ITEM # 11

CITY OF ARCADIA
MUNICIPAL MOBILE HOME PARK
RULES & REGULATIONS

I. GENERAL

1. Welcome to Arcadia Mobile Home Park. All reasonable means have been taken to insure that your residency here is safe, pleasant and enjoyable. The property is publicly owned and we are required by law to abide by certain standards. Many of our rules and regulations are based on what is required by us by law; the remainder is published to additionally protect life, property, privacy and pleasant environment.

   Consideration and courtesy to others plus your cooperation in maintaining an attractive home will help us sustain the high standards of Arcadia Mobile Home Park. PLEASE READ THIS CAREFULLY!

2. The following rules and regulations are intended for the comfort, welfare and safety of yourself and your visitors and to maintain the appearance and reputation of our park. They may be amended from time to time to achieve this purpose. Your cooperation will be greatly appreciated.

   The City of Arcadia reserves the right to terminate the tenancy of any resident for disregard of community rules and regulations.

II. ACCEPTANCE

1. Arcadia Mobile Home Park is a registered~~n~~ Adult 55+ community.

2. Applicants will undergo a background check and must be considered desirable and compatible with other residents of the park~~.~~

3. ~~3.~~ Right is reserved to refuse admittance based on the background check~~.~~

4. Any tenant evicted from the park for any reason will not be allowed admittance back into the park as a guest or tenant.

III. THE MOBILE HOME

1. You are responsible for the appearance of your home, which shall be kept neat and clean and in a state of good repair. Damage to your home or improvements must be repaired and restored to original condition within forty-five (45) days from the date the same occurs.

2. Mobile homes shall be attractively maintained by the Tenant and comply with applicable laws, ordinances and regulations of the state, county, city and park as amended.

3. A mobile home must be approved prior to being installed, be at least 12 feet wide and will be sited in by vending dealer or a Park Manager approved company. It shall be equipped with patio, carport and storage room.

4. You are renting the area in which your mobile home, carport and storage room, if so equipped, is directly sited and one (1) foot beyond perimeter of. The remainder of the lot/open area between lots is public open space owned by the City of Arcadia. All improvements made to the open area between lots (trees, approved patios, landscaping are examples) are the property of the City of Arcadia.

5. Porch steps will be aluminum, pressure treated wood, cement, fiberglass; any thing else must be approved by Park Manager.

6. All patio covers, carports, storage rooms, screened rooms must be approved by the City of Arcadia prior to construction. Only approved design and materials (which meet local City building codes) may be used.

7. Any and all construction whatsoever done or caused to be done by the Tenant to the exterior of the mobile home, mobile home lot or the open space between lots must first submit a site plan for approval by the City of Arcadia.

8. Skirting must be aluminum or masonry of type approved by Park Manager. All newly sited homes shall have this.

9. Tie-downs and blocking must comply with state, county, city or any other governmental ordinance as enforced by law.

10. Uniform house numbers shall be installed by Tenant in a prescribed location so as to be visible from the street.

11. Mobile home registration stickers must be prominently displayed in a window facing the street.

IV. THE MOBILE HOME SPACE

1. Yard maintenance, such as edging, fertilizing, trimming, raking and watering, is your responsibility. Mowing services for the common areas will be provided by the City of Arcadia. If you fail to properly maintain your plants, shrubbery, grass or other landscaping within the one foot perimeter of your home the City of Arcadia may do so. Home sites not maintained to satisfactory standards of the City of Arcadia will be charged a minimum fee of $25.00 (added to the following month's rent).

2. It shall be the responsibility of each resident to keep his lot, home, recreation vehicle and/or patio neat, clean and well trimmed at all times. The Park Manager shall be the sole judge of compliance with this rule and in the event that it shall become necessary for the Park Manager to correct any deficiencies, the resident will be billed for any work done. Resident will not store anything under a mobile home. Resident will secure permission from Park Manager before landscape planting, in order to prevent damage to underground utility services.

3. Clearing of clogged sewer lines from your home will be your responsibility. To prevent this from happening, it is recommended that you do not deposit sanitary napkins, Kleenex, paper towels, disposable diapers, grease, cigarette butts, or any other non-soluble material in your toilets or sinks.

4. Any site improvements other than existing improvements provided by the City of Arcadia shall be at the expense of the Tenant as approved by the City of Arcadia.

5. Water and sewer is furnished to each mobile home by the City of Arcadia. Tenant will exercise prudence in using water and report all external leaks to the City of Arcadia.

6. Electric meters and telephones are installed at each homesite. Tenant will make his own application for service and will pay all bills rendered by the utility companies.

7. There shall be no inoperable or stored vehicles or trailers permitted in the Mobile Home Park.

8. Any change in utility service to meet requirements of Tenant will be done at Tenants' expense and shall be subject to City of Arcadia approval and required permitting.

9. No storage of motor vehicles, boats, trailers, campers, tools, equipment or any other paraphernalia is allowed on your location unless within your utility storage shed or under a carport. Repairing of vehicles, boats, motors, etc. is prohibited.

10. Concrete patios and carports shall be kept clean and orderly. Appliances such as refrigerators/freezers, washers, and dryers shall be kept in the mobile home or the utility storage shed.

11. There shall be no more than two (2) freestanding utility storage sheds, not located under a patio or carport roof, for each mobile home. The total area of such utility storage sheds, to include the roof overhang, shall not exceed 150 square feet. Any utility storage shed enclosed under a patio or carport roof shall be classified as a storage room. Sheds are allowed to be placed in the common area as a convenience and shall be considered temporary placements subject to removal at the direction of the City of Arcadia. No concrete shall be used in their placement. Utility storage sheds shall not be sited without approval from the Park Manager as to location and in compliance with building codes.

12. You must obtain permission from your neighbor before parking in their driveway while they are away. Anyone parking in another's driveway without permission faces their vehicle being towed and having to clean up any fluid leaks that may have occurred.

V. RECREATION FACILITIES

1. Recreation facilities are provided for use of Tenants and guests when accompanied by Tenants.

2. Rules regarding each facility, recreation building, shuffleboard, are posted for your safety and convenience in that respective area.

3. Equipment and facilities are used at your own risk.

4. All city owned chairs, tables or any other equipment in the recreation hall are to remain in the hall. At no time will any of this equipment be loaned to any resident or occupant of the park without permission from the Park Manager. No changes to the clubhouse may be made without the permission of the City and proper building permits, if required.

5. Children under 16 years must be accompanied by a responsible adult in the recreation areas.

6. Recreation facilities hours are from 8:00 AM to 8~~10~~:00 PM unless extended by special arrangement.

7. No alcoholic beverages will be served or consumed in or near the recreational facilities.

8. There will be no cooking allowed inside any recreational facilities. Warming of food must be contained within a crock pot or crock pot type equipment.

