

**AGENDA
ARCADIA CITY COUNCIL
CITY COUNCIL CHAMBERS
23 N. POLK AVE., ARCADIA, FL
TUESDAY, JUNE 18, 2013
6:00 PM**

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & ROLL CALL

CONSENT AGENDA

1. May 21, 2013 City Council Minutes
2. June 4, 2013 City Council Minutes
3. Check Warrant Reports: 06/12/13
4. Air-Cadia Flowage and Hanger Rental Report for May 2013
5. Law Enforcement Trust Fund – Seacoast Bank
6. Historical Society Request for Historical Correspondence
7. Special Event Request , Mobile Health Screening, DeSoto County Health Department

DISCUSSION ITEMS

8. History and Cultural Center Visioning Committee (DAHC)
9. Lake Katherine Park Plane (City Clerk)
10. Code Enforcement (Deputy Mayor Heine)
11. City Pension Attorney (Administrator)
12. Police Department (Council)

ORDINANCE

13. **ORDINANCE NO. 989; FIRST READING OF AN ORDINANCE OF THE CITY OF ARCADIA PROVIDING FOR THE CREATION OF A UTILITY SERVICE AREA OUTSIDE THE CORPORATE LIMITS; ESTABLISHING SERVICE AREA BOUNDARIES; AUTHORIZING THE EXTENSION OF UTILITIES; PROVIDING FOR FUTURE AMENDMENTS TO THE SERVICE AREA BOUNDARIES; PROVIDING FOR FUTURE REGULATION OF THE SERVICE AREA; ESTABLISHING THE PURPOSE OF THE SERVICE AREA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (City Attorney)**

COMMENTS FROM DEPARTMENTS

14. City Marshal
15. Attorney
16. City Administrator
 - a. Way Building Improvements and Staff Consolidation

PUBLIC (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

MAYOR AND COUNCIL MATTERS

ADJOURN

If a person decides to appeal any decision made by the board, agency, or council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Please **TURN OFF** or **SILENCE** all cell phones

**MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, MAY 21, 2013
6:00 PM**

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.

CALL TO ORDER, INVOCATION PLEDGE OF ALLEGIANCE & ROLL CALL

The meeting was called to order at approximately 6:00 p.m.

Former Councilman Dr. Roosevelt Johnson gave the invocation which was followed by the Pledge of Allegiance.

Arcadia City Council

Mayor Keith Keene
Deputy Mayor Robert Heine
Councilman Robert R. Allen

Councilwoman Alice Frierson
Councilman Joseph E. Fink

Arcadia City Staff

City Administrator Judi Jankosky
City Attorney Thomas J. Wohl

HR Manager Sandy Vokoun
Marshal Matt Anderson

PROCLAMATIONS

Arcadia Rodeo Association - Mrs. Jankosky read and Mayor Keene presented the Proclamation to Mr. Ronald Needs.

Mayor Keene asked if they could continue with the Resolution next on the agenda. Council Agreed.

CONSENT AGENDA

1. Check Warrant Reports 5/3/13
2. Air-Cadia Flowage and Hanger Rent Report April 2013
3. Certificate of Appropriateness 304 E. Oak St. - Sutphin

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve Consent Agenda items 1 through 3 as presented. The motion carried 5-0.

Mayor Keene asked to address the resignation from Marshal Charles Lee. Attorney Wohl explained that the City Charter states that once a vacancy occurs in the Marshal's Office the Council is empowered to appoint a replacement to fill the unexpired term of the Office. A motion was made by Councilman Allen and seconded by Deputy Mayor Heine to appoint Captain Matt Anderson to fill the unexpired term of the Marshal's Office. Councilman Fink stated that the resignation is very small in his opinion. He said that he

spoke with Sheriff Wise who suggested that Captain Anderson is the logical choice for the position. Sheriff Wise asked Councilman Fink to pass on that the security of the City is maintained not only by the City Police but also the Desoto County Sheriff's Office. Sheriff Wise also suggested that the Council act on this as an interim position. Attorney Wohl replied that he agreed, however the issue is with Section 20 of the Charter in that the Marshal is an elected position. He added that the only way the Marshal position can be created as interim or appointed is through a referendum. Under the Charter the Council cannot make the appointment an interim position because it is an elected position. Councilman Fink then suggested postponing the appointment for a short period of time because Captain Anderson would be in charge anyway. There was a call for the question and the original motion carried 4-1 with Councilman Fink dissenting.

DISCUSSION ITEMS

4. Utility Late and Reconnect Fees (Administrator)

Mrs. Jankosky presented a table of comparable City utility late and reconnect fees. Mayor Keene stated that he thought the rate was high and recommended a \$10 late fee. Councilman Fink agreed. Mayor Keene agreed with the \$35.00 reconnect fee. Councilwoman Frierson inputted that reconnects actually cost more than \$35.00. Mrs. Jankosky confirmed that the actually cost totals \$60.

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to reduce the utility late fees to \$10.00. The motion carried 5-0.

Mr. Steve Stapp commented on the late fees. Mrs. Susan Coker stated she paid the late fee and there was no leniency or grace period. Mayor Keene replied that other cities were researched and late fees ranged from \$10 to \$15.00. Attorney Wohl replied to Mayor Keene that this motion would allow for a Resolution at the next meeting with the amendments.

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to reduce the utility rate fees to \$10.00 by Resolution at the next meeting. The motion carried 5-0.

Mrs. Jankosky replied to Councilwoman Frierson that residents have 21 days from the date of the bill before the late fee is applied then there is a grace period of two weeks before disconnect which equates to a total of five weeks before disconnect. At that time the second bill would have already been mailed. Mayor Keene reviewed some of the comparable City reconnect fees. Councilman Fink stated that he has no problem with the reconnect fee however suggested extending the grace period to a month so those residents on fixed incomes would have an easier time with the billing.

A motion was made by Councilman Fink to set the reconnect fees to \$15 on the hour and \$50 after hours including extending the grace period one week. Mrs. Jankosky replied to Mayor Keene that these fees would not cover the costs when addressing the water and sewer funds which are already in the red. **The motion died for lack of a second.** Mr. Stapp asked what constitutes a \$35 dollar reconnect charge. Mayor Keene replied the cost and salary of the person to turn on the water. Mrs. Jankosky added also paperwork and fuel.

A motion was made by Councilwoman Frierson and seconded by Deputy Mayor Heine to set reconnect fees at \$35 and \$50 for after hours.

Mr. Steve Stapp voiced concerns about residents left without water.

Vote on the motion carried 4-1 with Councilman Fink dissenting.

5. Legal Services Contract (Attorney)

Attorney Wohl reported that the agreement for legal services expired on May 14, 2013. He stated that Swaine and Harris would like to continue servicing the City and submitted a new contract noting the biggest modification being the flat rate amount from \$3,000 to \$7,500 per month. Attorney Wohl continued that information was collected from other similarly situated municipalities. He stated that the Avon Park Attorney receives \$120,000 per year in compensation and the City of Wauchula \$140,000 per year on average. He added that according to those numbers the \$7,500 per month is well below the amount paid to City Attorneys at other comparable cities. In addition, he also reviewed his hourly billing the past year which would equate to \$105,000. In review with Mrs. Jankosky the preference was to proceed with a flat fee which is easier to budget. He believes his firm is well suited to serve the City which would include unlimited service of all members of the firm.

Councilman Fink stated that he did not have problem with Attorney Wohl or the firm however when the agreement was signed the retainer was set and adequate. He believes the City is on tenuous footing in fiscal matters and voiced that there is no way he could vote for more than double an increase in legal services after a one year time. Attorney Wohl replied that he never made any complaint about what was paid in the last year and never asked for money back or that he did not like the arrangement. Councilman Fink replied that the firm came forward with a bid for service and the City accepted however there are no salary increases for any others and in this financial period.

Councilwoman Frierson suggested Mayor Keene meeting with Attorney Wohl to see if a mutual agreement could be worked out. A member of the public asked if the work load doubled. Attorney Wohl responded that the work load had not doubled but it was based on other Cities and the amount of hours dedicated to the City which in hourly time totaled \$105,000. He added that they also did not foresee the amount of work the City had and it was the first year so there was no number to gauge.

A motion was made by Councilwoman Frierson and seconded by Councilman Allen to empower Mayor Keene to meet with Attorney Wohl to reach a mutual agreement.

Ms. Brenda Johnson asked if the Attorney position could be put to a re-election. Attorney Wohl replied that the position is not an elected attorney. Mayor Keene noted that if the negotiation fails another attorney would be selected.

Vote on the original motion passed 5-0.

6. School Board Request to Use Fire Station (Administrator)

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to allow the City Administrator to negotiate a lease with the School Board to utilize the Cypress Fire Station for storage of surplus. The final agreement shall include separation of bays to protect the antique LaFrance Fire Truck. The School Board will pay the utilities and provide for the maintenance of building and grounds. Agreement will be for a one-year period. Vote on the motion carried 5-0.

7. Desoto Memorial Hospital (Vince Sica)

Item was tabled to the next regular meeting.

RESOLUTIONS

8. Resolution 2013-11 – A Resolution Urging Tobacco Retailers to Stop the Sale and Marketing of Flavored Tobacco Products in the City of Arcadia, Florida.

Mrs. Jankosky read Resolution No. 2013-11 by title. Dr. Voelker and the middle and high school students gave a short presentation regarding support and approval of Resolution No. 2013-11.

A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to adopt Resolution No. 2013-11 as presented. The motion carried 5-0.

COMMENTS FROM DEPARTMENTS

9. City Marshal

Captain Anderson confirmed to Councilman Fink that the locks were changed at the station.

10. Attorney – No report

11. City Administrator
a. Jim Space

Mrs. Jankosky spoke to Pat Backer and they are interested in repairing Jim Space. They would like to hold a fundraiser sometime after Memorial Day. Mayor Keene requested an update in June.

Mrs. Jankosky reported an update on the Senior Center move and remodeling of the former Police Department. Councilman Fink complimented Mrs. Jankosky on her due diligence and efforts to accommodate the Senior Center.

Mrs. Jankosky reported on a letter from Charlotte Harbor National Estuary Program stating a \$500 contribution was authorized by the City of Arcadia however it is not in the budget.

PUBLIC (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

Coach Richard Bowers requested the Smith Brown Gym be reopened for recreational use by the children during the summer months. Councilman Fink asked if Coach Bowers would provide volunteers to open and close the facility. Coach Bowers replied that there are two volunteers along with someone the City would hire. Mayor Keene stated that Smith Brown Gym is an asset to the community and the City replaced the roof recently. Coach Bowers replied to Mayor Keene that he would suggest Gym hours as Monday through Saturday from noon to close. Mayor Keene requested that Mrs. Jankosky meet with Coach Bowers and bring information to a subsequent meeting.

Mr. Steve Stapp questioned paying for water that he does not utilize. Mrs. Jankosky replied that the City is currently gathering information from its system to send to the actuary to put numbers together for a cost estimate study to re-tier the number program based upon gallons.

MAYOR AND COUNCIL MATTERS

Councilman Fink praised the new Council Chambers. He voiced concerns regarding use of the old City Hall in that the building may deteriorate if not used regularly. He suggested if the City could allow a group such as the Historical Society to utilize it as a possible museum. Mayor Keene concurred.

Ms. BeBe Bradbury, President of the Historical Society, stated they would love to entertain the idea. Council agreed to gather more information.

ADJOURN

There being no further business the meeting adjourned at 7:25 p.m.

APPROVED THIS ____ DAY OF _____, 2013.

By:

Keith Keene, Mayor

ATTEST:

Gia S. Lancaster, City Clerk

**MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, JUNE 4, 2013
6:00 PM**

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.

CALL TO ORDER, INVOCATION PLEDGE OF ALLEGIANCE & ROLL CALL

The meeting was called to order at approximately 6:00 p.m.

Councilman Allen gave the invocation which was followed by the Pledge of Allegiance.

Arcadia City Council

Mayor Keith Keene
Deputy Mayor Robert Heine
Councilman Robert R. Allen

Councilwoman Alice Frierson
Councilman Joseph E. Fink

Arcadia City Staff

City Administrator Judi Jankosky
City Attorney Thomas J. Wohl
Finance Director Renee Green

City Clerk Gia Lancaster
Marshal Matt Anderson

CONSENT AGENDA

1. May 7, 2013 City Council Minutes
2. Check Warrant Reports: 05/09/13 and 05/24/13
3. Peace River Shopper Graduation Ad
4. Special Event Permit Request and Street Closure for Independence Day Parade
5. Special Event Permit Request at Speer Center for Police Explorers
6. Request from Margaret Way, Historical Society, Historical City Seal Stamp

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve consent agenda items 1 through 6. The motion carried 5-0.

DISCUSSION ITEMS

7. DeSoto Memorial Hospital (Mr. Vince Sica)

Mr. Vince Sica, CEO DeSoto Memorial Hospital (DMH), reported that he is before City Council tonight to ask Council to consent to the creation of a MSTU (Municipal Services Taxing Unit). Mr. Sica reviewed the PowerPoint presentation. DMH serviced \$2.5 million in charity care in DeSoto County last year. A large portion is from emergency room care. DMH serviced \$1.1 million in non-emergency services. He explained that DMH currently employs 250 employees and the hospital is an economic generator. The hospital has a net income of \$34 million. The Board is asking if the Council will consent to allowing the County to pursue an ordinance

creating an MSTU to support the rising costs of the hospital. They are requesting an additional 2 mils. Councilman Fink noted that the City's mileage is already at 8.589 leaving only a spare of 1.414 to the 10 mil cap. Councilman Allen asked where the hospital got the \$3 million coverage in the past. Mr. Sica replied that they used cash reserves and the affordable care act. Mr. Sica explained the ceased taxing and opting for \$50,000 per year in 1977. Mr. Sica replied to Councilwoman Frierson that 1 mil assessed in the County would generate \$1.4 million.

