

**MINUTES  
 SPECIAL MEETING  
 CITY COUNCIL  
 CITY OF ARCADIA  
 MONDAY, JULY 26, 2010  
 5:00 PM**

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

The Mayor called the meeting to order at approximately 5:00 PM, with the following members and staff were present:

**Arcadia City Council**

Mayor Roosevelt Johnson  
 Councilmember Sharon Goodman

Deputy Mayor Robert Heine  
 Councilmember Keith Keene

**Arcadia City Staff**

City Administrator Lawrence Miller  
 Marshal Charles Lee

City Recorder Dana Williams  
 Capt. Matt Anderson

Recitation of the Pledge and roll call were the first order of business.

The City Administrator stated the purpose of this meeting was to consider two resolutions in conjunction with the budget process, namely to set tentative millage and a tentative budget for FY-11, to formally ratify an action taken at the last meeting related to financing of the water plant and finally to establish dates for the budget public hearings. He continued that according to the City Attorney, the Council could not officially approve a rate increase at the last meeting since *Florida Statutes* requires specific timeline notifications to rate payers through utility billing.

**RESOLUTIONS**

**1. RESOLUTION 2010-03, ADOPTION OF A TENTATIVE MILLAGE RATE**

The City Administrator reported this resolution will set the tentative millage at 8.0899 mills, which is the same as was levied last year and exceeds the rolled back rate by zero (0) percent. The City Recorder read the resolution by title.

Mr. Ernest Hewett questioned when the report of tentative millage was due to the Property Appraiser, then challenged the answer of August 4<sup>th</sup> provided by the City Administrator. Mr. Hewett believed the deadline to be August 5<sup>th</sup> adding that date would have allowed for a public hearing to be conducted at the next regularly scheduled Council meeting. Mr. Hewett also referenced *F.S. 200.065* and an AGO opinion requiring newspaper notices and scheduled public hearings.

The City Administrator stated the budget was promulgated to the public and that the public had an opportunity to speak to the budget; and this procedure was no different than had been done in years past.

On motion of the Deputy Mayor and seconded by Councilmember Goodman, the Council voted unanimously, 4-0, to approve Resolution 2010-03 as printed below.

**RESOLUTION NO. 2010-03**

**A RESOLUTION ADOPTING THE  
TENTATIVE MILLAGE RATE TO BE  
LEVIED BY THE CITY OF ARCADIA,  
FLORIDA FOR FISCAL YEAR 2010-2011**

*WHEREAS*, Florida Statutes 200.065(2)(d) requires that the City of Arcadia, Florida adopt a Resolution stating the tentative millage rate to be levied for Fiscal year 2010-2011, and

*WHEREAS*, the Resolution shall state the percent, if any, by which the millage rate to be levied exceeds the rolled-back rate.

*NOW THEREFORE BE IT RESOLVED*, by the City Council of the City of Arcadia that:

1. The City of Arcadia does hereby adopt its Tentative Millage Rate of 8.0899 mills to be levied for the General Fund upon all real and tangible personal property located within the boundaries of the City of Arcadia to fund the fiscal Year 2010-2011 budget, and

2: The percentage by which this millage rate to be levied exceeds the rolled back rate of 8.0899 mills, computed pursuant to Florida law, is zero (0%) percent.

*PASSED AND ADOPTED by the City Council this 26th day of JULY 2010.*

By: /s/  
Roosevelt Johnson, Ed.D., Mayor

ATTEST:

/s/  
Dana L.S. Williams, CMC  
City Recorder

**2. RESOLUTION 2010-04, ADOPTION OF A TENTATIVE BUDGET FOR FY-11**

The City Administrator presented the resolution outlining the tentative budget for FY-11, adding he had spoken with the Marshal concerning the reductions discussed at the last meeting. Again, the general fund budget is proposed at \$1,585,860, down from \$1,648,134.

The Deputy Mayor asked about the grant money the Marshal spoke of, to which the City Administrator said that for accounting purposes the \$88,070 provided by the State is shown as

both a revenue and expenditure. The Marshal also confirmed the elimination of two sworn officer and two crossing guard positions.

Mr. Gary Frierson pointed out it was probably a matter of procedure with the same ending result; however as he read the *Florida Statutes* provided by Mr. Hewett, the "letter of the law" states the Council must conduct a public hearing to adopt this tentative millage and budget. The City Administrator stated the public hearings are being proposed for September at which time both the millage and budget will still be tentative as each will not have yet been adopted. Mr. Frierson felt the procedure being conducted was "a little different" from *Florida Statutes* calling it an "end run." The City Administrator assured Mr. Frierson this was no end run and that the adoption process for the tentative millage and budget was no different than has been done in years past.

The City Recorder read Resolution 2010-04 by title. **On motion of the Deputy Mayor and seconded by Councilmember Keene, the Council voted unanimously, 4-0, to approve Resolution 2010-04 as printed below.**

**RESOLUTION NO. 2010-04**

**A RESOLUTION ADOPTING THE  
TENTATIVE BUDGET FOR THE CITY  
OF ARCADIA, FLORIDA FOR FISCAL  
YEAR 2010-2011**

**WHEREAS**, the City Council of the City of Arcadia, Florida has followed the procedures for budget preparation, public notices, and public hearings as prescribed by *Florida Statutes*, and