9~~8~~. Shuffleboard – Please be a good sport and limit your play if others are waiting. This does not apply to league participation.

10. Pets are not allowed in the clubhouse. Florida Statute 413.08 addresses the rights of an individual with a disability and the use of a service animal and states that an individual with a disability has the right to be accompanied by a service animal in all areas of a public accommodation, all types of service animals are permitted in restaurants as long as the service animal is controlled by its handler, and documentation that the service animal is trained is not a precondition for allowing access or providing services to an individual accompanied by a service animal. Any person, firm, or corporation, or the agent of any person, firm, or corporation, who denies or interferes with admittance to, or enjoyment of, a public accommodation or otherwise interferes with the rights of an individual with a disability or a trainer of a service animal while engaged in the training of such an animal commits a misdemeanor of the second degree.

VI. GUESTS

1. By law, guests staying over night or more than twenty-four (24) hours must register at the office.

2. Tenants are responsible for their guests' actions.

3. Guests are allowed to stay 15 days during a thirty (30) day period. (A calendar month)

4. Guests that need to remain ~~remaining~~ longer than 15 days must submit a written request and receive written permission from the City. There will be a charge~~d~~ of $1.00 per day per person starting on day 16. By no means will any guest be allowed to stay more than 30 days. Guests and tenants that abuse this privilege will be evicted and refused admittance back in the park as a guest or tenant.

5. Tenant presence is required in the mobile home park in order to have overnight guests. Special arrangements due to illness or death may be granted by the City of Arcadia.

VII. PETS

1. Pets are not allowed to run free. When outside they must be on a short leash or under verbal control. It will be the discretion of the park manager to determine if your pet is under verbal control or not.

2. You are responsible to clean up after your pet.

3. At no time should pets be exercised or allowed to relieve themselves in another's yard.

4. No more than two (2) pets per home.

5. Pets are not allowed in the clubhouse. Florida Statute 413.08 addresses the rights of an individual with a disability and the use of a service animal and states that an individual with a disability has the right to be accompanied by a service animal in all areas of a public accommodation, all types of service animals are permitted in restaurants as long as the service animal is controlled by its handler, and documentation that the service animal is trained is not a precondition for allowing access or providing services to an individual accompanied by a service animal. Any person, firm, or corporation, or the agent of any person, firm, or corporation, who denies or interferes with admittance to, or enjoyment of, a public accommodation or otherwise interferes with the rights of an individual with a disability or a trainer of a service animal while engaged in the training of such an animal commits a misdemeanor of the second degree.

6~~5~~. In the event of a complaint and if investigation reveals the complaint is warranted, one warning will be issued to the owner. A second complaint will require that the pet be disposed of or the pet's owner vacates the premises.

VIII. VEHICLES, TRAFFIC & TRAILERS

1. The speed limit in Arcadia Mobile Home Park is 10 mph. Advise your guests.

2. Pedestrians and bicycles have the right of way.

3. Bicycles are not allowed on sidewalks at any time.

4. Commercial trucks over ¾ tons are not permitted. Trucks used to haul RV's will be allowed in the park but must not encroach onto another lot. Limited dry storage is available on a first come, first serve basis. (No commercial type vehicles will be parked in the park).

5. No overnight street parking is permitted.

6. The Park Manager specifically reserves the right to restrict the operation of all delivery transportation or other vehicular traffic within the mobile home park, which the Park Manager deems to be detrimental to the interest of safety and traffic control, the well-being of the tenants and preservation of the mobile home parks grounds and roadway.

IX. REFUSE

1. Every Tenant has a responsibility to help keep the community clean and neat. Proper disposal of garbage and refuse is important to our health.

2. All garbage must be wrapped and placed in proper receptacles. Trash cans are to be kept in the rear of the home located out of sight. Garbage and trash will be picked up two times per week. All trash must be tied in bundles or placed in a container and then placed beside street for pick up, no later than 7:00 AM on the day of pickup and no earlier than 5:00 PM the day before pickup.

X. SELLING, SOLICITING AND SUB-LETTING

1. No selling, soliciting, peddling or commercial enterprises are allowed in this community.

2. "For Sale" signs may only be placed on inside window, the size of which is to be limited to no more than two square feet.

3. Prospective purchasers of any mobile home must undergo a background check and be deemed desirable and compatible with other residents of the park before admittance may be approved by the City of Arcadia. ~~be approved by the City of Arcadia.~~

4. Mobile homes may not be rented or sublet. "For Rent" signs are not permitted on the mobile home.

XI. RESPONSIBILITIES

1. Neither the Park Manager nor the City of Arcadia shall be responsible for loss or damage caused by accident, fire, theft or act of God to any mobile home or personal property left by Tenant or his guests on the premises.

2. Neither the Park Manager nor the City of Arcadia Mobile Home Park shall be liable for accident or injury to life or property through Tenant use of recreational facilities. Tenants and guests avail themselves of these facilities at their own risk.

3. Tenants are responsible for any damages to person and/or property caused by their family and guests.

4. Neighborhood disputes are not the concern of the Park Manager, unless the community is involved. Personality conflicts are not under purview of the Park Manager; please respect your neighbor.

5. Drunkenness, use of illegal drugs, and/or immoral conduct shall not be tolerated and shall be grounds for eviction. No alcoholic beverages shall be consumed or served in any building or recreation property which is City property.

XII. MOVING

1. Tenants shall provide the Park Manager thirty (30) days notice in writing prior to moving; (otherwise additional month's rent will be charged).

2. Park Manager will supervise the removal of any mobile home from the park.

XIII. MISCELLANEOUS

1. Noise, loud and annoying parties or language is not allowed at any time.

2. Special care is required regarding the use of TV, radio, stereo systems, etc., between the hours of 10 PM and 8:00 AM.

3. Report vandalism of private or community property to the Park Manager promptly.

4. Rule infraction will be brought to Tenant's attention by the Park Manager. A violation notice will be issued for all rule infractions. All violations will be addressed and/or corrected within seven (7) days~~24 hours~~. Two~~hree~~ violations of the rules will result in the eviction of the tenant.

5. Rules and regulations may be amended as deemed necessary with ninety (90) days written notice.

6. All complaints must be in writing and signed.

7. Please remain diligent in helping the City of Arcadia fight crime and report suspicious persons or activity to the Arcadia Police Department at 863-993-4660.

8. Any watering or washing of vehicles, mobile homes or RV must be done with a hose properly equipped with a nozzle that shuts off when released.