Councilman Heine stated that he could not support the mileage rate increase and suggested a half cent sales tax. Mr. Sica stated that the half cent sales tax would only generate 1.3 million in revenue and would require a referendum. Attorney Wohl stated that the City is proceeding into budget soon and will need to see where they stand first. Mayor Keene stated that the City continues to ask residents for more and he was not sure he could support the request at this time. Councilman Fink stated that the hospital was too important an issue not to have a solution. Councilman Allen stated that he hopes the community could come together with a solution besides raising taxes. Councilwoman Frierson suggested combining a sales tax and MSTU increase. Attorney Wohl explained the process of the MSTU Ordinance adoption. Mr. Sica noted that the Board has not spoken with the County as of yet.

Mr. Charles Conklin asked for clarification regarding payment for an emergency room visit.

Mayor Keene stated the Council will continue to be supportive of the Hospital and asked the discussion to be continued following the Board meeting with the County. Mr. Sica asked and Council agreed that Mr. Sica could meet with Mrs. Jankosky and Mr. Maxcy to discuss the issue further.

Mrs. Adrienne Daly stated that the City can't afford not to do this. Mrs. Valerie Gilcrest spoke in favor of the hospital. Mrs. Penny Kurtz, Florida Department of Health, spoke to indigent care and assisting the hospital as a diversion program.

8. Consideration of Appointing a Pension Attorney (Administrator)

Mrs. Jankosky reported that the City has asked for information regarding hard freeze of the pension and converting to another plan. Hiring a pension Attorney does not fall under the Consultant's Competitive Negotiation Act (CCNA) and it may be advertised as a letter of interest. Councilwoman Frierson asked what the hourly rate may be. Mrs. Jankosky was unsure however Attorney Wohl estimated at perhaps \$400 per hour.

A motion was made by Councilman Fink and seconded by Councilwoman Frierson to allow the City Administrator to issue a letter of interest for Pension Legal Services. The motion carried 5-0.

9. Termite Treatment of Way Building and former Police Department (Administrator)

A motion was made by Councilman Fink and seconded by Councilman Allen to approve termite treatment for the Way Building and former Police Department to PestGuard in the amount of \$7,150. The motion carried 5-0.

10. Legal Services Contract (Attorney Wohl)

Mayor Keene reported that he met with Attorney Wohl and they propose a \$150 hourly rate for a six month trial period. A motion was made by Deputy Mayor Heine and

seconded by Councilman Allen to approve the \$150.00 hourly contract with Swaine and Harris for a 6 month contract period.

Councilman Fink stated that he would prefer a flat retainer and could handle a \$1,000 per month increase however in these economic times he could not support the suggested increase. Councilwoman Frierson stated that the City has several major issues pending and the firm has agreed to a six month contract. Councilwoman Frierson called for the question. **Vote on the motion carried 4-1 with Councilman Fink dissenting.**

RESOLUTION

11. RESOLUTION NO. 2013-12; A RESOLUTION AMENDING MISCELLANEOUS CHARGES RELATING TO WATER AND SEWER USAGE

Attorney Wohl reminded that the City is required to collect 100% in order to meet all bond covenants and adoption of this Resolution would leave the City short. Mrs. Green reported that the first month late fee was eliminated. The \$25.00 late fee was maintained and the leeway for payment time for disconnects was moved from 2 p.m. to 4 p.m. Mrs. Green responded to Mayor Keene that the City has after hour on call staff for reconnects. Councilman Fink agreed that by allowing the extra days for bill payment will tell if the resident is intent on paying their bill. The Resolution was not adopted because all issues were addressed.

COMMENTS FROM DEPARTMENTS

12. City Marshal – May Report Included

Marshal Anderson updated the Council on arrests, search warrants, and drug/firearm seizures. Marshal Anderson requested changes to the organizational chart and pay increases for six positions. He reported he had grant paperwork for Mayor Keene to sign.

Mr. Charles Conklin asked about a property on Pine and Lee. Marshal Anderson replied that issue was address by the Magistrate.

13. Attorney

Attorney Wohl reported that once he has something for Council's approval on Stonegate he would call for a Shade Meeting.

14. City Administrator

Mrs. Jankosky reported that the Way Building would be termite tented on the weekend of the 4th of July and the City would be closed the Thursday and Friday of that week. The City will run a public ad to notify the citizens.

Mrs. Jankosky reported that a poll on the web site shows that citizens would prefer that the City be open until six p.m. The City is considering office hours of four – 10 hour days once all departments have moved into the Way Building.

Mayor Keene recognized Commissioner Bob Miller.

PUBLIC (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

Commissioner Bob Miller commended Council on the new chambers.

Zondra Watson asked about setting up in the alleyway during the Antique Fair. Attorney Wohl replied that according to City Ordinance you may not obstruct any sidewalk or alleyway.

MAYOR AND COUNCIL MATTERS

ADJOURN

There being no further business the meeting adjourned at 7:50 p.m.

APPROVED THIS ____ DAY OF _____, 2013.

By:

Keith Keene, Mayor

ATTEST:

Gia S. Lancaster, City Clerk



06/12/2013 10:51
aahorkey

City of Arcadia, FL - ** LIVE **
WARRANT LIST BY VOUCHER

PG 15
apwarrnt

WARRANT: 20130602 06/12/2013

DUE DATE: 06/12/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92661	2687	TYLER TECHNOLOGIES, INC	045-89009	100	INV	06/10/2013	587.50	ARCADIA FL, PO, RTD, F
92663	2687	TYLER TECHNOLOGIES, INC	045-89008	100	INV	06/14/2013	2,350.00	CARRIE KRAMER TRAINING
92664	190070	SHORT ENVIRONMENTAL	13-1645	100	INV	06/14/2013	78.00	CBOD, TSS, FECAL COLIF
92665	190070	SHORT ENVIRONMENTAL	13-1637	100	INV	06/14/2013	78.00	REUSE
92666	2198	FLA POWER & LIGHT DISRIB CL	35352-389214	100	INV	06/14/2013	21.91	ACCT # 35352-38921
92667	2080	KLENECORP	3565	100	INV	06/14/2013	142.50	SET UP NEW COMPUTER FO
92668	732	FLASH EQUIPMENT, INC	98958	100	INV	06/21/2013	1,182.95	STRYKER H.I.D. LIGHT M
92669	2455	CENTURYLINK	3110327955	100	INV	06/14/2013	149.48	ACC #311032795
92670	2455	CENTURYLINK	3113678115	100	INV	06/14/2013	29.95	ACCT # 311367811
92673	1535	NAPA AUTO PARTS	206824	100	INV	06/14/2013	5.39	GAUGE
92674	130065	MEYER RADIATOR SERVICE	101213	100	INV	06/14/2013	142.10	5 TUBES OF ACCU-TECH 2
92675	224	KINARD'S TREE SERVICE	5-3013	100	INV	06/14/2013	400.00	CUT DOWN 2 TREES ON EA
92677	80125	LOU'S HYDRAULIC SALES & SER	5784A	100	INV	06/14/2013	49.80	HOSE/FEMALE JIC SWIVEL
92678	172	MCGEE TIRE STORES	206479	100	INV	06/14/2013	456.58	TIRES FOR CITY #49 AND
92680	190090	SMITH'S RANCH & GARDEN, INC	102072065	100	INV	06/14/2013	42.98	FOAM WINDOW AND DOOR;
92681	190090	SMITH'S RANCH & GARDEN, INC	101056610	100	INV	06/14/2013	2.98	KEY SINGLE CUT FOR STO
92682	190090	SMITH'S RANCH & GARDEN, INC	101056445	100	INV	06/14/2013	5.97	KEY DOUBLE CUT
92685	2596	MAULDIN & JENKINS	542911	100	INV	06/10/2013	18,570.00	INTERIM BILLING RELATE
92686	2687	TYLER TECHNOLOGIES, INC	045-88772	100	INV	06/10/2013	15,750.00	TYLER FORMS PROCESSING
92688	2198	FLA POWER & LIGHT DISRIB CL	97419-389645	100	INV	05/22/2013	382.95	ACCT # 97419-38964
92689	2198	FLA POWER & LIGHT DISRIB CL	97449-309434	100	INV	05/22/2013	451.51	ACCT # 97449-30943
92690	2198	FLA POWER & LIGHT DISRIB CL	42569-280964	100	INV	05/24/2013	2,677.42	ACCT # 42569-280964
92691	2198	FLA POWER & LIGHT DISRIB CL	51929-541954	100	INV	05/23/2013	9.57	51929-54195
92692	2198	FLA POWER & LIGHT DISRIB CL	06970-399494	100	INV	05/22/2013	478.55	ACCT # 06970-39949
92693	2198	FLA POWER & LIGHT DISRIB CL	24078	100	INV	06/10/2013	3,000.00	REMOVED TRANSFORMER AT



06/12/2013 10:51
aahorkey

City of Arcadia, FL - ** LIVE **
WARRANT LIST BY VOUCHER

PG 16
apwarrnt

WARRANT: 20130602 06/12/2013

DUE DATE: 06/12/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92695	2198	FLA POWER & LIGHT DISRIB CL	89300-241645	100	INV	06/14/2013	121.87	ACCT # 89300-24164
92696	2198	FLA POWER & LIGHT DISRIB CL	80428-963685	100	INV	06/14/2013	247.91	ACCT # 80428-96368
92697	2198	FLA POWER & LIGHT DISRIB CL	78275-700405	100	INV	06/14/2013	325.47	ACCT# 78275-70040
92698	190070	SHORT ENVIRONMENTAL	13-1674	100	INV	06/10/2013	78.00	REUSE
92699	190070	SHORT ENVIRONMENTAL	13-1672	100	INV	06/10/2013	78.00	CBOD, TSS, FECAL COLIF
92700	190070	SHORT ENVIRONMENTAL	13-1673	100	INV	06/10/2013	78.00	REUSE
92701	2198	FLA POWER & LIGHT DISRIB CL	25256-872614	100	INV	06/05/2013	695.27	ACCT # 25256-87261
92702	2198	FLA POWER & LIGHT DISRIB CL	34007-369755	100	INV	06/19/2013	7.69	ACCT # 34007-36975
92703	2198	FLA POWER & LIGHT DISRIB CL	24677-329505	100	INV	06/19/2013	421.67	ACCT # 24677-32950
92704	2198	FLA POWER & LIGHT DISRIB CL	24837-309705	100	INV	06/20/2013	7.89	ACCT # 24837-30970
92705	190070	SHORT ENVIRONMENTAL	13-1671	100	INV	06/14/2013	1,340.00	GROUNDWATE ANALYSIS; F
92706	200075	TOTAL PEST CONTROL OF	845229	100	INV	06/14/2013	65.00	COMMERCIAL PEST CONTRO
92709	2198	FLA POWER & LIGHT DISRIB CL	14777-399484	100	INV	06/14/2013	271.86	ACCT # 14777-39948
92710	2198	FLA POWER & LIGHT DISRIB CL	42569-280965	100	INV	06/19/2013	5,887.53	ACCT # 42569-28096
92712	2198	FLA POWER & LIGHT DISRIB CL	24764-592235	100	INV	06/19/2013	37.31	ACCT # 24764-59223
92713	110005	KANSAS CITY LIFE INS	02536	100	INV	06/01/2013	311.94	GROUP # 02536
92714	2096	HAZEN & SAWYER, PC	0000029	100	INV	06/14/2013	35,765.39	PROFESSIONAL SERVICES
92717	1130	CONSOLIDATED PRODUCTIONS GR	05142013	100	INV	06/14/2013	9,415.00	MANHOLE REPLACEMENT AT
92718	940	NEXTEL COMMUNICATIONS	273625411-134	100	INV	05/25/2013	329.61	ARCADIA POLICE DEPARTM
92719	2455	CENTURYLINK	3121596805	100	INV	05/28/2013	154.95	ACCT# 312159680 ARCADI
92721	2666	PITNEY BOWES INC	451319	100	INV	05/28/2013	107.16	ACCT # 2166-5792-86-3
92722	172	MCGEE TIRE STORES	205131	100	INV	06/14/2013	84.38	TIRE P225/60R16 97V S2
92724	230045	WESTERN AUTO ASSOC STORE	10069506	100	INV	06/14/2013	15.60	SER. # 1Z3951830344772
92726	40072	DESOTO CNTY SHERIFF'S OFFIC	050920132	100	INV	06/14/2013	850.17	RADIO USE AND MAINTENA
92727	40072	DESOTO CNTY SHERIFF'S OFFIC	050920133	100	INV	06/14/2013	850.17	RADIO USE AND MAINTENA



