

## FINAL BUDGET PUBLIC HEARING

SEPTEMBER 28, 2004

A Final Budget Public Hearing of the Arcadia City Council was held on September 28, 2004 at 6:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmembers attending were: Fazzone, Goodman, Johnson and Heine. Absent: Council Member Whitlock. Also in attendance were: Administrator Strube, Attorney Holloman, Ms. Way and Recorder Baumann.

Before the meeting began Mr. Peter E. Potemkin a Technical Assistance Contractor with the Federal Emergency Management Agency (FEMA) addressed Council to introduce himself to them. Mr. Potemkin is the FEMA Team Leader for DeSoto County and is here for the next several weeks to assist DeSoto County and the City of Arcadia with planning and funding issues related to extensive hurricane damage. Mr. Potemkin stated that the Tri-county coalition which is made up of DeSoto, Charlotte and Hardee Counties is a unique organization. This is only the sixth time that FEMA has ever assisted at this level of planning and it has never done this with multiple counties or cities. This type of assistance has been provided to municipalities that were devastated due to flooding or hurricanes. Administrator Strube will be in contact with Mr. Potemkin.

Mayor Fazzone called the meeting to order.

The Invocation was given by Council Member Johnson.

Pledge of Allegiance to the Flag.

**Mayor Fazzone called the Public Hearing to order** and stated that the purpose of the Public Hearing as advertised is to adopt a Millage Rate and Finalize the Budget for Fiscal Year 2004-2005.

Administrator Strube addressed Council stating that the Proposed Budget and Millage Rate have been advertised in the local paper as required and he then submitted proof of publication. The proposed Millage Rate is 8.9963 which is the same as last years Millage Rate. The Rolled Back Rate is 8.6454 which is a 4.06% increase in Millage over the Rolled Back Rate necessary to fund the Budget. The specific purpose for the Ad Valorem Tax Revenues being increased are to provide funding for allocation towards increased operational expenditures, equipment purchases and reserve needs in all departments, and additional operational cash flow. Due to extensive damage and unexpected expenditures from Hurricane Charley, Hurricane Frances and Hurricane Jeanne no merit raises are scheduled at this time.

Mayor Fazzone called for comments from Council on the Tentative Budget. Heine stated that due to current conditions there is nothing that could be changed in the budget, Johnson and Goodman agreed. Mayor Fazzone noted that the City anticipates a 25% reduction in Ad Valorem Taxes this year due to the hurricanes. Johnson stated that after reconstruction the City will be better looking and better off with new homes on the tax roll.

Final Budget Public Hearing  
September 28, 2004  
Continued

Mayor Fazzone then called for comments from the public. No one spoke.

Since there were no amendments to the proposed budget and no recomputation of the proposed Millage Rate the following resolution adopting a Final Millage Rate was passed on motion of Johnson; seconded by Heine and carried.

**RESOLUTIONS 2004-22**

**A RESOLUTION ADOPTING THE FINAL MILLAGE  
RATE TO BE LEVIED BY THE CITY OF ARCADIA,  
FLORIDA FOR FISCAL YEAR 2004-2005.**

WHEREAS, Florida Statutes 200.065(2)(d) requires that the City of Arcadia, Florida adopt a Resolution stating the millage rate to be levied for Fiscal Year 2004-2005, 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 DULY RESOLVED by the City Council of the City of Arcadia that:

- 1). The City of Arcadia does hereby adopt its Final Millage Rate of 8.9963 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 2004-2005 Budget, and
- 2). The percentage by which this millage rate to be levied exceeds the rolled-back rate of 8.6454 mills (computed pursuant to Florida Law) is four point zero six (4.06) percent.

DULY PASSED AND RESOLVED by the City Council present and voting this 28<sup>th</sup> day of September, 2004.

/s/RICHARD P. FAZZONE  
RICHARD P. FAZZONE  
MAYOR

ATTEST:

/s/RACHELLE M. BAUMANN  
RACHELLE M. BAUMANN  
CITY RECORDER

Final Budget Public Hearing  
September 28, 2004  
Continued

Administrator Strube announced that the percentage by which the Millage Rate exceeds the Rolled Back Rate is 4.06%. The Millage Rate is 8.9963.

Heine moved to pass the following resolution adopting the final budget for Fiscal Year 2004-2005; seconded by Johnson and carried.

**RESOLUTIONS 2004-23**

A RESOLUTION ADOPTING THE FINAL BUDGET  
FOR THE CITY OF ARCADIA, FLORIDA FOR FISCAL  
YEAR 2004-2005.

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.