9. The Park Manager may evict a mobile home owner or a mobile home only on one or more of the grounds provided in *Florida Statutes* 723.961.

XIV. RENTS AND FEES

1. Rent is due the 1st day of each month and becomes delinquent after ten (10) days. A late charge of $1.00 per day, retroactive to the due date, will be charged for rents received after ten (10) days.

2. All space rentals are based on no more than three occupants per mobile home. There will be an additional charge of $25.00 per month for each and every person over three occupying a mobile home.

3. Residents leaving for extended absence (more than one month) must make arrangements for rental payments with the Park Manager and assure the Park Manager that they will maintain their lot. Advance rent may be submitted, provided that in the event of rental adjustment during prepaid period the Park Manager shall be paid such increase.

XV. FIRE, EMERGENCIES & SAFETY

1. In the event you have called for Fire, Police or Ambulance Assistance, notify the Park Manager immediately thereafter.

XVI. RECREATIONAL VEHICLES

1. Recreational vehicles spaces may be reserved no more than 30 days in advance of arrival.

2. All recreational vehicle space reservation requests must be made by telephone to the City of Arcadia at (863) 494-2000 or (863) 990-2438 during the office hours of 8:00 am to 4:00 pm Monday – Friday. Rental payments shall be mailed to the City of Arcadia, P.O. Box 351, Arcadia, FL 34265.

3. If a reservation check is not received within ten (10) days after vacancy confirmation the space will forfeited.

4. All recreation vehicles must be capable of vacating the park within four (4) hours of a disaster warning for the local area.

5. You are renting the area directly under your recreational vehicle, awning, if so equipped and one (1) foot beyond. The remainder of the lot/open space between the lots is public open space owned by the City of Arcadia. All improvements made to the open area between lots (trees, patios, landscaping

are examples) become the property of the City of Arcadia. Please take care to not run over the concrete pads. These pads are constructed as patios for the RV spaces not parking pads and will crack under load.

6. A sewer hose seal (rubber donut or threaded connector) for your sewer hose is required on all sewer hookups. Do not jam your sewer hose all the way down into the inlet as it can prevent flow from other sites and could stop up the line.

7. Management reserves the right to evict or refuse entry to any person who has evidenced a disregard for the rules without a refund. Neither the Park Manager nor the City of Arcadia shall be responsible for loss or damage caused by accident, fire, theft or act of God to RV or personal property left by Tenant or his guests on the premises.

CONTRACT FOR THE ESTABLISHMENT, MANAGEMENT, OPERATION AND CONDUCT OF A DESOTO COUNTY YOUTH SOFTBALL PROGRAM BETWEEN THE CITY OF ARCADIA, FLORIDA AND DESOTO COUNTY YOUTH BASEBALL AND SOFTBALL.

This agreement entered into this _____day of _____2013, by and between the City of Arcadia, Florida, hereinafter referred to as "City" and Desoto County Youth Baseball and Softball hereinafter referred to as "DCYBS".

WITNESSETH THAT:
WHEREAS The City of Arcadia, Florida desires to further the creation, establishment, maintaince, management and conduct of a youth athletics program for youth of Desoto County, and

WHEREAS the Association is a not for profit corporation organized under the State of Florida for the purpose of, and having as its general nature and objects the organization of a youth athletic program in Desoto County, Florida to promote and encourage sports, recreation and sociability, to manage and conduct games, sporting events, and promote and contribute to the physical and normal well-being and develop such youth;

NOW THEREFORE it is understood and agreed between the parties as follows:

The Association agrees:

1. That any player, coach or manager involved in any physically-violent act toward another player, coach or manager (including teammates) or league official (umpires, scorekeepers, and board members) will be immediately banned from any further participation in D.C.Y.B.S. activities or City of Arcadia property. This includes a minimum of One Year suspension to the Association.

2. To assume full responsibility for conduct, organization, establishment, creation, maintaince and conduct of a youth athletic program extended to all youth of Desoto County, Florida.

3. That it shall not , exclude from participation, deny the benefits of such program, or discriminate against any participant, spectator, coach or player in the conduct of such program based on race, color, religion, sex, or national origin.

4. That it shall endeavor in all ways possible to conduct its activities in furtherance of this program, on City property or elsewhere, so as not to

endanger any person and shall indemnify and hold harmless the City of Arcadia, its officers, agents and employees, from any and all claims of any kind occasioned wholly or in part by the acts or omissions of the Association, its officials, agents, employees, volunteer help or spectator, to City premises while they are used by or under the control of the Association.

5. The Association hereby assumes full responsibility for the character, acts, and conduct of all persons admitted onto City property by consent of the Association, its officers, employees, or agents. The Association agrees to indemnify and save the City harmless from and against any loss, damage or liability occasioned from or growing out of or arising from any default hereunder or any tortious or negligent act upon the part of the Association, the Association's agents, employees, or members.

6. That it will, at its own expense, at all times during the term of this Lease, maintain in force a policy or policies of insurance which will name the City as additional insured against liability for injury or death of persons or loss or damage of their property occurring in or about the demised premises. The liability under such insurance shall be not less than One Million dollars ($1,000,000.00) for any one person injured or killed, One Million Dollars ($1,000,000.00) for any one accident, and One Hundred Thousand Dollars ($100,000.00) for property damage.

7. That it will, simultaneously with the execution of this Agreement, deliver to the City an endorsement to the Association's insurance policy showing the City as an additional insured. Such endorsement shall provide for forty five (45) days notice to the City in the event of cancellation.

8. That it will at all times comply with all laws, statues, ordinances, rules and regulations of the United States Government, the State of Florida, Desoto County, the City of Arcadia and any department or agency thereof.

9. That it shall use the City property hereafter placed at its disposition only for promotion, practices, and play of organized youth athletic activities and shall not permit the use of the City premises for any other purpose or for immoral, objectionable, or unlawful acts. All athletic activities organized, sponsored or conducted on City property under this program shall be approved in advance by the City of Arcadia.

10. To publish as broadly as possible throughout Desoto County, notice of it's sponsored athletic activities to be held on City premises.

11. That it will be fully responsible for repairing any property and equipment damaged during any Association sponsored activities held on City

property. The Association further agrees that it shall be responsible for repairs and replacement of scoreboards and lights, as needed.

12. That it shall pay all electricity costs for ball field lighting and concession building electric service in connection with association sponsored activities: However the City shall be responsible for the first $2,000.00 for such charges on an annual basis. The City shall invoice the Association monthly for such charges and shall apply $2,000.00, the first day of March (March 01) of each year of this Agreement. After the $2,000.00 credit is exhausted, the association shall remit payment in full for all such charges to the City within 30 days following receipt of the invoice.