06/12/2013 10:51
aahorkey

City of Arcadia, FL - ** LIVE **
WARRANT LIST BY VOUCHER

PG 17
apwarrnt

WARRANT: 20130602 06/12/2013

DUE DATE: 06/12/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92728	40072	DESOTO CNTY SHERIFF'S OFFIC	050920134	100	INV	06/14/2013	850.17	RADIO USE AND MAINTENA
92730	2455	CENTURYLINK	3122846845	100	INV	06/17/2013	260.00	ACCT # 312284684
92732	2080	KLENECORP	3564	100	INV	06/14/2013	95.00	SET UP ANNA ON NETWORK
92734	2687	TYLER TECHNOLOGIES, INC	045-88762	100	INV	06/22/2013	7,934.50	APPLICATION SERVICES-
92735	130065	MEYER RADIATOR SERVICE	101217	100	INV	06/14/2013	250.00	REBUILD VACUUM SHOOT F
92736	278	SUNSTATE METER & SUPPLY, INC	31340	100	INV	06/01/2013	341.27	RW2G51; PIT GALLON REG
92738	2198	FLA POWER & LIGHT DISRIB CL	24483-399414	100	INV	06/05/2013	5,663.79	ACCT # 24483-39941
92739	2198	FLA POWER & LIGHT DISRIB CL	75847-319344	100	INV	06/07/2013	7,066.18	ACCT # 75847-31934
92740	2198	FLA POWER & LIGHT DISRIB CL	24443-309444	100	INV	06/05/2013	330.71	ACCT # 24443-30944
92741	2198	FLA POWER & LIGHT DISRIB CL	25213-934924	100	INV	06/05/2013	7.69	ACCT # 25213-93492
92742	2198	FLA POWER & LIGHT DISRIB CL	82700-623454	100	INV	06/05/2013	265.58	ACCT # 82700-62345
92743	2600	SAFEGUARD SECURITY INC	047605	100	INV	07/01/2013	54.00	MONITORING ELECTRONIC
92744	200075	TOTAL PEST CONTROL OF	845227	100	INV	06/14/2013	45.00	COMMERCIAL PEST CONTRO
92745	1679	ARCADIA PRINTING, LLC	11837	100	INV	06/14/2013	67.00	P1801 WITH LOGO STEPHE
92746	2128	ODYSSEY MANUFACTURING CO.	176616	100	INV	06/29/2013	421.50	HYPOCHLORITE SOLUTIONS
92747	2080	KLENECORP	3559	100	INV	06/14/2013	475.00	AJ'S COMPUTER REBOOTIN
92749	2128	ODYSSEY MANUFACTURING CO.	182347	100	INV	06/22/2013	533.25	HYPOCHLORITE SOLUTIONS
92750	2128	ODYSSEY MANUFACTURING CO.	182703	100	INV	06/29/2013	498.00	HYPOCHLORITE SOLUTIONS
92751	439	SECURITY ALARM CORPORATION	119301	100	INV	06/08/2013	130.41	MONITORING COMM SECURI
92752	1893	ARCADIA DO-IT-BEST HARDWARE	A353797	100	INV	07/20/2013	15.64	4" NEEDLE NOSE PLIERS;
92753	2455	CENTURYLINK	3117457676	100	INV	07/20/2013	157.95	ACCT # 311745767
92754	2198	FLA POWER & LIGHT DISRIB CL	14787-379745	100	INV	06/19/2013	73.72	ACCT # 14787-37974
92755	2198	FLA POWER & LIGHT DISRIB CL	44487-359955	100	INV	06/19/2013	179.30	ACCT # 44487-35995
92756	2080	KLENECORP	3558	100	INV	06/14/2013	902.50	REBOOT EXCHANGE SERVER
92757	2080	KLENECORP	3563	100	INV	06/14/2013	246.00	TRANSFERRED MOBILE HOM



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City of Arcadia, FL - ** LIVE **
WARRANT LIST BY VOUCHER

PG 18
apwarrnt

WARRANT: 20130602 06/12/2013

DUE DATE: 06/12/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92758	2080	KLENECORP	3561	100	INV	06/14/2013	237.50	ASSISTED RENEE WITH IN
92759	190070	SHORT ENVIRONMENTAL	13-1574	100	INV	06/23/2013	56.00	TOTAL KJELDAHL NITROGE
92760	190070	SHORT ENVIRONMENTAL	13-1558	100	INV	06/23/2013	26.00	REUSE
92761	190070	SHORT ENVIRONMENTAL	13-1556	100	INV	06/23/2013	78.00	CBOD, TSS, FECAL COLIF
92762	190070	SHORT ENVIRONMENTAL	13-1547	100	INV	06/23/2013	1,340.00	GROUNDWATER ANALYSIS;
92763	2473	KED GROUP, INC	2886	100	INV	06/23/2013	1,539.00	EK 26; 2 DRUMS; 2X45#
92765	2198	FLA POWER & LIGHT DISRIB CL	11635-821724	100	INV	06/06/2013	22.50	ACCT # 11635-82172
92766	2198	FLA POWER & LIGHT DISRIB CL	37213-044044	100	INV	06/06/2013	27.03	ACCT # 37213-04404
92768	2198	FLA POWER & LIGHT DISRIB CL	86639-399684	100	INV	05/29/2013	12.03	ACCT # 37213-04404
92769	2198	FLA POWER & LIGHT DISRIB CL	38815-935644	100	INV	06/06/2013	197.59	ACCT # 38815-93564
92771	200075	TOTAL PEST CONTROL OF	845269	100	INV	06/14/2013	75.00	COMMERICAL PEST CONTRO
92772	1429	SUN STATE INTERNATIONAL TRU	X400023617:01	100	INV	06/07/2013	64.94	SWITCH; FREIGHT; TRK#
92773	2198	FLA POWER & LIGHT DISRIB CL	26417-319934	100	INV	06/06/2013	692.87	ACCT # 26417-31993
92774	2662	THOMPSON TRACTOR CO	102667	100	INV	06/10/2013	106.55	PRE-CLEANER ASSY - 3"
92775	1323	ENVIRONMENTAL ENHANCEMENT &	V031184	100	INV	06/14/2013	97.39	CAP 3"
92776	1971	GARY'S SERVICE & REPAIR	20130524	100	INV	06/14/2013	85.00	ADJUSTED FAN CYCLING S
92777	1893	ARCADIA DO-IT-BEST HARDWARE	A352303	100	INV	06/20/2013	7.21	2PK 1-1/2" WARDED PADL
92778	1893	ARCADIA DO-IT-BEST HARDWARE	A352301	100	INV	06/20/2013	3.46	100' CHAIN FOR FENCE
92779	160055	PETERSEN INDUSTRIES INC	00132091	100	INV	06/20/2013	21.47	OIL TANK, BREATHER CAP
92780	1130	CONSOLIDATED PRODUCTIONS GR	20130520	100	INV	06/14/2013	1,000.00	SHELL FOR GYM SPACE, S
92781	2792	SOUTHERN OXYGEN & WELDING S	357632	100	INV	06/19/2013	90.74	TIP, 60A; ELECTRODE SR
92782	120120	LOU'S PAINT SPOT	143523	100	INV	06/02/2013	43.77	MERIT PRO NAP TWIN PAC
92783	120120	LOU'S PAINT SPOT	143547	100	INV	06/03/2013	10.00	FLAT WHITE PAINT FOR P
92784	1535	NAPA AUTO PARTS	206305	100	INV	05/31/2013	240.86	BULB
92785	106	BOWLING GREEN SMALL ENGINE	30578	100	INV	06/22/2013	102.54	14" BAR AND MINI CHAIN



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City of Arcadia, FL - ** LIVE **
WARRANT LIST BY VOUCHER

PG 19
apwarrnt

WARRANT: 20130602 06/12/2013

DUE DATE: 06/12/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92786	1535	NAPA AUTO PARTS	206432	100	INV	06/02/2013	21.98	NAPA BAR CHAIN OIL
92787	1535	NAPA AUTO PARTS	206365	100	INV	06/01/2013	70.57	OIL FILTER AND OIL 10W
92789	2128	ODYSSEY MANUFACTURING CO.	181608	100	INV	06/14/2013	403.50	HYPOCHLORITE SOLUTIONS
92790	2473	KED GROUP, INC	2788	100	INV	06/14/2013	1,539.00	EK 26; 2X450# NET @ \$1
92792	190070	SHORT ENVIRONMENTAL	13-1475	100	INV	06/13/2013	52.00	REUSE
92793	222	JEAN-PIERRE LACROIX	WEB000198	100	INV	05/29/2013	130.00	SERVICE CALL; REPLACE
92794	2473	KED GROUP, INC	2884	100	INV	06/14/2013	17,662.50	FULL TANKER LOAD
92795	1995	BUREAU OF ELEVATOR SAFETY	20130510	100	INV	08/01/2013	75.00	ELEVATOR LICENSE RENEW
92796	190070	SHORT ENVIRONMENTAL	13-1523	100	INV	07/21/2013	1,685.00	DRINKING WATER ANALYSI
92797	190070	SHORT ENVIRONMENTAL	13-1430	100	INV	06/09/2013	225.00	TOTAL COLIFORM/COLILER
92798	2128	ODYSSEY MANUFACTURING CO.	175614	100	INV	06/08/2013	538.50	HYPOCHLORITE SOLUTIONS
92799	2128	ODYSSEY MANUFACTURING CO.	181201	100	INV	06/02/2013	445.50	HYPOCHLORITE SOLUTIONS
92800	1866	BRENNTAG MID-SOUTH, INC.	BMS440952	100	INV	06/01/2013	3,908.74	CAUSTIC SODA 25% KOMM
92801	2228	THE DUMONT COMPANY, INC.	277817	100	INV	06/01/2013	462.00	AMMONIUM SULFATE; FUEL
92803	2321	ASHBROOK SIMON-HARTLEY OPER	126620	100	INV	06/13/2013	209.09	BELT PRESS
92804	190090	SMITH'S RANCH & GARDEN, INC	102071343	100	INV	06/14/2013	12.00	3 1/2 X 12" PLATE NAME
92805	190090	SMITH'S RANCH & GARDEN, INC	102072002	100	INV	06/14/2013	3.71	21/2 SHEET METAL SCREW
92806	2102	BLUE CROSS BLUESHIELD OF FL	26699283	100	INV	06/01/2013	43.10	BLUE MEDICARE RX (PDP)
92807	2102	BLUE CROSS BLUESHIELD OF FL	26718462	100	INV	06/01/2013	43.10	BLUEMEDICARE RX (PDP)
92808	2102	BLUE CROSS BLUESHIELD OF FL	26697886	100	INV	06/01/2013	43.10	BLUEMEDICARE RX (PDP)
92809	1535	NAPA AUTO PARTS	205499	100	INV	06/14/2013	6.39	AIR FILTER
92811	1718	BUSINESS MAIL ENTRY	19197	100	INV	06/30/2013	250.00	BOX #1000 POST OFFICE
92812	1797	SALEM TRUST COMPANY	20130404	100	INV	06/14/2013	27,935.05	FOR POLICE OFFICERS
92813	1451	DESOTO AUTO MALL	19197	100	INV	06/14/2013	98.74	COIL ASY - IG 332
92814	1451	DESOTO AUTO MALL	19172	100	INV	06/14/2013	49.37	COIL ASY - IG 332



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City of Arcadia, FL - ** LIVE **
WARRANT LIST BY VOUCHER

PG 20
apwarrnt

WARRANT: 20130602 06/12/2013

DUE DATE: 06/12/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92815	2096	HAZEN & SAWYER, PC	00007	100	INV	06/14/2013	1,974.90	GENERAL ENGINEERING SE
92816	147	AVANTI COMPANY	109647	100	INV	06/20/2013	97.00	REPLACE TOP PLATE ON R
92817	120120	LOU'S PAINT SPOT	20130604	100	INV	06/14/2013	42.42	MULTIPURPOSE ADHESIVE
92818	1424	SUNCOAST MEDIA GROUP, INC	20130531	100	INV	06/14/2013	79.00	FREE BURN
92820	1287	SIGNS DOWNTOWN	8303	100	INV	06/14/2013	12.00	3 1/2 X 12" PLATE NAME
WARRANT TOTAL							195,753.80	

** END OF REPORT - Generated by Amanda Albritton-Horkey **



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City of Arcadia, FL - ** LIVE **
WARRANT LIST BY VOUCHER

PG 4
apwarrnt

WARRANT: 20130605 06/12/2013

DUE DATE: 06/12/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92822	2198	FLA POWER & LIGHT DISRIB CL	57004-273615	100	INV	06/20/2013	26.56	ACCT # 57004-27361
92823	2198	FLA POWER & LIGHT DISRIB CL	32291-293115	100	INV	06/20/2013	36.45	ACCT # 32291-29311
92824	2198	FLA POWER & LIGHT DISRIB CL	03160-309155	100	INV	06/20/2013	139.52	ACCT # 03160-309155
92825	2198	FLA POWER & LIGHT DISRIB CL	03130-389375	100	INV	06/20/2013	140.85	ACCT # 03130-38937
92826	2198	FLA POWER & LIGHT DISRIB CL	03080-319055	100	INV	06/20/2013	7.72	ACCT # 03080-31905
WARRANT TOTAL							351.10	

** END OF REPORT - Generated by Amanda Albritton-Horkey **

Air-Cadia

2268 SE AC Polk Jr Dr
Arcadia, Fl 34266
863-990-9314
863-993-2114

FLOWAGE AND HANGER RENT REPORT May 2013

<i>Aviation Fuel</i>	702.2 GALLONS @ \$0.01/ga	\$	7.02
<i>Lubrication oil</i>	0.00Gallons.04/gal	\$.00
<i>Tiedown Fee</i>	00.00/50%	\$	0.00
<i>BLDG F...unit 1 and 2</i>	650.00/90%	\$	585.00
<i>Bldg F Unit 3</i>	433.00/90%	\$	390.00
<i>T-hangers</i>	4028.28/90%	\$	3,625.45
<i>Late Fee</i>	25.00/90%		22.50
<i>This month 18 of the 20 hangers rented-Building A and B 3 of the 3 hangers rented-Building F</i>			
<i>Adjustments uncollected-Ring May 2013</i>			(\$225.00)

Total due City for MAY 2013 \$ 4,404.97

Paid Check # 2617



TO: MAYOR, COUNCIL MEMBERS AND CITY ADMINISTRATOR
FROM: RENÉE A. GREEN, FINANCE DIRECTOR
SUBJECT: BANK ACCOUNT
DATE: 06/14/2013

We need to open a Law Enforcement trust account. I want to open this at Seacoast Bank.