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Arcadia that the following funds be adopted as the City of Arcadia's Tentative Budget for Fiscal Year 2010-2011:

|  |              |
|--|--------------|
| GENERAL FUND                               | \$ 5,873,740 |
| WATER AND SEWER FUND                       | 4,059,254    |
| WATER AND SEWER BOND SINKING FUND          | 1,169,381    |
| WATER AND SEWER BOND RESERVE FUND          | 733,337      |
| WATER AND SEWER RENEWAL & REPLACEMENT FUND | 643,979      |
| LOCAL OPTION INFRASTRUCTURE SALES TAX FUND | 714,597      |
| LOCAL OPTION GAS TAX FUND                  | 815,000      |
| CAPITAL IMPROVEMENT FUND                   | 1,279,143    |
| FIRE SERVICES PROTECTION FUND              | 193,640      |

**PASSED AND ADOPTED by the City Council this 26<sup>th</sup> day of JULY 2010.**

By: /s/  
Roosevelt Johnson, Ed.D., Mayor

ATTEST:

/s/  
Dana L.S. Williams, CMC  
City Recorder

**3. RESOLUTION 2010-05, RELATING TO THE STATE REVOLVING FUND, AGREEMENT,  
AND PLEDGED REVENUES FOR THE WATER PLANT**

The City Administrator stated Resolution 2010-05 was to officially pledge revenues in order to possibly qualify for SRF funding for the construction of a new water plant as discussed at the workshop on July 20<sup>th</sup>. He continued there will be a public hearing August 17<sup>th</sup>, to receive comments regarding increasing utility rates by 20%; but also clarified that at that time, the increase to be discussed is not in addition to the recommendations made at the July 20<sup>th</sup> meeting.

Councilmember Keene made a motion to approve Resolution 2010-05 as printed below. The Deputy Mayor provided a second to the motion, which passed unanimously, 4-0.

**RESOLUTION 2010-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ARCADIA, FLORIDA, RELATING TO THE STATE  
REVOLVING FUND PROGRAM; AUTHORIZING THE  
APPLICATION; AUTHORIZING THE AGREEMENT;  
ESTABLISHING PLEDGED REVENUES; DESIGNATING  
AUTHORIZED REPRESENTATIVES; PROVIDING  
ASSURANCES.**

*WHEREAS*, Florida Statutes provide for financial assistance to local government agencies to finance the construction of drinking water facilities; and

*WHEREAS*, Florida Administrative Code rules require authorization to apply for financial assistance, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with program requirements; and to enter into an agreement; and

*WHEREAS*, the State Revolving Fund priority list designates Project Number DW14010 as eligible for available funding; and

*WHEREAS*, the City of Arcadia, Florida, intends to enter into an agreement with the Department of Environmental Protection under the State Revolving fund for project financing.

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

SECTION I. The City of Arcadia, Florida is authorized to apply for financial assistance to finance the project.

SECTION II. The revenues pledged for the repayment of the loan are net water and sewer utility system revenues after payment of debt service on the City of Arcadia, Florida Series 2003 Water and Sewer Refunding and Improvement Bonds and the 1993 Florida Department of Environmental Protection State Revolving Fund Loan - CS120680040.

SECTION III. The Mayor and the City Administrator are hereby designated as the authorized representative to provide the assurances and commitments required by the application.

SECTION IV. The Mayor and the City Administrator are hereby designated as the authorized representative to execute the agreement which will become a binding obligation in accordance with its terms when signed by both parties.

SECTION V. The Mayor and the City Administrator are authorized to represent the City of Arcadia in carrying out responsibilities under the agreement. The Mayor and the City Administrator are authorized to delegate responsibility to appropriate staff to carry out technical, financial, and administrative activities associated with the agreement.

**PASS AND ADOPTED this 26<sup>th</sup> day of JULY 2010.**

By:                   /s/  
Roosevelt Johnson, Ed.D., Mayor

ATTEST:

/s/  
Dana L.S. Williams, CMC  
City Recorder

**OTHER BUSINESS**

**4. ANNOUNCEMENT OF PUBLIC HEARING DATE FOR THE ADOPTION OF A FINAL FY-11 BUDGET**

The City Administrator proposed September 21 and September 29, 2010 for public hearing dates towards adoption of the final FY-11 millage and budget. He added that municipal meeting dates cannot conflict with either the School Board or the County dates and must be scheduled for after those two entities. Dr. Miller also stated he would be attending the public hearings for the County Commission.

**The Council, by consensus, agreed to the September 21 and September 29, 2010 dates for public hearings related to adoption of the FY-11 millage and budget.**

Capt. Anderson reported briefly on the most recent Police and Firefighter's Pension Board meeting and specifically the Board's contract with Shelly Baumann for minute taking, billing, and the like. He stated the Board has contracted with Ms. Baumann for the past 2 ½ years at a rate of \$300 per month and does not utilize any city resources other than the meeting room.

The Mayor questioned why this was being brought up to which Capt. Anderson stated the City Administrator may not have been aware of the circumstances as there was some confusion last Friday, even though the meeting notice was posted on the bulletin board. The Mayor added that board has nothing to do with Ms. Baumann's (previous) city employment, nor does it rely on city staff for support. The City Administrator agreed he was not previously aware of the circumstances and had asked the City Recorder to attend.

Mr. Gary Frierson said he had been exploring the city's website and found it "nice", although as he was reading some of the minutes, he noticed several references to "Dr. Dixon" and questioned the field of study and institution from which he attained his Ph.D. The Mayor and others on the Council advised Mr. Frierson to refer those questions to Councilmember Dixon as they could only answer for their own, individual educational achievements.

**ADJOURN**

Having no further business at this time, the meeting was adjourned at 5:30 PM.

APPROVED THIS 3<sup>RD</sup> DAY OF AUGUST 2010.

By:



Roosevelt Johnson, Ed.D., Mayor

ATTEST:



Dana L.S. Williams, CMC  
City Recorder