13. To manage schedules for youth fields 1-3 and to submit a detailed schedule of planned activities each month to the City to avoid any scheduling conflict with other organizations that may seek to use the City's facilities. The Association's written schedule shall be delivered to the City no later than the 15th day of the month proceeding the month during which the activity is scheduled to occur. After that date, the Association may request additional dates from the City on a first-come, first-served basis (i.e., with the same priority as any third party request for the use of said fields)

14. That it will provide general maintenance of the fields at no cost to the City, including but not limited to care of the fields, repairs, painting, leveling of fields, and lining of fields.

15. DCYBS will have complete control over all outbuildings associated with fields 1 – 3, will provide all required maintenance of the outbuildings and will maintain the lock and key with a key given to the City in the event of an emergency.

16. Michael Cross, or his predecessor, will be solely responsible for the field machine that DCYBS will keep in their control and under their supervision. They will make the machine available to DCAAA as needed and, with notice to the City, may assign one person with DCAAA as the responsible party for DCAAA.

The City of Arcadia, Florida agrees:

1. To reserve the use of Youth Softball Fields, including the restroom and concession facilities together, with the right and privilege to sell food and non alcoholic beverages, during approved Association-sponsored activities.

2. To provide electricity (up to $2,000.00 in cost per year) and to provide water and sewer for facilities used to conduct Association activities.

TERM OF AGREEMENT

The term of Agreement shall be from _____ until and including _____

TERMINATION

At all times during the term of this Agreement, the City of Arcadia, Florida shall have the right to unilaterally terminate this Agreement, upon the giving of thirty (30) days written notice to the Association.

NOTICES

Any notice given by one party to other in connection with this Agreement shall be in writing and shall be sent via U.S. mail, postage prepaid:

To the City: City of Arcadia
Attn: City Administrator
23 N. Polk Avenue
Arcadia, Fl 34266

To the Association Desoto County Youth Baseball and Softball
P.O. Box
Arcadia, Fl 34266

ATTEST:

_____
Virginia Haas, CMC, City Recorder

City of Arcadia, Fl

By:_____
Keith Keene, Mayor

Approved as to form and content by:

_____
Thomas J. Wohl, City Attorney

Desoto County Youth Baseball and Softball

By: _____
Ben Adams/ President

Printed Name: _____

ITEM # 13

City of Arcadia

P. O. Drawer 351 • Arcadia, Florida 34265

February 19, 2013

Mario Cabana
Southwest Florida Water Management District
7601 Hwy 301 North
Tampa, FL 33637-6759

Dear Mr. Cabana,

The City of Arcadia is requesting a permit fee reduction for the City's water use permit due to the financial hardships the City has been facing for numerous years.

Per FAC 40D-1.608 the City may ask for a permit fee reduction for one of several reasons, in which we meet all; however, we certify our request based on the fact that our Ad Valorem operating millage rate for the current fiscal year 2012-2013 is greater than 8 mils. We have attached the Council approved Resolution 2012-12 adopting the final millage rate for fiscal year 2012-2013 at 8.5859 mils.

If there are any questions or concerns please feel free to contact the City Administrator, Judi Jankosky, at 863-494-4114. We thank you in advance for your time and consideration.

Sincerely,

Keith Keene
Mayor

RESOLUTION NO. 2012-12

A RESOLUTION ADOPTING THE MILLAGE RATE TO BE LEVIED BY THE CITY OF ARCADIA, FLORIDA FOR FISCAL YEAR 2012-2013

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 2012-2013, 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 a Millage Rate of 8.5859 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 2012-2013 budget, and

2. The percentage by which this millage rate to be levied exceeds the rolled back rate of 8.5859 mils, computed pursuant to Florida law, is zero (0%) percent.

PASSED AND ADOPTED by the City Council this 18th day of September, 2012.

By: _____

Keith Keene, Mayor

ATTEST:

_____

Virginia S. Haas, CMC
City Recorder

The foregoing has been reviewed and approved for legal sufficiency by:

_____

Thomas J. Wohl, City Attorney

ITEM # 14

MEMORANDUM

TO: Arcadia City Council

FROM: Judi Jankosky, City Administrator

DATE: February 13, 2013

SUBJECT: Consolidating City Hall and Way Building offices

DISCUSSION: This will not be an easy nor cheap endeavor; however, it will absolutely make us more efficient. There are many things to consider such as renovation costs – which are probably the least costly but still a consideration. Installing phone lines and networking the computers in offices that do not have our services now. Moving Council chambers to the conference and back room, which will increase the seating capacity from 54 to nearly 90, so more chairs will be needed. All the recording equipment and dais has to be moved. Additional desks may be needed. Main phone line trunk has to moved from City Hall to the Way Building (CenturyLink does this but still has to be done). So you see how much work and coordination has to go into this but we are pulling together our thoughts, a timeline and costs.

These are our thoughts on setting up offices:

Current Council chambers would become utility billing with a service counter set behind a glass window installed in the long wall to our left and to the right of the door. This would put staff safely behind a locked door and glass. The PD has a large glass window where dispatch used to be that could be utilized for this – saving money. It has already been confirmed that none of the interior walls are load bearing walls so they can be cut without having to provide additional support.

The front Senior Friendship Center office is already divided into several offices which works out perfect for Finance to move right in. The Finance Director would be in an office located right behind you and a door would be installed so she could have access to both Finance and Utility Billing without having to go into the hallway. This would keep Finance staff safely behind a locked door. However, we have a contract with the Senior Friendship Center and the contract requires a 60 day written notice to cancel. We will need as much time as possible to set up phone lines, computer networking, move Council chambers plus the Senior Friendship Center will need time to relocate as well. A thought on their relocation is the old police department next door. They do not cook, all meals are brought in so they do not need a kitchen and it would give them much more room to do activities.

Contact has been made with the County about possibly piggybacking off their broadband internet service contract. No details have emerged it was just a simple inquiry at this point.

Renee is working with MUNIS for MUNIS to host the software on their ASP as it is currently on one of our servers and not the most efficient to work with especially when it is not set up to do all that they need. This would also keep our records much safer as MUNIS stores the data in three locations in three different states in case of disaster. Currently, we have to have an IT person come it to adjust and fiddle with the MUNIS software but if it served on the MUNIS ASP then MUNIS takes care of it completely!

Although we are still in the planning stage I would venture a rough estimate to do all that we need to do to make this happen would be around $40,000-$50,000 but that does not include the broadband connect nor the change to MUNIS. However, we are already brainstorming some ideas on how to save or find that money in operational costs to make up for it! $21,000 already came from a Worker's Compensation audit which we'll discuss in the next item. Think about the water and electric savings by not running two buildings, which is about $10,000 in itself.

