)	0.0%
TOTAL SCHOOL CROSSING GUARD	-	11,411	(11,411)	0.0%

SPECIAL DETAIL				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Operating Expenses	-	2,879	(2,879)	0.0%
TOTAL SCHOOL CROSSING GUARD	-	2,879	(2,879)	0.0%

TOTAL ALL LAW ENFORCEMENT	1,470,497	901,602	568,895	61.3%
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CITY OF ARCADIA
EXPENSE BUDGET REPORT
GENERAL FUND
AS OF AS OF MAY 9, 2016

FIRE CONTROL				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Operating Expenses	438,222	258,258	179,964	58.9%
TOTAL FIRE CONTROL	438,222	258,258	179,964	58.9%

CEMETERY				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	37,478	23,579	13,899	62.9%
Operating Expenses	21,591	6,640	14,951	30.8%
TOTAL CEMETERY	59,069	30,220	28,849	51.2%

STREET DEPARTMENT				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	209,419	81,672	127,747	39.0%
Operating Expenses	220,254	140,989	79,265	64.0%
Capital Outlay	75,000	-	75,000	0.0%
TOTAL STREET DEPARTMENT	504,673	222,661	282,012	44.1%

OTHER TRANSPORTATION				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	9,390	7,336	2,054	78.1%
Operating Expenses	78,460	12,847	65,613	16.4%
TOTAL OTHER TRANSPORTATION	87,850	20,184	67,666	23.0%

VEHICLE AND FACILITY MAINTENANCE				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	105,506	62,013	43,493	58.8%
Operating Expenses	20,063	10,033	10,030	50.0%
Capital Outlay	3,500	2,556	944	73.0%
TOTAL VEHICLE AND FACILITY MAINTENANCE	129,069	74,603	54,466	57.8%

PARKS DEPARTMENT				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	170,001	88,767	81,234	52.2%
Operating Expenses	73,373	41,568	31,805	56.7%
Capital Outlay	-	-	-	0.0%
TOTAL PARKS DEPARTMENT	243,374	130,334	113,040	53.6%

CITY OF ARCADIA
EXPENSE BUDGET REPORT
GENERAL FUND
AS OF AS OF MAY 9, 2016

MOBILE HOME PARK				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	48,314	28,120	20,194	58.2%
Operating Expenses	117,453	64,122	53,331	54.6%
Capital Outlay	5,000	-	5,000	0.0%
TOTAL MOBILE HOME PARK	170,767	92,242	78,525	54.0%

GOLF COURSE				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	194,883	109,911	84,972	56.4%
Operating Expenses	215,831	141,766	74,065	65.7%
Capital Outlay				0.0%
TOTAL GOLF COURSE	410,714	251,677	159,037	61.3%

WAY BUILDING				
ACCOUNTS	AMENDED BUDGET	ACTUAL	REMAINING	% USED
Personnel Expenses	5,366	6,209	(843)	115.7%
Operating Expenses	29,500	24,646	4,854	83.5%
TOTAL WAY BUILDING	34,866	30,855	4,011	88.5%

TOTAL GENERAL FUND EXPENSES	4,836,924	2,714,296	2,122,628	56.1%
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**CITY OF ARCADIA
SM. CTY SURTAX/CAPITAL IMPROVEMENT
BUDGETED REVENUE
AS OF MAY 9, 2016**

	Amended Budget	Actual	Remaining	% Used
Small Cty. Surtax	428,136	284,659	143,477	66.5%
Interest SBA	-			
Other Interest Earnings	-			
Interest on Investment Acct	-			
Unrealized Gain	-			
Other Miscellaneous	-			
Fund Balance Reserves	-			
Total Surtax/Capital	428,136	284,659	143,477	66.5%