This is an account regulated by Fla. Statute §932.7055.

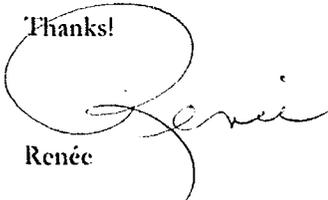
This account will be held by the Finance Department and The Finance Director and City Manager will be the authorized signatures.

Monies spent out of this fund must be approved by the City Council.

See attached.

I will need a letter and a copy of the minutes authorizing the opening of this account.

Thanks!


Renée

Title XLVII
CRIMINAL PROCEDURE
AND CORRECTIONS

Chapter 932
PROVISIONS SUPPLEMENTAL
TO CRIMINAL PROCEDURE
LAW

View Entire
Chapter

932.7055 Disposition of liens and forfeited property.—

(1) When a seizing agency obtains a final judgment granting forfeiture of real property or personal property, it may elect to:

- (a) Retain the property for the agency's use;
- (b) Sell the property at public auction or by sealed bid to the highest bidder, except for real property which should be sold in a commercially reasonable manner after appraisal by listing on the market; or
- (c) Salvage, trade, or transfer the property to any public or nonprofit organization.

(2) Notwithstanding subsection (1), a seizing agency must destroy any image and the medium on which the image is recorded, including, but not limited to, a photograph, video tape, diskette, compact disc, or fixed disk made in violation of s. 810.145 when the image and the medium on which it is recorded is no longer needed for an official purpose. The agency may not sell or retain any image.

(3) If the forfeited property is subject to a lien preserved by the court as provided in s. 932.703(6)(b), the agency shall:

- (a) Sell the property with the proceeds being used towards satisfaction of any liens; or
- (b) Have the lien satisfied prior to taking any action authorized by subsection (1).

(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:

- (a) Payment of the balance due on any lien preserved by the court in the forfeiture proceedings.
- (b) Payment of the cost incurred by the seizing agency in connection with the storage, maintenance, security, and forfeiture of such property.
- (c) Payment of court costs incurred in the forfeiture proceeding.

¹(d) Notwithstanding any other provision of this subsection, and for the 2012-2013 fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced from the

general fund to the special law enforcement trust fund before October 1, 2001.
This paragraph expires July 1, 2013.

(5)(a) If the seizing agency is a county or municipal agency, the remaining proceeds shall be deposited in a special law enforcement trust fund established by the board of county commissioners or the governing body of the municipality. Such proceeds and interest earned therefrom shall be used for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators for use in law enforcement vehicles, and providing matching funds to obtain federal grants. The proceeds and interest may not be used to meet normal operating expenses of the law enforcement agency.

(b) These funds may be expended upon request by the sheriff to the board of county commissioners or by the chief of police to the governing body of the municipality, accompanied by a written certification that the request complies with the provisions of this subsection, and only upon appropriation to the sheriff's office or police department by the board of county commissioners or the governing body of the municipality.

(c) An agency or organization, other than the seizing agency, that wishes to receive such funds shall apply to the sheriff or chief of police for an appropriation and its application shall be accompanied by a written certification that the moneys will be used for an authorized purpose. Such requests for expenditures shall include a statement describing anticipated recurring costs for the agency for subsequent fiscal years. An agency or organization that receives money pursuant to this subsection shall provide an accounting for such moneys and shall furnish the same reports as an agency of the county or municipality that receives public funds. Such funds may be expended in accordance with the following procedures:

1. Such funds may be used only for school resource officer, crime prevention, safe neighborhood, drug abuse education, or drug prevention

programs or such other law enforcement purposes as the board of county commissioners or governing body of the municipality deems appropriate.

2. Such funds shall not be a source of revenue to meet normal operating needs of the law enforcement agency.

3. After July 1, 1992, and during every fiscal year thereafter, any local law enforcement agency that acquires at least \$15,000 pursuant to the Florida Contraband Forfeiture Act within a fiscal year must expend or donate no less than 15 percent of such proceeds for the support or operation of any drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood, or school resource officer program(s). The local law enforcement agency has the discretion to determine which program(s) will receive the designated proceeds.

Notwithstanding the drug abuse education, drug treatment, drug prevention, crime prevention, safe neighborhood, or school resource officer minimum expenditures or donations, the sheriff and the board of county commissioners or the chief of police and the governing body of the municipality may agree to expend or donate such funds over a period of years if the expenditure or donation of such minimum amount in any given fiscal year would exceed the needs of the county or municipality for such program(s). Nothing in this section precludes the expenditure or donation of forfeiture proceeds in excess of the minimum amounts established herein.

(6) If the seizing agency is a state agency, all remaining proceeds shall be deposited into the General Revenue Fund. However, if the seizing agency is:

(a) The Department of Law Enforcement, the proceeds accrued pursuant to the provisions of the Florida Contraband Forfeiture Act shall be deposited into the Forfeiture and Investigative Support Trust Fund as provided in s. 943.362 or into the department's Federal Law Enforcement Trust Fund as provided in s. 943.365, as applicable.

(b) The Division of Alcoholic Beverages and Tobacco, the proceeds accrued pursuant to the Florida Contraband Forfeiture Act shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund or into the department's Federal Law Enforcement Trust Fund as provided in s. 561.027, as applicable.

(c) The Department of Highway Safety and Motor Vehicles, the proceeds accrued pursuant to the Florida Contraband Forfeiture Act shall be deposited

into the Department of Highway Safety and Motor Vehicles Law Enforcement Trust Fund as provided in s. 932.705(1)(a) or into the department's Federal Law Enforcement Trust Fund as provided in s. 932.705(1)(b), as applicable.

History.—s. 5, ch. 92-54; s. 2, ch. 92-290; s. 21, ch. 94-265; s. 479, ch. 94-356; s. 5, ch. 95-265; s. 72, ch. 96-321; s. 41, ch. 96-418; s. 2, ch. 98-387; s. 3, ch. 98-389; s. 4, ch. 98-390; s. 5, ch. 98-391; s. 2, ch. 98-392; s. 2, ch. 98-393; s. 2, ch. 98-394; s. 61, ch. 99-245; s. 2, ch. 2000-147; ss. 26, 79, ch. 2002-402; s. 1923, ch. 2003-261; s. 37, ch. 2003-399; s. 3, ch. 2004-39; s. 38, ch. 2004-234; s. 16, ch. 2004-344; s. 23, ch. 2005-3; s. 19, ch. 2005-71; s. 2, ch. 2005-109; s. 5, ch. 2005-117; s. 11, ch. 2006-26; s. 20, ch. 2006-176; s. 21, ch. 2006-305; s. 7, ch. 2007-14; s. 10, ch. 2007-73; s. 10, ch. 2008-153; s. 207, ch. 2008-247; s. 7, ch. 2009-82; s. 8, ch. 2010-153; s. 18, ch. 2011-47; s. 31, ch. 2012-88; s. 15, ch. 2012-119.

Note.—Section 15, ch. 2012-119, amended paragraph (4)(d) “[i]n order to implement Specific Appropriations 1297B and 1299 of the 2012-2013 General Appropriations Act.”



DeSoto County Historical Society
P.O. Box 1824
Arcadia, FL 34265
www.historicdesoto.org

June 12, 2013

To preserve and promote the history of DeSoto County, Florida, for future generations.

The DeSoto County Historical Society respectfully requests that the Arcadia City Council donate the following historical documents now stored in the Arcadia City Hall to the Howard and Velma Melton Historical Research Library. The Society will archive these materials and make them available to the public and to researchers in the Research Library in the John Morgan Ingraham Seed House, 120 W. Whidden Street, Arcadia.

Miscellaneous correspondence in 22 folders in a file drawer of the desk previously used by Margaret Way. The title of the folders in italics and a range of dates for the correspondence are listed below. Also, miscellaneous correspondence, dating from 1926 to 1945, in a stack in the drawer beneath the file drawer of the same desk.

- *Airfield 1930+*, 1919-1935;
- *American Legion - First Rodeo*, 1927-1930;
- *Bankrupt Notices*, 1928-1930 (4 individuals and 4 businesses);
- *Cemetery*, 1927-1932;
- *City Attorney Reports*, 1927-1934;
- *Court Cases*, mostly "Mayor's Court" forms 1929-1935;
- *Delayed Payment on Bonds*, 1927-1930;
- *Elections 27 - 29 - 31*, pencil tallies for returns plus correspondence 1931-1939;
- *Finance Reports, Etc.*, 1927-1934;
- *Fire Department*, 1926-1932, including receipts for repair of fire truck;
- *Florida Baptist Children's Home*, 1932-1943;
- *Florida League of Municipalities*, 1927-1933;
- *Job Applications*, actually letters from people asking for jobs such as city attorney, stenographer, worker for City Street and Sanitary Department, 1927-1933;
- *Letterheads* (of Arcadia's businesses, organizations, and other) 1927-1945;
- *Lights and Water*, 1913-1945;
- *Mandamus Suit*, final disposition only, July 1932;
- *Monthly Reports* (mostly pencil or carbon copies) 1927-1932;
- *RE: Old City Bonds*, 1927-1933;
- *Relief Programs*, 1932-39, plus 1946 telegram;
- *Streets*, 1927-1933;
- *Info RE Subdivisions*, 1927-1932; and
- *Tourist Camp*, 1928-1935, plus copy of 1944 resolution.



City of Arcadia SPECIAL EVENT PERMIT APPLICATION

Date Submitted: 6/13/13

Event Name National HIV Testing Day

Event Location Lewis Anderson Park on MLK Blvd.

Date(s) of Event 6/28/13 Hours of Event 2 pm - 7pm

Expected Attendance 75+

Event Sponsor Desoto County Health Dept. Non-Profit? YES NO

Description of Event Free Health Screening in our mobile unit, free health information, pamphlets + brochures + Education

Contact Person Cheryl Adams Telephone 863 993 4601 x131

Fax # 863-993-4525 Email Cheryl-adams@doh.state.fl.us

Insurance Carrier _____

Insurance Agent _____ Agent's Phone _____

- Alcoholic Beverages? 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: G.S. Lancaster
 City Marshal _____ Approved
 City Administrator _____ Approved
 City Council _____ Approved

Date: 6/13/13
 _____ Disapproved
 _____ Disapproved
 _____ Disapproved

To PD & PW 6/13/13

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 rights-of-way or could affect public safety, and which is less than two weeks in duration. These events could be, but are not limited to:

Festivals
Flea Markets
Walk-a-thons
Tournaments
Concerts
Battles of the Bands

Fairs
Expo's
Parades
Pony Rides
Car Shows
Fireworks Displays

Carnivals
Tent Sales
Road Races
Petting Zoos
Boat Shows
Public Gatherings

HEALTH
Screening
Mobile
Unit

All special events require a **SPECIAL EVENT 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 rights-of-way,
- c. Any special or unusual circumstances (cooking, alcoholic beverages, wildlife, fireworks, carnival type rides, outdoor music, etc.)
- d. Indicate whether additional electric service 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 & recycling.
- 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 cost 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 http://www.myfloridalicense.com/dbpr/sto/file_download/file-download-abandt.shtml

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.

J. Quirarte

Signature of Applicant/Event Sponsor

6-13-13

Date

Santiago Quirarte

PRINTED Name of Above

863-993-5535

Contact Phone #



DeSoto County Department of Health
34 South Baldwin Avenue
Arcadia, Florida 34266
Phone # (863) 993-4601

CONFIDENTIAL

Fax

Date: 10/13/13 Time: 1:47p

To: Bia Lancaster
Office:
Fax #: 494-4712

From: Cheryl Adams extension 131
Acting Area 8 STD Program Manager
Office: TB / STD / HIV Prevention
Confidential Fax #: (863) 993-4525

REMARKS: Urgent For your review Reply ASAP Please comment

The information contained in this facsimile message is CONFIDENTIAL, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, copying or distributed of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and/or return the original fax to us at the above address via US Postal Service. Thank You...