AGREEMENT FOR USE OF BUILDING SPACE

THIS AGREEMENT by and between the CITY OF ARCADIA, Department of Parks and Recreation of the City of Arcadia, County of DeSoto, State of Florida, Party of the First Part, and SENIOR FRIENDSHIP CENTERS OF DESOTO COUNTY, a division of Senior Friendship Centers, Inc., Party of the Second Part.

WITNESSETH: That, in consideration of the covenants and agreements hereinafter contained on the part of the City of Arcadia, Department of Parks and Recreation, and Senior Friendship Centers of DeSoto County, the Parties hereby agree to the following:

1. Senior Friendship Centers of DeSoto County is granted the use of the City of Arcadia Way Building to operate in the front office and a meal program Monday through Friday of each week during the hours of 8:00 a.m. and 5:00 p.m., beginning on January 1, 2009, and continuing until cancelled by either party with a sixty day written notice.

2. Permission is granted for the use of any and all equipment of the Way Building necessary to prepare and serve the Congregate meals.

3. Senior Friendship Centers of DeSoto County Congregate Dining Program continues to maintain ownership of all equipment purchased with Title III OAA Nutrition funds.

4. Senior Friendship Centers of DeSoto County shall maintain the area used in a clean and orderly condition.

5. The Party of the Second Part shall be liable and agrees to be liable for, and shall indemnify, defend, and hold the Party of the First Part harmless for all claims, suits, judgments or damages, including court costs and attorney's fees, arising out of negligence or omissions by the Party of the Second Part in the cause of the operation of this contract. A copy of insurance held by the Party of the Second Part shall be maintained on file.

IN CONSIDERATION THEREOF, the said Party of the Second Party agrees to pay the said Party of the First Part, the sum of Forty-Five Hundred Dollars ($4,500.00) in the following manner, to wit:

$375.00 per month beginning January 1, 2009

IN WITNESS WHEREOF, the above named Parties have hereunto set their hands and seals on the day below written, and for themselves, their heirs, administrators and assigns, do hereby agree to do the full performance of the covenants and agreements as hereinabove set forth.

Edward J. Strube, Administrator, City of Arcadia — 12/2/2008 (Date)

Robert J. Carter, President & CEO
Senior Friendship Centers, Inc. — 12/8/2008 (Date)

ITEM # 15

MEMORANDUM

TO: Arcadia City Council

FROM: Judi Jankosky, City Administrator

DATE: February 13, 2013

SUBJECT: Computer Purchase

DISCUSSION: There is an immense need to purchase new computers. Currently, my computers motherboard has failed and the cost to replace it is about $140. Only one (out of 7) of my USB ports works and my CD drive makes some unidentifiable grinding noise once in a while making putting a disc in their a little scary. The power supply was replaced about a month ago. In general, staff is working with computers anywhere from three to over seven years old that have become unreliable, are slow and crash making staff inefficient. We would like to purchase new computers for staff. This would be for a total of 15 computers and we have negotiated a price with Dell down from $1,013 to $665 per computer because we would buy in quantity. Negotiating ourselves was cheaper than going through the state contract by about $70 each, which adds up when you are buying 15.

This money would come from a refund your finance director received from Workers Compensation in the amount of $21,000 because she had them do a job code audit. So along with all the other savings and revenue she had found, you can add another $21,000 to the books.

Something we need to think about in the very near future is a new server. Both the servers we are using are seven years old and if they go down it will not be pretty. Because of the changes I mentioned Renee is looking into with MUNIS, our accounting software, we would only need to operate from one server and the cost for one is about $8,000 and about $2,000 to migrate the data from the two servers to the one and set it up for use.

There is no rush on the computers as they will have to be built as well and we don't want to get a shipment in until we are about a month out to making the final move, if Council wishes to go through with that change, that is.

Food for thought.

ITEM # 16

SPECIFIC AUTHORIZATION NO. 17

Engineering Design Services associated with Utility Relocation along US17 in Arcadia, Florida

THIS DOCUMENT, executed this _____ day of _____, 2013, is a Specific Authorization No. 17 to the Agreement for Professional Services dated September 7, 2010 (hereinafter called the "AGREEMENT"), between the City of Arcadia, a Florida municipal corporation (hereinafter called "OWNER") and Hazen and Sawyer, P.C. (hereinafter called "ENGINEER").

WHEREAS, the AGREEMENT provides that the OWNER may authorize the ENGINEER, by Specific Authorization, to perform professional services;

WHEREAS, the OWNER desires the ENGINEER to provide engineering services associated with relocation of OWNER'S utilities along US 17 that is necessary as a result of the Florida Department of Transportation (FDOT) widening US 17 from Heard Street to Hibiscus Avenue in Arcadia, Florida. It has been determined that OWNER has a compensable interest in the Right-of-Way (ROW) from Hibiscus Avenue to Heard Street and therefore it is anticipated that FDOT will provide reimbursement to OWNER for the costs associated with the engineering and construction for the relocation of the water and sewer mains in this area.

SCOPE OF SERVICES

Road improvements proposed by the Florida Department of Transportation (FDOT) necessitate OWNERto adjust and/or relocate existing water and sewer facilities in conflict with the proposed US-17 Road Widening along a 0.5 mile long corridor (approximately STA 1709 to STA 1732) from Hibiscus Drive North to Lowe Street in OWNER's municipal limits. This FDOT US-17 road widening project has been designed by Boyer Singleton to provide a new 4-lane highway, which will include median, sidewalks, retaining wall and associated drainage improvements for the entire right of way corridor. The scope of work involves coordinating with FDOT, Cardo-Entrix and Boyer Singleton to relocate and remove the existing potable water and sewer utilities within this corridor as necessary in order to resolve conflicts created by the road widening. OWNER intends to ultimately incorporate all of the proposed utility improvements into the FDOT construction project, and enter into a Utility Work by the Highway Contractor Agreement (UWHCA) with the FDOT to construct these improvements under the future FDOT road widening construction project.

Therefore, the ENGINEER has agreed to provide engineering design services that are necessary in order to relocate the utilities along this ROW as described below:

Task 1- Project Coordination - ENGINEER will provide overall coordination with OWNER, FDOT, Cardno-Entrix and Boyer Singleton for the duration of the project which is anticipated to occur over a maximum of twenty-four month period. The project manager will work with the design team to coordinate the design and phasing of the project with FDOT representatives and OWNER.