NOW THEREFORE, BE IT DULY RESOLVED by the City Council of the City of Arcadia that the following funds be adopted as the City of Arcadia's Final Budget for Fiscal Year 2004-2005.

GENERAL FUND	\$5,698,101
WATER AND SEWER FUND	2,707,929
WATER AND SEWER BOND SINKING FUND	1,062,898
WATER AND SEWER BOND RESERVE FUND	682,045
WATER AND SEWER RENEWAL & REPLACEMENT FUND	130,981
CIGARETTE TAX FUND	64,748
LOCAL OPTION GAS TAX FUND	597,500
LOCAL OPTION INFRASTRUCTURE SALES TAX FUND	867,705
CAPITAL IMPROVEMENT FUND	1,120,566

DULY PASSED AND RESOLVED by the City Council present and voting this 28<sup>th</sup> day of September, 2004.

/s/RICHARD P. FAZZONE  
RICHARD P. FAZZONE, MAYOR

ATTEST  
/s/RACHELLE M. BAUMANN  
RACHELLE BAUMANN  
CITY RECORDER

Final Budget Public Hearing  
September 28, 2004  
Continued

The 2003-2004 Budget Amendment was presented. Goodman moved that the following resolution be passed; seconded by Heine and carried.

RESOLUTION NO. 2004-24

A RESOLUTION AMENDING THE BUDGET FOR THE CITY  
OF ARCADIA, FLORIDA FOR FISCAL YEAR 2003-2004.

WHEREAS, due to unanticipated increase costs several budget accounts of the City of Arcadia budget for Fiscal Year 2003-2004 have necessarily been overexpended, and

WHEREAS, there are also several accounts of the City of Arcadia budget for Fiscal Year 2003-2004 which have been unerexpended.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA that the Fiscal Year 2003-2004 budget for the following accounts be amended as follows:

GENERAL FUND		BUDGET	AMENDED BUDGET		
ACCOUNT #	NAME	2003-2004	INCREASE	DECREASE	2003-2004
01331-33124	BULLETPROOF	-0-	5,200		5,200
01331-33129	FEMA-CHARLEY	-0-	224,820		224,820
01331-33149	USDA LIGHTS	-0-	91,000		91,000
01334-33413	REHAB CITY HALL	-0-	135,000		135,000
01334-33427	STATE FEMA OT	-0-	24,980		24,980
01369-36990	MISC REVENUE	<u>20,000</u>	<u>41,000</u>		<u>61,000</u>
	Recognize Additional Revenues	<b>20,000</b>	<b>522,000</b>	<b>-0-</b>	<b>542,000</b>
01195	REHAB CITY HALL	-0-	135,000		135,000
01210	LAW ENFORCEMENT	1,284,137	103,800		1,387,937
01220	FIRE CONTROL	950,519	116,200		1,066,719
01251	BULLET PROOF VEST	-0-	5,200		5,200
01411	DOWNTOWN LIGHTS	-0-	91,000		91,000
01420	AIRPORT	25,500	41,000		66,500
01491	GARAGE	<u>261,454</u>	<u>29,800</u>		<u>291,254</u>
	Increase expenditure appropriations for additional revenues received	<b>2,521,610</b>	<b>522,000</b>	<b>-0-</b>	<b>3,043,610</b>

Final Budget Public Hearing  
September 28, 2004  
Continued

(Resolution 2004-24 continued)

GENERAL FUND <u>ACCOUNT DESCRIPTION</u>	BUDGET <u>2003-2004</u>	<u>INCREASE</u>	<u>DECREASE</u>	AMENDED BUDGET <u>2003-2004</u>
01110 LEGISLATIVE	30,435	2,296		32,731
01115 COUNCIL RETIREMENT	-0-	16,750		16,750
01120 EXECUTIVE	117,258	8,145		125,403
01130 FINANCE	242,992		42,402	200,590
01140 LEGAL	30,800	7,170		37,970
01150 COMPREHENSIVE	52,897		6,553	46,344
01190 OTHER GENERAL GOVT.	223,598		18,514	205,084
01195 REHAB CITY HALL	135,000			135,000
01197 ELECTION	4,500			4,500
01210 LAW ENFORCEMENT	1,387,937			1,387,937
01220 FIRE CONTROL	1,066,719			1,066,719
01251 BULLET PROOF VEST	5,200	5,100		10,300
01271 VICTIMS OF CRIME	42,317			42,317
01281 ANTI DRUG GRANT	84,896	3,500		88,396
01290 SCHOOL GUARDS	32,853			32,853
01340 GARBAGE/SOLID WASTE	573,641	29,500		603,141
01390 CEMETERY	69,800		1,500	68,300
01410 ROADS/STREETS	461,483		20,600	440,883
01411 DOWNTOWN LIGHTING	91,000			91,000
01420 AIRPORT	66,500			66,500
01490 TRAFFIC CONTROL	33,523	26,000		59,523
01491 GARAGE	291,254			291,254
01520 GRANTS & AID	7,500			7,500
01640 WELFARE SERVICES	6,750			6,750
01690 FELLOWSHIP DINING	2,631			2,631
01721 RECREATION	143,329		21,500	121,829
01722 GOLF COURSE	256,798		24,382	232,416
01723 PARKS	293,729	2,200		295,929
01724 MOBILE HOME PARK	105,327			105,327
01725 WAY CENTER	35,101			35,101
01726 PRO SHOP	121,266	33,850		155,116
01727 DOWNTOWN PARK	-0-	940		940
<b>GRAND TOTALS</b>	<b><u>6,017,034</u></b>	<b><u>135,451</u></b>	<b><u>135,451</u></b>	<b><u>6,017,034</u></b>