COMMENTS:



DeSoto Arts and Humanities Council

P O Box 2451 ✧ Arcadia Florida 34265

www.desotoartscouncil.org

a 501 (c) (3) Non-Profit Association

June 3, 2013

Ms Judi Jankowsky, City Administrator
City of Arcadia
23 N Polk Ave
Arcadia FL 34265

Dear Judi Jankowsky:

DeSoto Arts and Humanities Council understands the city is interested in working with DeSoto County Historical Society to develop a museum within the Arcadia City Hall Building once the city vacates it. We fully support the idea and believe this historical building offers great potential for drawing visitors to our town, and also to provide a gathering place for residents interested in preserving our history and culture.

It is a well-known fact cultural activity generates a "ripple effect" that stimulates economic growth and development. There is a need for a permanent and centralized location for a History and Cultural Center in Arcadia that offers something for everyone: families, visitors, artists, and businesses. Cultural tourism is the leading reason cited by travelers for visiting a community.

According to a National Endowment for the Arts and the National Governors Association Center for Best Practices research brief, *Strengthening Rural Economies through the Arts*, "regions establish and maintain their competitive advantage by generating, retaining, and attracting talent and innovation. The arts are a key contributor to the job opportunities and quality of place that are crucial to attracting high quality workers and retirees."

A History and Cultural Center located downtown would contribute to the economic growth and development of our area. It would serve as a magnet for tourists, become an important factor for businesses and individuals who are considering moving into our community, and be a resource for all generations to explore and expand their individual knowledge and creativity.

We support the city and DCHS in this venture and would like to see Arcadia City Hall become a museum of history and culture with exhibits of local cultural artifacts as well as exhibits of local artists work and meeting and gathering space for local nonprofits engaged in encouraging and preserving the culture of our community.

We urge you to create a History and Cultural Center Visioning Committee with members representing a diverse group of business people, city officials, tourist development council, historical society, rodeo and arts council leaders, and other interested citizens. Working together, we would have the opportunity to offer curated exhibits of both local history and artists providing a high level cultural experience relevant to life in DeSoto County.

Sincerely,

Jane Hilton, President

cc: Bebe Bradbury



MEMO

To: Honorable Mayor and City Council

From: Gia Lancaster, City Clerk

Date: June 12, 2013

Subject: Lake Katherine Static Display Program

Several members of the community request forming an Ad Hoc committee to address the concerns of the Air Force Plane at Lake Katherine Park. I spoke with Ms. Patricia Ochs, Static Display Administrator, and received verbal approval to refurbish the plane as long as we follow the guidelines in the contract. She is also sending a list of approved materials which we may or may not utilize. As long as we do not modify the property in any manner, refurbishing and protecting is acceptable. The committee will be strictly fact finding in nature and will report to the City Council. They will also strive to collaborate with any community agencies such as the Veterans council and others who can assist in the funding and refurbishing of the display.

Request: Motion to approve formation of Ad Hoc fact finding Committee to investigate refurbishing Plane at Lake Katherine Park and report findings to City Council.



CITY OF ARCADIA, FLORIDA

REQUEST FOR LETTERS OF INTEREST

PENSION LEGAL SERVICES

Letters of interest will be received until noon Friday, June 14, 2013

Submit to:

City Administrator

23 N. Polk Ave.

Arcadia, FL 34266

Fax: 863-494-4712

Email: JJankosky@arcadia-fl.gov

ARCADIA CITY COUNCIL

Keith Keene, Mayor

Robert Heine, Deputy Mayor

Alice Frierson, Council

Robert Allen, Council

Joseph Fink, Council

It is the specific legislative intent of the City of Arcadia Council that NO CONTRACT under this solicitation shall be formed between the City of Arcadia and the awardee vendor until time the contract is executed by both parties to the transaction.

Any person requiring special accommodations to attend or participate, pursuant to the Americans with Disabilities Act, should call the office of the City Clerk, (863) 494-4114 at least five (5) working days prior to the solicitation opening.

**CITY OF ARCADIA, FLORIA
REQUEST FOR LETTERS OF INTEREST
PROPOSER'S CHECKLIST
PENSION LEGAL SERVICES**

How to submit your proposal:

Please review this document carefully. Incomplete proposals are not acceptable. All documents and submittals must be received on or before the date and hour specified for receipt. Late proposals will be returned unopened. Submittals may be mailed, faxed or emailed to:

City Administrator
23. N. Polk Ave.
Arcadia, FL 34266
Fax: (863) 494-4712
JJankosky@arcadia-fl.gov

To facilitate review and processing all submittals must be received by noon Friday, June 14, 2013. Applicants may withdraw their submittal by notifying the city at any time. An email or letter withdrawing the submittal must be sent by an authorized representative of the Applicant.

All submittals will become a public record of the City upon receipt and are subject to the public disclosure with Chapter 119 of the Florida Statutes.

Development costs:

Neither the City nor any of its officers, officials, employees or agents shall be liable for any expenses incurred in connection with a submittal.

Inquiries:

Interested parties may contact the City with questions with respect to the Request for Letter of Interest. Any questions, concerns or comments must be submitted in writing through email, fax or postal services. All answers will be provided in writing. Verbal questions will not be accepted.

The following list of items shall be included in your submittal:

Letter of Interest outlining your experience with pension laws, arbitration and collective bargaining
Your proposed rate(s) of all personnel
Conflict of Interest Statement
Copy of Professional License/Certifications/Registrations

Summary of anticipated needs:

The City of Arcadia seeks Letter of Interest concerning both the general employee and police/fire defined benefit (175/185) pensions. As with many city and county pensions, the costs have become unsustainable and the city will be seeking to terminate with payout of non-forfeitable benefits while providing a more cost effective defined contribution plan. Opposition from general employees is expected to be low to medium, however, termination of the police/fire pension will be high. The City understands the complexities with pension law and seeks legal representation to make the necessary changes within the law and in the best interest of the city and taxpayers.



REPLY TO: TALLAHASSEE

June 14, 2013

Ms. Judi Jankosky
City Administrator
City of Arcadia
23 N. Polk Ave.
Arcadia, FL 34266

Re: Letter of Interest - Pension Legal Services

Dear Ms. Jankosky,

Lewis, Longman & Walker, P.A. (LLW) is a statewide law firm with thirty-three lawyers and three paralegals located in four Florida offices: Bradenton, Jacksonville, Tallahassee and West Palm Beach. Our lawyers have a strong statewide reputation in the areas of public pension law, labor and employment law, governmental law and environmental, water and land use law. LLW has a substantial practice focused on the particular needs of Florida governmental clients within these legal specialties.

Attorneys Glenn E. Thomas and James W. Linn, who practice in the area of public pension law, are located in the Firm's Tallahassee office; and attorney Jennifer Cowan, who also practices in the area of public pension law, is located in the Bradenton office. All three attorneys provide pension-related legal services to local governments and pension boards throughout Florida and additional information on their qualifications is provided at Tab 1. Specifically, Mr. Thomas has provided pension-related legal services to local governments and public pension plans for more than ten years. Mr. Linn has provided pension-related legal services to local governments and public pension plans for more than thirty years. Mr. Linn, Mr. Thomas and Ms. Cowan also have an extensive background in public employment and labor law matters, and have represented numerous public entities and pension boards in a wide range of pension litigation.

See Things Differently

BRADENTON
101 Riverfront Boulevard
Suite 620
Bradenton, Florida 34205

JACKSONVILLE
245 Riverside Avenue
Suite 150
Jacksonville, Florida 32202

TALLAHASSEE
315 South Calhoun Street
Suite 830
Tallahassee, Florida 32301

WEST PALM BEACH
515 North Flagler Drive
Suite 1500
West Palm Beach, Florida 33401

p | 941-708-4040 • f | 941-708-4024

p | 904-353-6410 • f | 904-353-7619

p | 850-222-5702 • f | 850-224-9242

p | 561-640-0820 • f | 561-640-8202

Ms. Judi Jankosky
June 14, 2013
Page 2

Currently, Lewis, Longman & Walker, P.A. represents a number of Florida cities, special districts and pension plans in a broad range of retirement and employee benefits matters, including: plan compliance with applicable federal and state laws; providing counsel on fiduciary and state ethics, sunshine and public records law issues; preparing plan amendments; and review of contracts and plan documents for legal sufficiency. Our attorneys understand the intricacies and compliance issue inherent in Chapters 112, 175 and 185, Florida Statutes.

Specifically, Mr. Thomas, Ms. Cowan and Mr. Linn have worked with a number of local governments and their actuaries in evaluating pension plan sustainability, identifying pension reform options, and implementing plan changes to achieve short and long-term savings to the plan sponsor. We work closely with labor counsel throughout the collective bargaining process and assist in implementation of contract provisions. With more than 70 local government pension clients located throughout Florida, Lewis, Longman & Walker P.A. has developed substantial proficiency in responding to the unique legal issues facing local government pension plans in a comprehensive and cost-effective manner. For more detailed information on Lewis, Longman, and Walker's representation of public pension clients, please see the information provided at Tab 2.

Also enclosed at Tabs 3, 4, and 5, is our conflict of interest statement, proposed rates, and professional licenses/certifications, respectively. Should you need any further information, we would be happy to provide it. Thank you for your time and consideration.

On Behalf of the Firm,

A handwritten signature in black ink, appearing to read 'Glenn E. Thomas', written in a cursive style.

Glenn E. Thomas

Tab 1 – Qualifications

GLENN E. THOMAS (Primary Counsel)

Glenn E. Thomas is a shareholder in the Tallahassee office of Lewis, Longman & Walker, P.A. Mr. Thomas assists public sector clients in pension, labor and employment law matters. A substantial portion of his practice is devoted to advising public employers and pension boards on state and federal laws pertaining to governmental retirement programs. He works closely with local governments and pension actuaries in restructuring retirement benefit programs and preparing pension plan documents and amendments. He has also represented numerous public employers in union certification, collective bargaining, arbitration and impasse matters. Mr. Thomas is Board Certified by the Florida Bar in the area of City, County and Local Government Law.

Mr. Thomas is a frequent lecturer on pension-related topics and has appeared at seminars sponsored by the Florida Bar, Florida Municipal Attorneys Association, Florida Government Finance Officers Association, and the Florida Public Employer Labor Relations Association. He is admitted to practice in Florida and Georgia. He is also admitted to practice before the U.S. District Courts for the Middle and Northern Districts of Florida. He is a member of the Administrative Law; City, County and Local Government; and Health Sections of the Florida Bar.

Mr. Thomas received a J.D., *cum laude*, from Nova Southeastern University, Sheppard Broad Law Center, in 2000. He received a B.S. in Criminology from Florida State University in 1990.

JENNIFER R. COWAN (Secondary Counsel)

Jennifer R. Cowan is an associate attorney in the Bradenton office of Lewis, Longman & Walker, P.A. Ms. Cowan advises public employers on federal and state laws pertaining to governmental retirement programs, preparing pension plan documents and amendments. She also assists local governments in evaluating pension reform options and implementing plan changes, and joining the Florida Retirement System. Ms. Cowan represents special districts and Community Development Districts (CDDs) as general and special counsel in matters including annexations, interlocal agreements, procurement, contract management, construction contracting, collective bargaining, employment law, public records, ethics, and Sunshine Law issues. Ms. Cowan has represented public and private clients in civil litigation involving contract disputes, discrimination matters, public record violations, sunshine law violations, construction defects, and negligence actions. Ms. Cowan has also represented clients in appellate matters involving sunshine law and public records violations, and annexation challenges.

During law school, Ms. Cowan was an intern for Justice R. Fred Lewis of the Florida Supreme Court and Judge Anthony Rondolino of the Sixth Judicial Circuit Court. Before attending law school, Ms. Cowan worked in the private sector as a financial manager of a Los Angeles intercity

community redevelopment organization. Ms. Cowan also worked for many years in the public sector for a broad range of governmental entities, including: Governor Lawton Chiles General Counsel's Office, where she assisted the Governor with judicial appointments, executive orders, capital cases, and served as his liaison with the State Attorneys; the Department of Community Affairs, Florida Housing Finance Agency, where she worked with developers on loan applications for low-income multifamily and single family developments; and the Sixth Judicial Circuit Court's Guardian ad Litem Program, where she conducted a community outreach program and represented abused, neglected, and abandoned children in dependency court proceedings.

Ms. Cowan is a member of The Florida Bar, and the Bars of the United States District Court for the Southern and Middle Districts of Florida. She has lectured at conferences sponsored by the Florida Association of Special Districts and Florida Public Employer Labor Relations Association, among others.

Ms. Cowan received her J.D., *cum laude*, from Stetson University College of Law with a concentration in Advocacy in 2006. She received a B.S. in Philosophy and Political Science with minors in Chemical Science and Religion, from Florida State University in 1994.

JAMES W. LINN (Secondary Counsel)

James W. "Jim" Linn has practiced law in Florida for more than 30 years. He was selected for inclusion in the 2009-2013 editions of "The Best Lawyers in America" in the areas of Labor & Employment Law and Employee Benefits Law, and holds an AV® Preeminent 5.0 out of 5 Rating in Labor & Employment Law rating from Martindale-Hubbell, the highest rating available for legal ability and adherence to ethical standards.