Task 2 – Survey – ENGINEER shall retain registered surveyor to provide additional survey for locating all water and sewer lines within the US17 ROW from Heard St. to Hibiscus Ave necessary to provide design documents for the relocated water and sewer lines. This shall include the invert elevations for all sewer lines entering the manholes, locating all manholes, sewer lines and services within ROW. In addition, surveyor will provide additional survey associated with water lines and located the lines

Task 3 – Since the FDOT plans are 90% complete, ENGINEER will utilize FDOT plans to prepare OWNER 90% design documents for water and sewer lines including plan and profile drawings using FDOT roadway plan and profile drawings as base. Drawings will show lines to remain, lines to be relocated and lines to removed within the FDOT ROW and labeled using the FDOT TDUM method. Supplemental Specifications for the new water and sewer lines shall be provided for incorporation with FDOT specifications. It is estimated that a total of twelve sheets will be prepared as shown below:

Sheet	Quantity
Cover	1
OWNER Tabulation of Quantities	1
General Notes, Key Map	1
Approximately 2,300 feet of Potable Water and 1,200 feet of gravity sewer (Plan and Profile)	5
Side Street Details at Hibiscus, Maine St, Palm Dr. (MLK Jr. St), Nelson St., Reynolds St., and Heard St.) (Plan view only)	3
Standard Details	1
Total Sheets	12

Task 4- ENGINEER will prepare RGB mark-ups of existing and proposed OWNER utilities within the FDOT US 17 corridor.

Task 5 - Prepare a quantities takeoff list (using FDOT indexes) summarizing the proposed CCU utility improvements along this project corridor, formatted to suit CCU and FDOT, in MS Excel.

Task 6 – Prepare preliminary and final cost estimates for proposed work for submittal to FDOT.

Task 7 – Prepare any permit applications that may be required as a result of this project including permits from FDEP and the SWFWMD .

If accepted by the ENGINEER, specific services to be performed are to commence upon receipt of an oral or written request to perform General Consulting Services from the City of Arcadia City Administrator, provided any such oral notification is confirmed to ENGINEER in writing within seventy-two (72) hours. Services to be rendered under this Specific Authorization are provided in accordance with Articles 3 and 4 of the AGREEMENT. It is understood and agreed that the nature, scope, and schedule for the services to be provided is not defined at present; therefore, the actual services provided for the budget established below cannot be defined. Payment of invoices rendered pursuant to this Specific Authorization shall constitute OWNER's acceptance of the services provided.

ASSUMPTIONS

In addition to items noted elsewhere herein, the assumptions used in the development of the work task descriptions (Scope of Work) and the estimated project budget include the following:

1. This project will be limited to the replacement, abandonment and relocation of OWNER's water and sewer utilities from Heard to Hibiscus along US-17 located within the FDOT ROW.

2. Electronic ACAD files of the 90 percent FDOT US-41 design plans by Boyer - Singleton will be used as the base mapping for OWNER's utility relocation plans within the US-17 right-of-way.

3. The FDOT Utility Coordinator for this project will be submitting RGB's and UWS's to all other utility stakeholders in this road widening corridor (i.e. TECO, FPL, etc.). The ENGINEER will coordinate with OWNER and the FDOT Utility Coordinator, and will use the RGB products by others to incorporate the OWNER's design with the other utilities' proposed improvements.

4. Since OWNER is replacing existing water and sewer lines, it is assumed that a collection system permit will not be required, a water line extension permit will be prepared since OWNER plans to upsize water line from 6" to 8" from Heard St. to Palm St.

5. OWNER/ FDOT will provide site information, including site address/location and property boundaries.

6. OWNER will provide all permit application fees.

7. The SWFWMD ERP will be coordinated with the FDOT ERP for minor ditch crossings. It is recognized if FDOT permit is already obtained by the time OWNER is ready to submit permits, an application for a Noticed General Permit will be submitted. It is assumed that wetland mitigation will not be required.

8. The design will meet the requirements of the Florida Department of Environmental Protection (FDEP) and OWNER established at the time of the contract.

9. It is assumed that this project will be part of a UWHCA and FDOT will be responsible for the bidding and construction for the improvements.

10. The ENGINEER will use OWNER's standard details and specifications for the design to the maximum extent possible unless superseded by FDOT requirements. ENGINEER will add other standard details wherever necessary with OWNER's Approval

TIME SCHEDULE

Services described herein will commence upon receipt by Hazen and Sawyer of this executed Specific Authorization. It is anticipated that the work for this project will be completed by December 2014 in accordance with the latest FDOT schedule .

COMPENSATION

The ENGINEER shall be paid in accordance with the Direct Labor Costs Times a Factor as set forth in Article 5.1.1 of the AGREEMENT. A budget of $85,000 for services under this Specific Authorization will not be exceeded without the OWNER's written approval.

OTHER PROVISIONS

All applicable portions of Sections 3 through 6 of the AGREEMENT not specifically modified herein shall remain in full force and effect and are incorporated by reference herein.

IN WITNESS WHEREOF the parties hereto have made and executed this Specific Authorization as of the day and year entered by the last party executing this Specific Authorization written below.

WITNESS:

By: _____

ENGINEER
Hazen and Sawyer

By: _____
Damann Anderson, PE
Vice President

APPROVED AS TO FORM AND CORRECTNESS:

_____

OWNER
CITY OF ARCADIA
(Approved by City Council at
_____ meeting)

ATTEST:

By: _____
Judi Jankosky
City Administrator

By: _____
Keith Keene
Mayor

CITY OF ARCADIA
10 YEAR WATER SUPPLY PLAN-RELATED
COMPREHENSIVE PLAN AMENDMENTS
OVERVIEW REPORT
FEBRUARY 19, 2013

TO: CITY OF ARCADIA CITY COUNCIL

FROM: JENNIFER CODO-SALISBURY, PLANNING DIRECTOR
CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

SUBJECT: City-initiated request to amend the Comprehensive Plan, revising the Infrastructure, Conservation, Intergovernmental Coordination and Capital Improvement Elements, based on the 10-Year Water Supply Facilities Work Plan.

PLANNING AND ZONING BOARD ACTION:

On August 14, 2012, the City of Arcadia Planning and Zoning Board unanimously voted to forward the proposed amendments to the City Council with a recommendation of approval.

CITY COUNCIL ACTION:

The City of Arcadia City Council held a transmittal public hearing for the proposed amendments (Ordinance 978) on October 16, 2012, and unanimously voted to transmit the Amendments to the Florida Department of Economic Opportunity (DEO).