Final Budget Public Hearing  
September 28, 2004  
Continued

(Resolution 2004-24 continued)

WATER & SEWER FUND ACCOUNT #    NAME	BUDGET 2003-2004	INCREASE	DECREASE	AMENDED BUDGET 2003-2004
41000-27150 BUDGETARY F/B Appropriate Fund Balance	285,137	328,200		613,337
41533 WATER PLANT	318,298	10,200		328,498
41535 WWTP	<u>692,736</u>	<u>318,000</u>	<u>        </u>	<u>1,010,736</u>
Increase appropriations for use of fund balance	<u>1,011,034</u>	<u>328,200</u>	<u>-0-</u>	<u>1,339,234</u>

WATER & SEWER FUND ACCOUNT DESCRIPTION	BUDGET 2003-2004	INCREASE	DECREASE	AMENDED BUDGET 2003-2004
41513 UTILITY ADM.	112,888	-0-	-0-	112,888
41533 WATER PLANT	328,498	28,800		357,298
41535 WWTP	1,010,736	-0-	-0-	1,010,736
41536 COLLECTIONS	101,272	5,100		106,372
41568 WATER SYSTEMS	275,770	17,100		292,870
41569 SEWER SYSTEMS	<u>199,641</u>	<u>-0-</u>	<u>51,000</u>	<u>148,641</u>
GRAND TOTALS	<u>2,028,805</u>	<u>51,000</u>	<u>51,000</u>	<u>2,028,805</u>

DULY PASSED AND RESOLVED by the City Council present and voting at the Notice of Proposed Tax Increase and Final Budget Hearing this 28<sup>th</sup> day of September, 2004.

/s / RICHARD P. FAZZONE  
RICHARD P. FAZZONE  
MAYOR

ATTEST:

/s / RACHELLE M. BAUMANN  
RACHELLE M. BAUMANN  
CITY RECORDER

Final Budget Public Hearing  
September 28, 2004  
Continued

*The Public Hearing was closed.*

*Mayor Fazzone then reconvened the meeting.*

Mayor Fazzone stated that Resolution No. 2004-25 is similar to Resolution No. 2004-21 the only difference is the effective date. The Resolution is only effective for seven (7) days which is why a new resolution is necessary. Heine moved to adopt Resolution No. 2004-25; seconded by Johnson and carried.

RESOLUTIONS 2004-25

CITY OF ARCADIA RESOLUTION DECLARING  
STATE OF LOCAL EMERGENCY DUE TO DAMAGE  
CAUSED BY HURRICANE CHARLEY AND HURRICANE  
FRANCES AND HURRICANE JEANNE; WAIVING  
PROCEDURES AND FORMALITIES OTHERWISE  
REQUIRED OF MUNICIPALITIES BY LAW  
PURSUANT TO CHAPTER 252.38(3)(a)5, FLORIDA  
STATUTES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the CITY OF ARCADIA, FLORIDA, is impacted as a result of Hurricane Charley and Hurricane Frances and Hurricane Jeanne, which impact poses a serious threat to public health and safety and had caused serious property damage and flooding especially to low lying areas; and,

WHEREAS, high wind damage and flooding has occurred in the City of Arcadia, Florida; and,

WHEREAS, the City of Arcadia, Florida has requested the Director of the Division of Emergency Management to suspend the requirements of Florida Statute 287.055, Consultant Competitive Negotiations Act under the authority granted him Section 2, Subparagraph F, of Executive Order Number 04-182 but the Director refused to do so; and,

WHEREAS, Chapter 252.38(3)(a)5, Florida Statutes, provides authority for a municipality to declare a state of local emergency for seven days and to extend that declaration as necessary in seven day increments and to waive the procedures and formalities otherwise required of municipalities and by law pertaining to:

- a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community.
- b. Entering into contracts;
- c. Incurring obligations;

Final Budget Public Hearing  
September 28, 2004  
Continued

(Resolution 2004-25 continued)

- d. Employment of permanent and temporary workers;
- e. Utilization of volunteer workers;
- f. Rental of equipment;
- g. Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
- h. Appropriate and expenditure of public funds.