A substantial portion of Mr. Linn's practice is devoted to advising public employers and pension boards on federal and state laws pertaining to governmental retirement programs. He has also advised numerous local governments on the evaluation and implementation of pension reform strategies, including plan closures, plan freezes, and plan terminations, with revised benefit structures for future service of current as well as future employees. Prior to entering the practice of law, Mr. Linn served as a Legislative Analyst for the Florida House of Representatives Committee on Retirement, Personnel and Collective Bargaining. There he researched and drafted legislation affecting a broad range of retirement and employment issues. Mr. Linn assisted in the research and drafting of Part VII, Chapter 112, Florida Statutes (the "Florida Protection of Public Employee Retirement Benefits Act"). As an attorney, Mr. Linn has conducted numerous comprehensive reviews of local government pension plans to ensure compliance with applicable federal and state laws, has worked closely with local governments, pension boards and plan actuaries in restructuring retirement benefit programs, and has prepared numerous pension ordinance amendments. In 1998-99, Mr. Linn served as a member of the Florida Retirement System Work Group, an advisory panel established by the Legislature to review and make recommendations on actuarial assumptions and cost methods for FRS.

Mr. Linn has represented a number of public entities in pension-related litigation and appeals. Most recently he prepared (with Glenn Thomas) a friend of the court brief on behalf of the Florida League of Cities in *Scott v. Williams*, 38 Fla. Law Weekly S 25, January 17, 2013. In *Scott v. Williams*, the Florida Supreme Court upheld the 2011 changes to the Florida Retirement System, including an employee contribution for current as well as future members, elimination of the cost of living adjustment for future service, longer vesting period and other changes. Mr. Linn also successfully represented a city and pension board in *City of Hollywood v. Nickerson*, 830 So.2d 917 (Fla. 4th DCA 2002) and *City of Hollywood v. Petrosino*, 864 So.2d 1175 (Fla. 4th DCA 2005). He also represented the Florida League of Cities and several cities in an administrative challenge to the Florida Division of Retirement's policy on "extra benefits" for police officers and firefighters under Chapters 175 and 185, Florida Statutes, Case No. SC12-520, 2011 CA 1584, 1D12-1269. Mr. Linn represented a city and pension board in *City of Orlando v. Department of Insurance*, 528 So.2d 468 (Fla. 1st DCA 1988). In *City of Orlando*, the district court reversed a lower court's ruling that elected and appointed city officials could not serve on local police/firefighter pension boards. As a result of this case, elected and appointed city officials are able to serve on municipal pension boards. Mr. Linn has also successfully defended several cities and pension funds in retirement-related litigation, including age discrimination claims.

Mr. Linn has assisted a number of cities and special districts in joining the Florida Retirement System, and he has represented many local governments in disputes with the Florida Division of Retirement involving various state pension laws.

Mr. Linn is a frequent lecturer on pension-related topics, and has appeared at seminars sponsored by the Florida Bar, Florida League of Cities, Florida Association of Special Districts, Florida Division of Retirement and Florida Department of Insurance. He chaired the Florida Bar Section on Local Government Law (now the Section on City, County and Local Government Law) in 1995-96. Mr. Linn has been admitted to practice in Florida since 1980, and is also admitted in the U.S. Eleventh Circuit Court. He is a member of the Florida Bar Sections on City, County and Local Government Law, Labor and Employment Law, and Administrative Law. He is also a member of the National Association of Public Pension Attorneys.

Mr. Linn received a J.D., with honors, from Florida State University in 1980. He received a B.S. in Government, *magna cum laude*, from Florida State University (Government) in 1977.

**Tab 2- PUBLIC PENSION MATTERS HANDLED BY
LEWIS, LONGMAN & WALKER, P.A.**

The following is a representative sample of Lewis, Longman & Walker's governmental pension clients, with a summary of services provided. Additional examples available upon request.

- **City of Apopka Police, Fire and General Employees Pension Boards** (February 2009-Present)
Mr. Thomas serves as legal counsel for the Boards of Trustees of all three City of Apopka retirement plans (combined assets: \$65 million).

- **City of Boca Raton** (1998-Present)
LLW provides ongoing advice and consultation on a broad range of pension issues. Mr. Linn was originally retained to prepare amendments to the City's police and firefighter pension plans. He assisted in the development of the City's deferred retirement option plan ("DROP"), and has consulted on pension issues in collective bargaining negotiations. More recently, Mr. Linn and Mr. Thomas worked with the City and its actuary to establish a retirement plan for executive employees and an excess benefits arrangement. Mr. Linn and Mr. Thomas currently serve as counsel to the Executive Employees' Retirement Plan Board of Trustees (combined assets of city pension plans: \$375 million).

- **City of Coral Gables** (2004-Present)
Mr. Linn was originally retained to advise the City on pension matters and assist in drafting amendments to the City's police and firefighter pension plans required for compliance with state law. More recently Mr. Linn and Ms. Cowan were engaged in connection with a comprehensive review and restructuring of the City's pension plans, and he assisted in implementing significant pension reform of the general and police plans. He also consults with the City on pension-related collective bargaining issues (city pension plan assets: \$240 million). Mr. Linn and Ms. Cowan recently prepared a report reviewing actions of the pension board and plan actuary regarding compliance with the limitations of benefits contained in section 415 of the Internal Revenue Code.

- **City of Delray Beach** (1982-Present)
Mr. Linn and Mr. Thomas provide ongoing advice and consultation to the City on a wide range of pension issues, including: a comprehensive review and revision of the City's general employee pension plan for compliance with federal and state law; analysis of the City's compliance with provisions of Chapters 175 and 185, Florida Statutes, regarding "extra benefits" for police officers and firefighters; advice on the reporting and deductibility of employee contributions to a City-sponsored Section 457 deferred compensation plan; reviewing contracts for investment advisers and money managers; and preparing numerous plan amendments for both of the City's retirement plans. Mr. Linn successfully defended the City in a federal class action lawsuit brought by retired police officers and firefighters, alleging discrimination in retirement benefits, and represented the City in a declaratory judgment action involving pension funding and constitutional issues (combined assets of city pension plans: \$160 million).

- **Florida Association of Special Districts (1995-Present)**

Mr. Linn served as the Association's representative on the Florida Retirement System UAL Study Group (1998-99), which made recommendations for revising the actuarial assumptions utilized by the Florida Retirement System. He also represents the Association in retirement-related legislative matters.

- **Florida League of Cities (2000-2002; 2008-present)**

LLW has provided advice and representation on a number of matters, including: administrative litigation challenging proposed rules of the Division of Retirement concerning local police and firefighter pension plans; research and drafting revisions to the League's Master Pension Plan for Florida Cities, as well as the retirement plan for League Employees; and more recently, preparing an amicus (friend of the court) brief to the Florida Supreme Court on the League's behalf in *Scott v. Williams*, 38 Fla. Law Weekly S 25, January 17, 2013, involving the 2011 amendments to the Florida Retirement System. Mr. Linn also consults with the League on retirement-related legislative issues.

- **City of Gainesville (1990-Present)**

LLW represented the City in administrative litigation with the Florida Department of Insurance concerning the City's compliance with state statutes governing police and firefighter pension funds. The litigation was ultimately settled with minimal revision of the City's pension ordinances, and the release of the full amount of premium tax revenues that had been withheld by the Department. Mr. Linn also provided advice and consultation to the City in connection with the pension rights of county employees who would become City employees under the City's proposed annexation of a large portion of Alachua County. He worked closely with City officials, the City's actuary, and the Florida Division of Retirement in identifying various options for recognizing the accrued pension benefits of transferring county employees. Mr. Linn provides ongoing advice on a broad range of pension-related issues (combined assets of city pension plans: \$536 million).

- **City of Fort Pierce (2010-present)**

LLW was engaged to provide a comprehensive overview of the City's retirement system for general and utilities employees and police officers, and evaluate possible reform options.

- **City of Fort Walton Beach (1990-Present)**

LLW has represented the City of Fort Walton Beach in a wide range of pension issues, including serving as legal counsel to the General Employees' Pension Plan; determining compliance with federal and state laws; preparing numerous plan revisions and amendments; and, with the plan actuary, analyzing plan funding issues and options. Mr. Thomas successfully represented the City in a pension forfeiture case, and prevailed in an appeal of the pension board's action. Mr. Linn assisted the City in closing its defined benefit pension plan, and establishing a defined contribution plan for new hires (combined assets of city pension plans: \$56.8 million).

- **City of Hollywood Employees' Retirement Fund (2001-Present)**

LLW serves as legal counsel to the Board of Trustees, and in that capacity has handled a wide range of pension issues, including a number of litigation matters. The Hollywood Employees' retirement fund has 860 active members and assets of more than \$200 million.

- **City of Kissimmee (1995-Present)**

LLW was retained by the City of Kissimmee to review the City's police, firefighter, and general employee pension plans, and to evaluate plan amendments proposed by the police pension board. Mr. Linn and Mr. Thomas provide ongoing advice on a variety of pension issues (combined assets of city pension plans: \$118 million).

- **Town of Longboat Key (2008-present)**

LLW has worked closely with the Town, its labor counsel and actuary to evaluate various options for pension reform and implement changes to the Town's pension plans for firefighters, police officers and general employees. More recently Ms. Cowan has assisted the Town in implementing a plan freeze for firefighters and joining the Florida Retirement System.

- **City of Miami (2005-Present)**

Mr. Linn has advised the City on the restructuring of its pension plans, and worked closely with the City's actuary, labor counsel and bargaining team to implement pension reform. He also testified as an expert witness in litigation concerning 2010 changes to the City's pension plans. Mr. Linn also researched and drafted an ordinance implementing an OPEB trust for post-retirement health benefits (combined assets of city pension plans: \$1.5 billion).

- **City of Miami Beach (1999-Present)**

LLW was retained by the City in connection with the merger of its police and fire pension plans. Mr. Linn assisted in drafting an ordinance providing benefits for domestic partners. More recently, he assisted in drafting an ordinance merging the City's pension plans for general employees. He continues to advise the City on a broad range of pension legal issues, including the establishment of an OPEB trust for post-retirement health benefits (combined assets of city pension plans: \$844 million).

- **City of Naples (2009-Present)**

LLW has conducted a comprehensive review of the city's pension plans and advised the City on implementing pension reform resulting in \$30 million in savings. Mr. Linn prepared the plan amendments to implement pension changes to the general, police and firefighter plans (combined assets of city pension plans: \$90 million).

- **City of Palm Bay (2002-Present)**

Mr. Linn has provided advice and consultation to the City on a variety of pension matters. He advised the City on the separation of its combined pension plan (which included police officers, firefighters and general City employees), and on the creation of a defined contribution pension plan for its general employees. Mr. Linn prepared ordinance amendments to effect the transfer of assets attributable to general employees from the existing pension fund to the new defined

contribution plan. Mr. Linn was retained to advise the City on pension plan changes necessary to comply with 1999 legislation affecting police and firefighter pension plans. More recently he was engaged to provide advice and develop strategy for restructuring the City's retirement plans, and he assisted in implementing 2012 changes to the firefighter plan (combined assets of city pension plans: \$117 million).

- **Town of Palm Beach (2009-Present)**

Mr. Linn was engaged to advise the Town on implementation of pension reform measures. He drafted ordinances merging the Town's three retirement plans into one consolidated plan. Mr. Linn currently serves as legal counsel to the Board of Trustees for the consolidated retirement system (assets: \$168 million).

- **City of Pompano Beach (2004-Present)**

LLW was retained to represent the City on revisions to the police and firefighter pension plan. LLW has also provided advice on pension issues arising out of the City's decision to contract with the Broward Sheriff's Office for the provision of law enforcement services. The firm was retained to represent the City in connection with a legal challenge to actions of the police/fire pension board that resulted in substantial additional cost to the City. The litigation was ultimately resolved through a settlement that produced substantial cost savings to the City. More recently, Mr. Linn has provided advice on various options for restructuring the City's pension plans (combined assets of city pension plans: \$269 million).

- **City of Port Orange (1993-Present)**

LLW conducted a comprehensive review and revision of the City's police and firefighter pension plans, and advised the City on numerous pension issues. The firm also represented the City in pension litigation arising from a lump-sum distribution to a police officer. Mr. Linn has also prepared and reviewed numerous amendments to the City's pension plans. More recently, Mr. Linn has provided advice and consultation on strategy for implementing pension plan changes through the collective bargaining process that will result in significant cost savings to the City (combined assets of city pension plans: \$48 million).

- **City of Sarasota (2009-Present)**

LLW was retained to assist in implementing pension reform measures for the police and general pension plans (combined assets of city pension plans: \$340 million).

- **City of St. Augustine (1998-Present)**

Mr. Linn was retained to provide a legal opinion concerning the City's health insurance subsidy program for retired members of the police pension plan, and currently advises the City on a variety of pension issues. Mr. Linn also serves as legal counsel to the police pension board (assets: \$11 million).

- **City of Sunrise (1987-Present)**

LLW provides ongoing advice and consultation on a broad range of pension issues. The firm has assisted the City in developing pension strategy and proposals for collective bargaining

negotiations, and represented the City on the restructuring of its general employee pension board. Mr. Linn defended the City in a lawsuit filed by the fire pension board alleging misuse of Chapter 175 revenues and “excess earnings” on pension fund investments (combined assets of city pension plans: \$228 million).

- **City of Titusville (2011-present)**

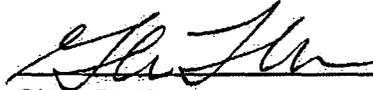
LLW was engaged to assist in evaluating options for reforming the City’s retirement plans for firefighters, police officers and general employees. The firm worked closely with the City, its labor counsel and actuary to implement significant changes to all three plans. Mr. Linn testified as an expert witness on pension reform issues.