DEO AND AGENCY REVIEW:

The Department of Economic Opportunity (DEO), the Florida Department of Transportation, and the Florida Department of Environmental Protection reviewed the proposed amendments (Amendment Number – Arcadia 12-2ESR) and issued letters of "no comments". The Southwest Florida Water Management District (SWFWMD) reviewed the proposed amendments and provided four comments which included the following:

1) Infrastructure Element Policy 3.5 refers to the term "Xeriscape". SWFWMD recommends the City replace this term with "Florida-Friendly Landscaping". *This change has been made in the adoption package of these amendments.*

2) The SWFWMD recommends using the methodology and data provided in the City's Public Supply Annual Report PSAR. The PSAR is a report water use permittees complete annually which includes calculations of unadjusted gross, adjusted gross, and compliance per capita water use.
Data from this report has been used to update calculations of the average daily demand and is reflected in the adoption package of these amendments.

3) The SWFWMD requests that a statement be included in the Work Plan acknowledging consideration for projects identified in the Regional Water Supply Plan for which the City is named as the responsible entity.
A statement in the Work Plan has been provided in the adoption package of these amendments.

4) The SWFWMD recommends revising the footnotes under Tables 4 and 5 of the Work Plan to reflect the correct acronym for the Southwest Florida Water Management District as SWFWMD.
This change has been made in the adoption package of these amendments.

Please note that updates to the Water Supply Plan (Exhibit B) are shown in ***gray highlighting.***

ATTACHMENTS:

Attached for the review of the City Council include:

- Overview Report
- Ordinance 978 with Proposed Comprehensive Plan Amendments relating to Water Supply Planning and the 10 Year Water Supply Plan

OVERVIEW REPORT:

BACKGROUND:

In 2005, the Florida Legislature made significant changes to Chapters 163 and 373, F.S., to strengthen the link between land use and water supply planning. Water supply requirements have been adopted that affect local comprehensive planning programs:

- Ensuring intergovernmental coordination with regional water supply authorities;
- Ensuring that the local government's future land use plan and development approval are based upon the availability of adequate water supplies;
- Identifying and including selected "alternative" water supply projects in the comprehensive plan, consistent with SWFWMD's Regional Water Supply Plan adopted December 2006 and updated in July 2011. Alternative sources include reclaimed water and surface water.

SUMMARY:

A Ten-Year Water Supply Plan has been prepared identifying existing water service providers and water supply facilities in the Arcadia Water Service Area, identifying conservation and reuse practices, and future water needs based on projected population.

Based on the 10 Year Water Supply Plan, amendments to various Elements of the Comprehensive Plan have been drafted. Additional and revised Goals, Objectives, and Policies are included in the Attachment.

MOTION OPTIONS:

Options for motions are listed below.

1. Approval of the Adoption of Ordinance 978.

2. Approval of the Adoption of Ordinance 978 with changes.

ORDINANCE 978

AN ORDINANCE OF THE CITY OF ARCADIA, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF ARCADIA'S COMPREHENSIVE PLAN, REVISING THE INFRASTRUCTURE, CONSERVATION, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS; AND ADOPTING THE CITY OF ARCADIA'S TEN-YEAR WATER SUPPLY PLAN; PROVIDING FOR TRANSMISSION OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW AND A FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 163.161 through 163.3215, Florida Statutes, the Community Planning Act, empowers and mandates the City of Arcadia, Florida, (the "City") to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

WHEREAS, Section 163.3177(6)(c), Florida Statutes, requires local governments, except where specifically exempted, to identify alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the water needs within the local government's jurisdiction, and include a work plan, covering at least a 10 year planning period, for building public, private, and regional water supply facilities, including development of alternative water supplies, necessary to serve existing and new development; and,

WHEREAS, the City Council (the "Council") of the City has determined that it would be in the best interest of the public health, safety and general welfare of the residents and non-residential water customers of the City to amend the Comprehensive Plan (the "Plan") consistent with the requirements of Section 163.3177(6)(c), Florida Statutes; and,

WHEREAS, the Council has determined that it is in the best interest of the public health, safety and general welfare of the residents of the City to amend the Plan consistent with the requirements of Section 163.3184, Florida Statutes, by amending the Capital Improvements Element of the Plan; and

WHEREAS, in exercise of its authority the Council has determined it necessary to adopt this amendment to the Plan, which is attached hereto as **Exhibit "A"** and by this reference made a part hereof, to insure that the Plan is in full compliance with the laws of the State of Florida; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Council held a meeting and hearing on Ordinance 978, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ARCADIA, FLORIDA THAT:

Section 1. The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the Council as the legislative findings and intent pertaining to this Ordinance.

Section 2. The City of Arcadia hereby amends the following Elements of its Comprehensive Plan: Infrastructure Element, also known as the Sanitary Sewer, Solid Waste, Drainage; Potable Water, and Natural Groundwater Aquifer Recharge Element; Conservation Element; Intergovernmental Coordination Element; Capital Improvements Element. Said amendments are set forth in **Exhibit "A"** attached hereto and by this reference made a part hereof.

Section 3. The basis for adopting the said amendments is the City of Arcadia Ten-Year Water Supply Plan, incorporated herein as **Exhibit "B",** which is attached hereto and by this reference made a part hereof, said document to be included as Data and Analysis within and supporting the Arcadia Comprehensive Plan.

Section 4. This ordinance shall be codified in the Code of Ordinances of the City.

Section 5. If any provision of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the validity of any other provision, and to that end the provisions of this ordinance are hereby declared severable.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Council , this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

INTRODUCED AND PASSED on First Reading the 16th day of October, 2012.

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the City Council of Arcadia, Florida, this ___ day of _____, 2013.

CITY OF ARCADIA, FLORIDA

ATTEST:

_____
Virginia S. Haas, City Recorder

CITY OF ARCADIA, FLORIDA

By: _____
Keith Keene, Mayor

Approved as to form:

_____
Thomas J. Wohl, City Attorney

Motion made by _____, seconded by _____

The vote was ___ for, ___ against with ___ abstentions and ___ absent.

CITY OF ARCADIA
EXHIBIT "A"

AMENDED
INFRASTRUCTURE ELEMENT
CONSERVATION ELEMENT
INTERGOVERNMENTAL COORDINATION ELEMENT
CAPITAL IMPROVEMENTS ELEMENT

CITY OF ARCADIA

EXHIBIT "A"

PROPOSED AMENDMENTS

ARCADIA COMPREHENSIVE PLAN
GOALS, OBJECTIVES, AND POLICIES

TO PROVIDE POLICIES SPECIFIC TO WATER SUPPLY PLANNING

The following amendments and additions to the Arcadia Comprehensive Plan are provided to implement the City of Arcadia Ten-Year Water Supply Facilities Plan.

Text that is shown as underline is text proposed to be added and text shown as ~~strikeout~~ is text to be removed.

I. INFRASTRUCTURE ELEMENT AMENDMENTS:

(a/k/a Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water, and Natural Groundwater Aquifer Recharge Element)

The following amendments are proposed to the City of Arcadia Infrastructure Element of the Comprehensive Plan based on the Water Supply Facilities Work Plan.