And,

WHEREAS, the City of Arcadia, Florida, did on September 2, 2004, enact Resolution No. 2004-19; and on September 7, 2004 enact Resolution No. 2004-20, and

WHEREAS, it is absolutely necessary to protect the lives and property of the citizens of Arcadia, Florida, that this Resolution be enacted in this emergency situation, which continues, for an additional period of seven (7) days.

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

1. That damages from Hurricane Charley and Hurricane Frances and Hurricane Jeanne continue to pose a serious threat to lives and property of residents of the City of Arcadia, Florida such that a state of local emergency exists that is legally declared within the City limits of the City of Arcadia, Florida, by authority of Section 252.38(3)(a)5, Florida Statutes.
2. That this Resolution declaring an emergency and waiving procedures and formalities otherwise required by municipalities by law is absolutely necessary in order to protect the lives and property of the citizens of the City of Arcadia, Florida, during this emergency situation.
3. The procedures and formalities otherwise required of municipalities by law pertaining to:
  - a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
  - b. Entering into contracts;
  - c. Incurring obligations;
  - d. Employment of permanent and temporary workers;
  - e. Utilization of volunteer workers;
  - f. Rental of equipment;
  - g. Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
  - h. Appropriate and expenditure of public funds; are waived.

Final Budget Public Hearing  
September 28, 2004  
Continued

(Resolution 2004-25 continued)

4. The City suspends existing statutes, rules, ordinances, and orders for the duration of this emergency to the extent that literal compliance with such statutes, rules, ordinances, and orders may be consistent with the timely performance of disaster response functions for an additional period of seven (7) days.

ENACTED AND DULY ADOPTED BY VOTE OF ALL FOUR MEMBERS in Emergency Session, by the City Council of the City of Arcadia, Florida this 28<sup>th</sup> day of September, 2004.

/s/RICHARD P. FAZZONE  
RICHARD P. FAZZONE, MAYOR

ATTEST:

/s/ RACHELLE M. BAUMANN  
RACHELLE M. BAUMANN  
CITY RECORDER

Johnson inquired if other individuals such as middle or upper class are eligible to receive assistance from FEMA. Goodman agrees that this group should also receive funding. She attempted to receive funding, however she did not qualify because she had insurance. There was some discussion regarding individuals who received assistance but used the funds for other things such as new cars and did not make the necessary repairs to their homes.

Council then requested that Administrator Strube contact Mr. Potemkin requesting that he attend the next Council meeting on Tuesday, October 5, 2004 to address the perceived inequities of FEMA funding.

Heine asked what was going to be done to Fire Station #2 and was informed that the City is still trying to get quotes from contractors before work can begin.

There was some discussion regarding debris pickup. Administrator Strube stated that "white goods" known as appliances are not eligible under the original Grubbs contract without an amendment as FEMA does not usually reimburse for these items.

Administrator Strube then reported that Chris Stevenson is allowing a temporary housing project to be located on property she owns between the nursing home and the college. Phase One will have seventy-five (75) 14 X 25 foot mobile homes. Five Ash Road may

Final Budget Public Hearing  
September 28, 2004  
Continued

be extended to accommodate this project. All units would be connected to the City water and sewer system.

Johnson inquired what the City could do to assist the School Board in getting connected to the City sewer system as they have had problems with their septic system. It was noted that in order to connect they will need a mini lift station.

Calvary Baptist Church would also like to get connected to the City sewer system.

Mayor Fazzone reported that he received a call from someone who would like to put a mobile home in the City's Mobile Home Park. He told her to submit a request in writing to the City Administrator.

Mayor Fazzone then inquired what is being done with the alleyways. Administrator Strube reported that there has been some discussion with Grubbs about picking up debris in the alley as it is City property rather than having to relocate the debris to the City right-of-way (ROW).

Johnson asked if damaged trees on City ROW would be removed. Administrator Strube stated that the City may need an additional contract with a company other than Grubbs in order to have the trees removed.

There being no further business the meeting was adjourned.

  
CITY RECORDER

  
PRESIDENT