- **City of Winter Springs (2001-Present)**

LLW has advised the City on a wide range of pension matters, including a comprehensive revision of the City retirement plan; analysis of pension benefits and legal requirements for police and firefighter pension plans; reviewing contracts for investment advisers and money managers; and implementation of the City’s termination of its money purchase plan and transfer of assets to the City Retirement Plan (assets: \$21million).

Tab 3 – Conflicts of Interest

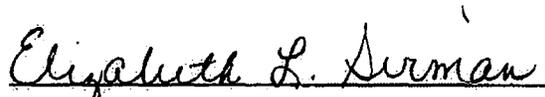
I, Glenn E. Thomas, certify that neither LLW nor any member of the Firm's ownership, management, or staff currently has an interest which might be considered a conflict of interest with the City of Arcadia.



Glenn E. Thomas

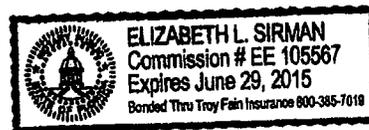
Attorney

Sworn to and subscribed before me this 14th day of June, 2013 by Glenn E. Thomas, on behalf of Lewis, Longman and Walker, P.A. as its representative, who is personally known to me.



Notary Public

My Commission Expires



Tab 4 – Fees and Charges

Professional Fees. Glenn Thomas will be the principal attorney working on your matter and his government rate is \$250.00 per hour. Jennifer Cowan will be secondary attorney on this matter and her government rate is \$200.00 per hour. Jim Linn may also work on this matter and his hourly rate is \$275 per hour. In addition, work may be assigned to other attorneys or paralegals within the Firm, depending on who can best do the work in the most efficient manner. The hourly rates for attorneys range from \$195.00 to \$275.00 per hour. The hourly rates for paralegals/law clerks range from \$135.00 to \$150.00 per hour. These rates will be in effect through December 2014 and will be subject to modification in January 2015 and every two years thereafter.

Pursuant to your request, the hourly rates of all personnel are provided below.

Shareholders		Rates	Of Counsel		Rates
Baumann	Andrew J.	\$275.00	Amundsen	Paul	275.00
Capko	William G.	275.00	Caplan	Howard C.	260.00
Charles	James E.	215.00	Fiveash	John L., Jr.	265.00
Diffenderfer	Michelle	275.00	Getzoff	Deborah A.	275.00
Diffenderfer	Robert P.	275.00	Malefatto	Alfred	275.00
Dodge	Kenneth W.	275.00			
Duhy	Tara W.	225.00	Senior Attorneys		Rates
Durden	Brenna M.	275.00	Stotts	Dennis	265.00
Flowers	Wayne E.	275.00			
Hennessy	Kevin S.	275.00	Associate Attorneys		Rates
Jennison	Julia L.	215.00	Baker	Keri-Ann C.	195.00
Killinger	Lori E. H.	275.00	Cowan	Jennifer R.	200.00
Lewis	R. Steven	275.00	Haft	Scott	195.00
Lewis	Terry E.	275.00			
Linn	James W.	275.00	Paralegals		Rates
Longman	Anne	275.00	Blackwell	Christina	135.00
Lyon	M. Christopher	235.00	Shay	Francine	150.00
Mooney-Portale	Maggie D.	215.00			
Richardson	Daniel D.	275.00			
Spillias	Kenneth G.	275.00			
Steinmeyer	Edwin A.	275.00			
Thomas	Glenn E.	250.00	Land Use Planner		Rates
Walker	Stephen A.	275.00	Behn	Seth	185.00
Ullo	F. Joseph, Jr.	215.00			
			Clerks		Rates
			Summer Associate		100.00
			Law Clerk		100.00

In addition to fees, costs and expenses will be billed as shown below:

Cost/Expense	Typical Charges
Computer Research	Actual usage + proportionate share of base subscription.
Court Reporters	Direct invoice from vendor to client or paid from retainer.
Delivery Charges	Actual amount invoiced to firm. Mode of delivery based on need and economy.
Messenger Service	Actual amount invoiced to the firm.
Overnight Express	Actual amount invoiced to the firm.
Telefacsimile	Outgoing: Actual telephone charge + \$1.25/page. Incoming: No charge
Photocopying	Inside copies: \$0.20/page Outside services: Actual amount invoiced to firm.
Secretarial Overtime	No charge
Telephone Charges	Actual long distance and cellular charges + proportionate share of base subscriptions.
Temporary Help	Actual amount invoiced to the firm.
Travel-Local/Surface	Reasonable mileage or actual rental charges.
Travel-Out-of-Town	Intrastate: Actual common carrier charges for coach. Interstate: Actual common carrier charges for business class.
	Meals/Accommodations: Lowest corporate seasonal rate available, reasonable business related meal expenses.
Word Processing	No charge
Other Expenses	Actual cost invoiced to the firm. In selected cases, these items may be directly invoiced from vendor to client.

Alternatively, a 3.5% cost surcharge will be reflected on our bills, as shown below:

Cost/Expense	Costs & Expenses Covered by The 3.5% Surcharge
Delivery Charges	Included within surcharge of 3.5% of hourly fees.
Messenger Service	Included within surcharge of 3.5% of hourly fees.

Cost/Expense	Costs & Expenses Covered by The 3.5% Surcharge
Overnight Express	Included within surcharge of 3.5% of hourly fees.
Tele -facsimile	Outgoing: Included within surcharge of 3.5% of hourly fees. Incoming: No charge
Photocopying	Inside copies: Included within surcharge of 3.5% of hourly fees.
Secretarial Overtime	No charge
Telephone Charges	Included within surcharge of 3.5% of hourly fees.
Word Processing	No charge
Cost/Expense	Costs & Expenses <u>Not</u> Covered by The 3.5% Surcharge
Photocopying	Outside services: Actual amount invoiced to firm.
Travel-Local/Surface	Reasonable mileage or actual rental charges.
Travel-Out-of-Town	Intrastate: Actual common carrier charges for coach. Interstate: Actual common carrier charges for coach
	Meals/Accommodations: Lowest corporate seasonal rate available, reasonable business related meal expenses.
Other Expenses	Actual cost invoiced to the firm. In selected cases, these items may be directly invoiced from vendor to client.
Computer Research	Actual usage + proportionate share of base subscription.
Court Reporters	Direct invoice from vendor to client or paid from retainer.

Glenn E Thomas**Member in Good Standing****Eligible to practice in Florida**

ID Number: - 489174
 Address: Lewis Longman & Walker P A
 315 S Calhoun St Ste 830
 Tallahassee, Florida 323011872
 United States
 Phone: 850.222.5702
 Fax: 850.224.9242
 E-Mail: gthomas@llw-law.com
 vCard: 

County: Leon
 Circuit: 2
 Admitted: 05/25/2001
 Board Certification:

Year	Area
2012	City, County & Local Government Law

Sections: Administrative Law
 Health Law
 Labor and Employment Law
 City County and Local Government Law

10-Year Discipline History: **None**

Law School: Nova Southeastern University - Shepard Broad Law Center
 Graduation Year: 2000
 Degree: Doctor of Jurisprudence/Juris Doctor
 Firm: Lewis, Longman & Walker, P.A.
 Firm Size: 21 to 50
 Occupation: Partner / Shareholder
 Practice Areas: Administrative
 City/County/Local Government
 Employee Benefits
 Government and Administrative
 Government Administration and Regulation
 Health
 Labor and Employment
 State and Federal Government and Administrative Practice

Federal Courts: U.S. District Court, Middle District of Florida
 U.S. District Court, Northern District of Florida
 U.S. District Court, Southern District of Florida

State Courts: Florida
 Georgia

Jennifer Rhea Cowan

Member in Good Standing

Eligible to practice in Florida

ID Number: - 38081

Address: Lewis Longman & Walker, P.A.
101 Riverfront Blvd Ste 620
Bradenton, Florida 342058841
United States

Phone: 941.708.4040

Fax: 941.708.4024

E-Mail: jcowan@llw-law.com

v Card:  ?

County: Manatee

Circuit: 12

Admitted: 05/18/2007

Sections: Administrative Law
Appellate Practice and Advocacy
City County and Local Government Law
Young Lawyers Division

10-Year Discipline History: **None**

Law School: Stetson University College of Law

Graduation Year: 2006

Degree: Doctor of Jurisprudence/Juris Doctor

Firm: Lewis, Longman, & Walker P.A.

Website: www.llw-law.com

Firm Size: 21 to 50

Practice Areas: Administrative
Appellate Practice
City/County/Local Government
Civil Litigation
Education
Environmental and Land Use
Government
Law and Government/Procurement
Litigation/Trial Advocacy/Advocacy
Zoning, Planning and Land Use

Federal Courts: U.S. District Court, Middle District of Florida
U.S. District Court, Southern District of Florida

State Courts: Florida



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The Florida Bar
www.floridabar.org

James W Linn

Member in Good Standing

Eligible to practice in Florida

ID Number: - 312916
 Address: Lewis Longman & Walker
 315 S Calhoun St Ste 830
 Tallahassee, Florida 323011872
 United States
 Phone: 850.222.5702
 Fax: 850.224.9242
 E-Mail: jlinn@lw-law.com
 vCard:  ?
 County: Leon
 Circuit: 2
 Admitted: 11/20/1980
 Sections: Administrative Law
 Health Law
 Labor and Employment Law
 City County and Local Government Law
 10-Year Discipline History: None
 Law School: The Florida State University College of Law

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[Revised: 05-15-2013]

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<http://www.floridabar.org/names.nsf/0/DA6D76C3BA6234B685256A830069AF34?Open...> 6/11/2013

Idea that I would like to put in place for the daily operation of the Arcadia Police Department.

(See Organizational Chart attached)

Some of these Officers are being promoted and / or moved into different Law Enforcement categories.

Old Marshal yearly pay, separated on yearly budget into executive salary line item was **\$79,934**. The old Marshal had 23 years & 10 months with the Arcadia Police Department.

Old Marshal Hourly rate of pay	\$38.42 hourly	
New Officers pay	\$15.39 hourly	(yearly \$32,011.20)
Pay raise for reassigned LE position	\$12.00	(total for six Officers)

$\$38.42 - \$27.39 = \$11.03$ (hourly savings)

\$22,942.40 (Yearly savings to budget)

Marshal

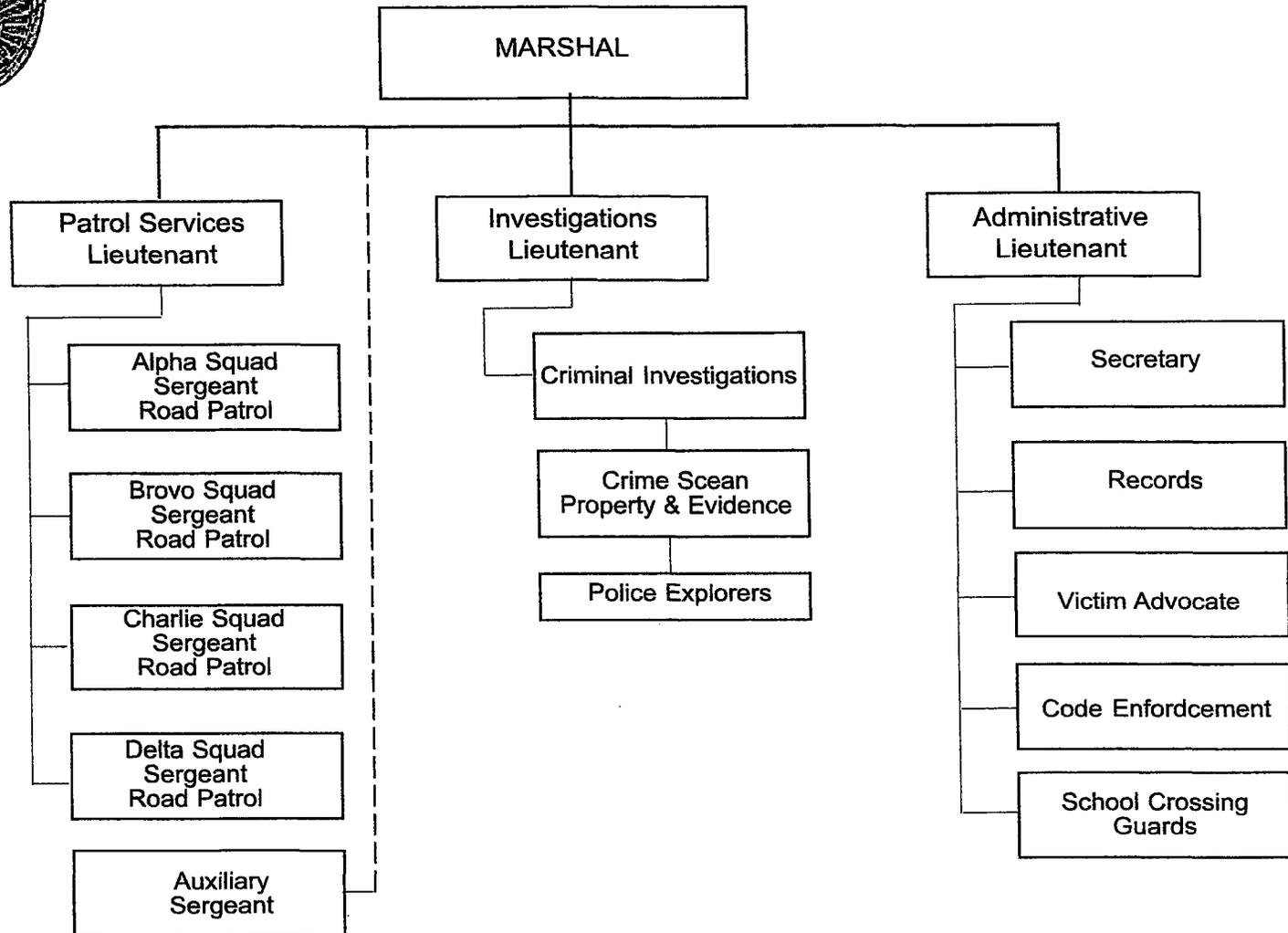
Two Lieutenants

2 Criminal Investigators (CID)

1 Sergeant (road patrol)



Arcadia Police Organizational Chart



ORDINANCE NO. 989

AN ORDINANCE OF THE CITY OF ARCADIA PROVIDING FOR THE CREATION OF A UTILITY SERVICE AREA OUTSIDE THE CORPORATE LIMITS; ESTABLISHING SERVICE AREA BOUNDARIES; AUTHORIZING THE EXTENSION OF UTILITIES; PROVIDING FOR FUTURE AMENDMENTS TO THE SERVICE AREA BOUNDARIES; PROVIDING FOR FUTURE REGULATION OF THE SERVICE AREA; ESTABLISHING THE PURPOSE OF THE SERVICE AREA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Arcadia owns and operates a central water distribution system and a central wastewater collection system and treatment facility; and