**CITY OF ARCADIA
SM. CTY SURTAX/CAPITAL IMPROVEMENT
EXPENSES
AS OF MAY 9, 2016**

	Budgeted	Actual	Remaining	% Used
Way Building				
Council Chambers	-			
Improvements (Computer Upgrade)	10,000.00	1,778.00	8,222	17.8%
Total Way Building	10,000.00	1,778.00	8,222	
 Streets				
Street, Sidewalks & Curbs	-	-	-	0.0%
Stormwater Projects	-	-	-	-
Machinery & Equipment	-	-	-	-
Principal Bond Payments	-	-	-	-
ADM Fees - Bond 2003	-	-	-	-
Interest Bond Payments	-	-	-	-
Bond Administration Expense	-	-	-	-
Improvements (Computer Upgrades)	-	-	-	-
Total Streets	-	-	-	0.0%
 Debt Service				
Principal	-	-	-	-
Interest	-	-	-	-
Total Debt Service	-	-	-	-
 Police				
Improvements	-	-	-	-
Machinery & Equipment	-	-	-	-
Total Police	-	-	-	-
 Parks and Recreation				
Improvements Golf Course	60,000	9,600	50,400	0.0%
Land	-	-	-	-
Machinery & Equipment	-	-	-	-
Total Parks	60,000	9,600	50,400	0.0%
 Contingency				
Total Transfers	358,136	-	358,136	0.0%
 Total Capital Improvement/ Surtax				
	428,136	11,378	416,758	2.7%

CITY OF ARCADIA
ROAD / STREET PROJECTS
REVENUES / EXPENSES
AS OF MAY 9, 2016

ROAD / STREET PROJECTS - REVENUES

REVENUE SOURCE	AMENDED BUDGET	YTD ACTUAL	REMAINING	% REC'D
TRANSFER FROM STREET RESERVE	500,000	500,000	-	100.0%
TRANSFER FROM INFRASTRUCTURE	500,000	500,000	-	100.0%
TRANSFER IN FROM STREET RESERVE	83,746	83,746	-	100.0%
TRANSFER IN FROM INFRASTRUCTURE RES	161,018	161,018	-	100.0%
TRANSFER OUT TO STREET DEPT FOR POTHOLE PATCHER PROJECT	(100,000)	(100,000)	-	100.0%
TOTAL ROAD / STREET PROJECTS - REVENUE	1,144,764	1,144,764	-	100.0%

ROAD / STREET PROJECTS - EXPENSES

EXPENSES	AMENDED BUDGET	YTD ACTUAL	REMAINING	% USED
Street, Sidewalks & Curbs	683,746	166,669	517,077	24.4%
Stormwater Projects	461,018	127,788	333,230	27.7%
TOTAL ROAD / STREET PROJECTS - EXPENSE	1,144,764	294,457	850,307	25.7%

CITY OF ARCADIA
MCSWAIN RESTORATION
REVENUES / EXPENSES
AS OF MAY 9, 2016

MCSWAIN RESTORATION - REVENUES

REVENUE SOURCE	AMENDED BUDGET	YTD ACTUAL	REMAINING	% REC'D
Mosaic Contribution	500,000	500,000	-	100.0%
Transferred from Surtax	44,726	44,726	-	100.0%
TOTAL MCSWAIN REVENUES	544,726	544,726	-	100.0%

MCSWAIN RESTORATION - EXPENSES

EXPENSES	AMENDED BUDGET	YTD ACTUAL	REMAINING	% USED
Contractual	544,726	397,345	147,381	72.9%
TOTAL MCSWAIN EXPENSES	544,726	397,345	147,381	72.9%

CITY OF ARCADIA
WATER/SEWER ENTERPRISE FUND
REVENUE
AS OF MAY 9, 2016

WATER/SEWER ENTERPRISE FUND REVENUES:

REVENUE SOURCE	AMENDED BUDGET	YTD ACTUAL	REMAINING	% REC'D
Water Revenue	2,294,541	1,471,705	822,836	64.1%
Water Tap Fees	15,000	69,913	(54,913)	466.1%
Water Reconnect Fees	25,000	12,800	12,200	51.2%
Late Fees	100,000	92,937	7,063	92.9%
Sewer Revenue	1,637,374	1,055,936	581,438	64.5%
Sewer Tap Fees	5,000	160,680	(155,680)	3213.6%
Water Meter Deposit interest	-	-	-	0.0%
Lee Avenue Water & Sewer Impr. Grand - DEP	250,000	-	250,000	0.0%
Water Pollution SRF/GRANT - DEP	1,000,000	-	1,000,000	0.0%
Miscellaneous	-	483	(483)	0.0%
Leachate Payments	-	-	-	0.0%
Fund Balance	-	-	-	0.0%
Total Current Revenues	5,326,915	2,864,454	2,462,461	53.8%

CITY OF ARCADIA
WATER/SEWER ENTERPRISE FUND
EXPENSES
AS OF APRIL 7, 2016

WATER/SEWER ENTERPRISE FUND EXPENSES:

EXPENSES	AMENDED BUDGET	YTD ACTUAL	REMAINING	% USED
Water Treatment Plant				
Personnel Services	150,361	78,396	71,965	52.1%
Operating Expenses	347,425	166,347	181,078	47.9%
Capital Outlay	-	-	-	0.0%
Debt Service Principal	358,696	152,848	205,848	0.0%
Total WTP Expenses	856,482	397,591	458,890	46.4%
Waste Water Plant				
Personnel Services	280,720	154,633	126,087	55.1%
Operating Expenses	594,756	313,325	281,431	52.7%
Capital Outlay	1,025,000	-	1,025,000	0.0%
Total WWP Expenses	1,900,476	467,958	1,432,518	24.6%
Utility Collections & Billing				
Personnel Services	176,473	109,073	67,400	61.8%
Operating Expenses	122,637	45,914	76,723	37.4%
Total UB Expenses:	299,110	154,986	144,124	51.8%
Water Systems				
Personnel Services	177,113	92,682	84,431	52.3%
Operating Expenses	137,545	45,972	91,573	33.4%
Capital Outlay	280,000	27,085	252,915	9.7%
Total Debt Service	625,558	519,925	105,633	83.1%
Total Water Systems Expenses	1,220,216	685,664	534,552	56.2%
Waste Water Systems				
Personnel Services	148,057	92,257	55,800	62.3%
Operating Expenses	98,392	37,965	60,427	38.6%
Capital Outlay	-	-	-	0.0%
Total Waste Water Systems Expenses	246,449	130,221	116,228	52.8%
City-County Interconnect	-			
US #17 Widening	-	21,817	(21,817)	
Subtotal:	4,522,733	1,858,238	2,664,495	41.1%
RENEW AND REPLACE	450,000	45,652	404,348	10.1%
CONTINGENCY	354,182	-	354,182	0.0%
TOTAL WATER/SEWER ENTERPRISE FUND EXPENSES:	5,326,915	1,903,890	3,423,025	35.7%

CITY OF ARCADIA
 SOLID WASTE ENTERPRISE FUND
 REVENUES / EXPENSES
 AS OF MAY 9, 2016

SOLID WASTE ENTERPRISE FUND REVENUES:

REVENUE SOURCE	AMENDED BUDGET	YTD ACTUAL	REMAINING	% REC'D
Garbage Revenue	773,799	486,671	287,128	62.9%
Extra Trash Pick-Up	20,000	5,186	14,814	25.9%
Other Income	-	-	-	0.0%
Miscellaneous	-	-	-	0.0%
TOTAL SOLID WASTE REVENUES	793,799	491,857	301,942	62.0%

SOLID WASTE ENTERPRISE FUND EXPENSES:

EXPENSES	AMENDED BUDGET	YTD ACTUAL	REMAINING	% USED
PERSONNEL EXPENSES	284,378	157,086	127,292	55.2%
OPERATING EXPENSES	236,421	110,274	126,147	46.6%
LANDFILL CHARGES	273,000	129,022	143,978	47.3%
CAPITAL OUTLAY	-	-	-	0.0%
TOTAL SOLID WASTE EXPENSES	793,799	396,382	397,417	49.9%

CITY OF ARCADIA
 AIRPORT ENTERPRISE FUND
 REVENUES / EXPENSES
 AS OF MAY 9, 2016

AIRPORT ENTERPRISE FUND REVENUES:

REVENUE SOURCE	AMENDED BUDGET	YTD ACTUAL	REMAINING	% REC'D
Federal Grants - F.A.A. - Taxiway B	162,900	-	162,900	0.0%
State Grants -F.D.O.T. - Taxiway B	18,100	-	18,100	0.0%
FAA-Master Plan		131,225		
Rent	89,084	56,430	32,654	63.3%
Insurance Reimbursements	-	-	-	0.0%
Transfer from Fund Balance	13,368	-	13,368	0.0%
TOTAL AIRPORT REVENUES	283,452	187,655	227,022	63.3%

AIRPORT ENTERPRISE FUND EXPENSES:

EXPENSES	AMENDED BUDGET	YTD ACTUAL	REMAINING	% USED
PERSONNEL EXPENSES	11,914	434	11,480	3.6%
OPERATING EXPENSES	90,538	56,832	33,706	62.8%
CAPITAL OUTLAY	181,000	-	181,000	0.0%
MASTER PLAN		7,160	(7,160)	
TOTAL AIRPORT EXPENSES	283,452	64,426	219,026	22.7%