WHEREAS, the City of Arcadia's utility systems currently serve unincorporated areas lying West, East, North and South of the City's corporate limits; and

WHEREAS, Chapter 180, Florida Statutes, empowers municipalities with certain powers and authority to control and regulate municipal public works; and

WHEREAS, Section 180.02, Florida Statutes, allows a municipality to execute powers granted under Chapter 180, Florida Statutes, within its corporate limits; and

WHEREAS, Chapter 180, Florida Statutes, also permits a municipality to execute all of its corporate powers for the accomplishment of the purposes of said Chapter outside of its corporate limits, as provided in said Chapter, and as may be desirable or necessary for the promotion of the public health, safety, and welfare or for the accomplishment of the purposes of said Chapter; and

WHEREAS, Section 180.02(3) Florida Statutes specifically authorizes municipalities to create a utility service area for up to five (5) miles from the corporate limits of the municipality and further authorizes municipalities to require customers in that area to connect to the municipal wastewater system or alternative water supply system, when available; and

WHEREAS, Section 180.06(9) Florida Statute prohibits a private company from constructing any system, work, project or utility in the territory adjacent to a municipality that is actually operating a system, work, project or utility unless such municipality consents to such construction; and

WHEREAS, recent development interest in the vicinity of State Road 70 and State Road 31, Airport Road, Roan Street, Hillsborough Avenue and other areas the City of Arcadia already serves has raised concerns that the authority of the City of Arcadia to provide water and wastewater utility service to these areas may be in jeopardy; and

WHEREAS, the ability of the City of Arcadia to be able to continue to extend its water and wastewater utilities within a utility service area outside the corporate limits of the City of Arcadia is environmentally sound and avoids costly duplication of infrastructure; and

WHEREAS, any action that would interfere with the ability of the City of Arcadia to be able to continue to extend its water and wastewater utilities within a utility service area outside the corporate limits of the City or Arcadia negatively effects the City of Arcadia's past investment in infrastructure improvements and ultimately will affect the life, health, property, and public peace of the citizens of the City of Arcadia.

Be it ordained by the City Council of the City of Arcadia, Florida as follows:

Section 1. Creation of Utility Service Area Outside the Corporate Limits. There is hereby created the City of Arcadia Service Area (hereinafter referred to as the "Service Area").

Section 2. Exhibit A - Establishment of Service Area Boundaries. The Service Area shall include the unincorporated area of the following:

Township 37 South, Range 24 East, Sections 23, 24, 25, 26, 35 and 36.

Township 37 South, Range 25 East, Sections 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34.

Township 38 South, Range 25 East, Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17 and 18.

Township 38 South, Range 24 East, Sections 1, 2, 11, 12, 13 and 14.

Section 3. Extension of Utilities Authorized. The City of Arcadia is authorized and empowered to extend its water and wastewater utilities, including but not limited to, reclaimed water, utility lines, lift stations, booster pumps, wells and storage tanks, to all lots or lands within the Service Area upon such terms and conditions as may be agreed between owners of such lots or lands and the City of Arcadia.

Section 4. Purpose. The purposes of declaring the Service Area are as follows:

A) To provide for long-range capital improvements for the betterment of the health, safety and welfare of the public as a part of the City of Arcadia's long-range planning activities within the City of Arcadia and Service Area.

B) To clearly identify an area for long-range capital improvements relating to water and wastewater utility facilities and services.

C) To provide for the efficient extension of municipal or urban services.

D) To identify that the City will provide water and wastewater related services and facilities within the Service Area defined herein and avoid the duplication of such services.

- Section 5. Amendment to the Service Area. It is recognized that future conditions may exist from time to time, which would necessitate amending the boundaries of the Service Area to include more or less area. Such amendments shall be made by the City Council of the City of Arcadia in accordance with Section 180.02, Florida Statutes.
- Section 6. Provision of Reasonable Regulations. The City of Arcadia may prescribe by subsequent ordinance or amendment hereto, adopted in accordance with Chapter 180, Florida Statutes, reasonable regulations regarding all persons or entities living or doing business within the Service Area regarding their connection, when available, with any service or utility facilities constructed, provided, operated or to be constructed, provided or operated under the provisions of Chapter 180, Florida Statutes.
- Section 7. Reservation. The City of Arcadia reserves the right to determine the manner, location, degree and extent of any utility service extensions within the Service Area by subsequent ordinance or resolution adopted in accordance with the procedures set forth in Chapter 180, Florida Statutes.
- Section 8. Absence of Mortgage Revenue Certificates or Debentures. There are currently no mortgage revenue certificates or debentures issued by the City of Arcadia to finance the construction or expansion of any water or wastewater related project within the Service Area.
- Section 9. Constitutionality. All ordinances, agreements, or resolutions and parts thereof in conflict herewith to the extent of such conflicts are hereby repealed. If any phrase, clause, sentence, paragraph, section or subsection of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining phrases, clauses, sentences, paragraphs, sections or subsections of this ordinance.
- Section 10. Effective Date. This Ordinance shall become effective immediately upon its adoption.
- Section 11. Recording. A certified copy of the ordinance shall be filed with the Clerk of the Circuit Court of Desoto County, Florida, and duly recorded among the Public Records of Desoto County.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, IN
REGULAR SESSION AT CITY COUNCIL CHAMBERS, ARCADIA, FLORIDA, on this
_____ day of _____, 2013.

Keith Keene, Mayor

ATTEST:

By: _____
Gia Lancaster, City Clerk

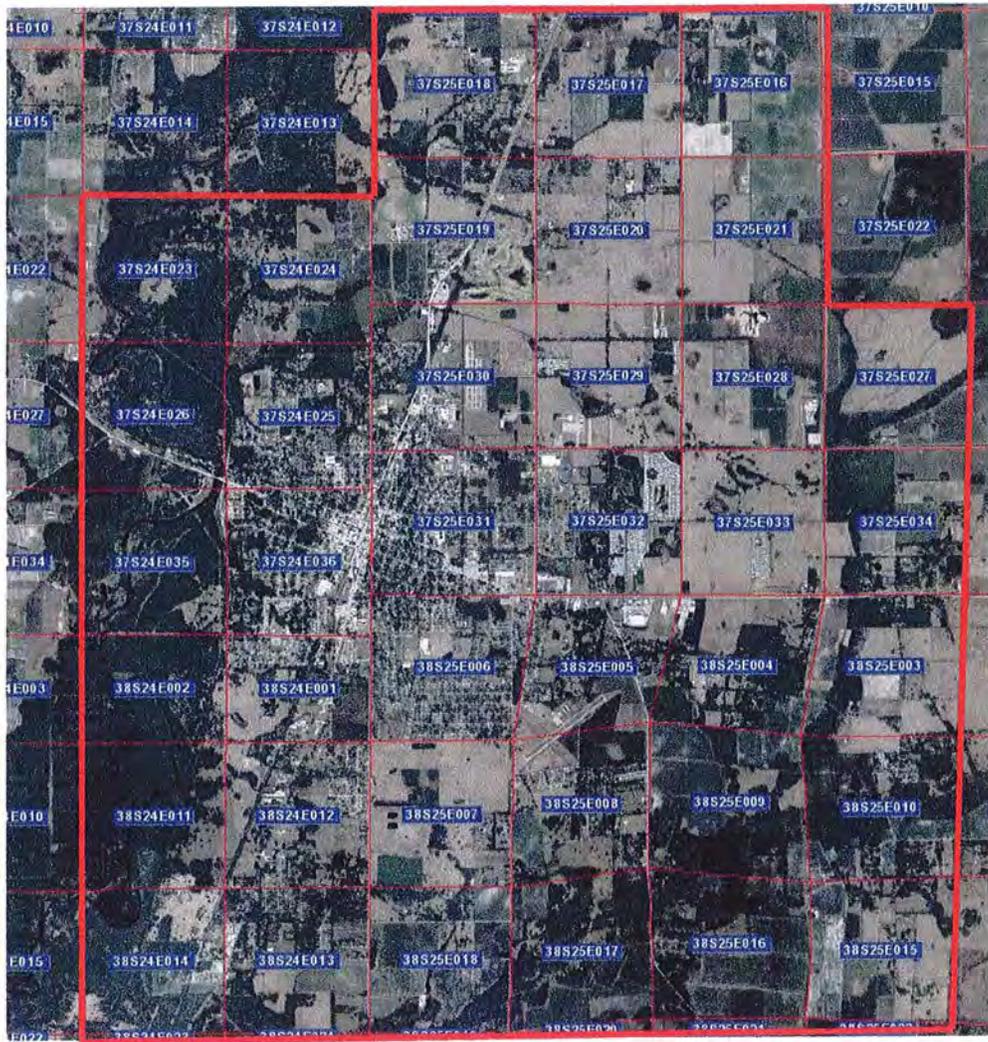
FIRST READING: June 18, 2013

SECOND READING:

APPROVED AS TO FORM:

Thomas J. Wohl, City Attorney

EXHIBIT "A"





MEMORANDUM

TO: Arcadia City Council
FROM: Judi Jankosky, City Administrator 
DATE: June 14, 2013
SUBJECT: Experiment with Business Hours

City Hall has now been vacated by city staff. We do have records archived upstairs but all staff and administrative services have been moved to the Way Building. The roof repair will be less than \$5,000 and will be completed next week by Bowen and Sons. The weekend of July 5 the Way Building and former Police Department will be tented for termites. I am meeting with the Historical Society on July 10.

Council approved a policy change to extend the grace period before a late fee kicked in providing for those that have limited incomes additional time to pay their bills in good faith without being penalized. It is our goal to receive payment before a late fee or disconnect occurs but that is still not guaranteed 100%. It was mentioned in the last meeting about utility billing closing before 5 pm so people that worked until 4 or 5 pm and had their water turned off for non-payment had no way to come in, pay and get their water turned on before the current 4 pm cutoff without calling in on-call which is an additional \$30 on top of the late and disconnect fee.

Staff is proposing we perform an experiment starting the week of July 8 through August 30 that the Way Building hours be changed from 8 – 5 Monday through Friday to 8 – 6:30 pm Tuesday through Friday (1/2 hour lunch) or we could do 7:30 – 6:30 with an hour lunch. We placed a poll on our website a few months back asking if the citizens would be better served with the city offices opening at 7 am or not closing until 6 pm. Over 85% of the responses said not closing until 6 pm. We would also extend the payment due time to 5:30 so that anyone that worked until 5 pm that was cutoff would have time to pay and get their water back on that night without paying the on-call fee. We felt it was better to be closed Monday rather than Friday as Friday is when most people get paid. Staying open later on Friday will give them time to cash their checks and pay their utility bill, hopefully before it is due that next Tuesday and the money has run out from over the weekend.

Also, now that the Way Building encompasses only city staff we would like to try to reduce air conditioning costs by being closed that one day. We understand we would still be open 40 hours (really 42 or 44 as compared to 45) but it is cheaper to keep an area cool an additional 1 ½ - 2 hours a day than cooling that area an additional 9 separate hours. Even if this only saves \$200 a month off the average \$1,100 a month bill that is still \$200 saved and hopefully we will see better collection of utility bills as well. We could also furlough some hours, say we were open from 8 – 6:30 with an hour lunch then hourly staff would work 38 hours a week. We don't want to reduce pay and that would be the very last resort but it is always an option to save money.

We have discussed these hours with field supervisors and because Fred Lewis' staff works in coordination with disconnecting and connecting water service, he would adjust his work schedule as well. The remaining departments – water, wastewater, sanitation, parks and streets would stay on their current schedule as they are either under permit regulations where they cannot change their operating hours or working a longer day means working in the heat of the day which is not safe.

We can evaluate this schedule at the first council meeting in September to see if we want to continue the Tuesday through Friday schedule or go back to Monday – Friday.