Objective 3: ***Arcadia shall establish procedures for the conservation of potable water resources.***

Policy 3.1: Arcadia shall provide ongoing training for operational and field personnel.

Policy 3.2: Arcadia shall coordinate with the Southwest Florida Water Management District to implement a wastewater reuse program. With funding assistance, the City will design and construct portions of a reuse system.

Policy 3.3: Arcadia shall comply with and enforce water use restrictions during Southwest Florida Water Management District declared-water shortages. [*373.609, F.S.*]

Policy 3.4: Arcadia shall require low volume plumbing fixtures for new construction, which shall be enforced as part of the City building code and other permitting regulations. *[553.14, F.S.]*

Policy 3.5: ~~Xeriscape~~ Florida-Friendly landscaping techniques shall be encouraged for new development.

Policy 3.6: Arcadia shall continue to work towards and implement regional water supply solutions with Desoto County and other neighboring communities to ensure available future water supplies for the City and the region.

Policy 3.7: Arcadia shall require applicants for new subdivisions to construct dry or pressurized lines for projects located in areas deemed financially feasible for accommodating water reuse, and the City shall require that reuse water, when available, be used for landscaping throughout the year.

Policy 3.8: Arcadia shall require rain sensors or soil moisture sensors to be installed on new irrigation systems to override automatic sprinkler operations when sufficient soil moisture is already present.

Policy 3.9: A facilities availability analysis for water will be required to support modification of any future land use designations. The City will analyze future water demand and the available sources to meet this demand. This analysis will include a projection of future water conservation savings and reuse offsets consistent with the adopted Regional Supply Plan of the Southwest Florida Water Management District.

Add a new Objective 4 and Objective 5 and renumber subsequent Objectives 4 through 6.

Objective 4: ***Ensure the Provision of Adequate Water Resources to Meet the Needs of All Residents and Businesses in Arcadia***

Policy 4.1: The City of Arcadia shall provide sufficient amounts of safe, high quality water to meet the needs of current and future users through the year 2022.

Policy 4.2: The City shall annually assess the performance and effectiveness of its Ten-Year Water Supply Plan and update the status of project development and potential funding sources, consistent with the corresponding SWFWMD Regional Water Supply Plans and the Policies of this Comprehensive Plan in order to maximize the use of existing facilities and provide for future needs.

Policy 4.3: The City shall, through its concurrency review process, ensure sufficient sources of water shall be in place, or be scheduled to be in place, to serve new development. Prior to issuance of a building permit, the City shall verify that its water system can provide an adequate supply of potable water to serve a new development or construction by the anticipated date of issuance of a certificate of occupancy or its functional equivalent, signifying that the impact of the development may occur.

Policy 4.4: The City shall conserve water resources by continuing to promote that all new development and redevelopment utilize native drought tolerant landscaping, water

conserving plumbing fixtures, and efficient irrigation design.

Policy 4.6: Where existing agricultural wells are abandoned and plugged upon conversion to urban development, and upon agreement with the Southwest Florida Water Management District, the consumptive use permits shall be transferred to the City.

Objective 5: ***The City of Arcadia Shall Identify and Develop Alternatives to Traditional Groundwater Sources to Meet Future Water Needs***

Policy 5.1: In addition to groundwater, the City's future water needs shall be supplied from a variety of alternative sources, including reclaimed water and surface water where permitted and State regulated.

II. CONSERVATION ELEMENT AMENDMENTS:

The following amendments are proposed to the Conservation Element to the City of Arcadia Comprehensive Plan based on the Water Supply Facilities Work Plan.

Objective 2: ***Arcadia will conserve, appropriately use and protect the quality and quantity of surface and ground water throughout the planning period.***

Policy 2.1: The City of Arcadia shall cooperate with the Southwest Florida Water Management District to identify cones of influence, water recharge areas and develop a comprehensive wellhead protection program. The program shall include provisions to restrict incompatible uses and substances found on the Florida Substance list known to have adverse effects on water quality and quantity. Arcadia shall request funding assistance from the SWFWMD to accomplish this. However, as an interim measure between plan adoption and SWFWMD's potable waterwell cone of influence designation, Arcadia shall establish a ~~400~~ 500 ft. radius from the base of a potable waterwell as a cone of influence. The first 200 foot radius shall be a zone of exclusion, where no development activities, with the exception of the lowest density residential land uses, will be permitted. Within the remainder of the wellhead protection area, the following will be prohibited: landfills; facilities for bulk storage, handling or processing of materials on the Florida substance list; activities that require the storage, use, handling, production or transportation of restricted substances, agricultural chemicals, petroleum products, hazardous toxic waste, medical waste, or similar substances; feed lots or other commercial animal facilities; wastewater treatment plants, percolation ponds or similar facilities; mines; and excavation of waterways or drainage facilities which intersect the water table.

Policy 2.2: Arcadia shall cooperate with property owners and the Southwest Florida Water Management District to coordinate land use permits with SWFWMD's consumptive use permits.

Policy 2.3: Arcadia shall cooperate with and support, an emergency water shortage plan developed by the Southwest Florida Water Management District. Arcadia shall notify local newspapers of the content of the plan, and, during times of water shortage emergency, shall inform the public of key points of the plan through inserts in billing statements issued by the Water Department.

Policy 2.4: Arcadia will monitor effluent discharge from the municipal wastewater plant to determine compliance/non-compliance with standards of the Florida Department of Environmental ~~Regulation~~ Protection. The City shall follow up on its monitoring program, as its fiscal resources permit, to eliminate point and non-point sources of pollution to the Peace River.

Policy 2.5: Arcadia shall conserve, use and protect the Peace River through enforcement of land development regulations, including zoning, site plan review, buffer zone, and stormwater treatment regulations.

Policy 2.6: Arcadia shall continue to implement a land development regulation which requires that where alteration of wetlands is necessary to allow for reasonable use of property, the developer will either restore the disturbed wetlands to their original status or create new wetlands to make up for the loss.

Policy 2.7: Arcadia shall continue to maximize its use of reclaimed water by providing reclaimed water to nearby orange groves, golf courses, public areas, and residences located along existing reclaimed water transmission mains.

Policy 2.8: Arcadia shall assess projected water needs and sources for at least a ten year planning period by creating and maintaining the Ten-Year Water Supply Plan (WSP). The WSP shall maximize the efficient use of groundwater and, where possible and financially feasible, substitute alternative water sources for the use of groundwater.

Policy 2.9: Arcadia shall consider the Southwest Florida Water Management District Regional Water Supply Plan adopted in July 2011, when proposing and/or amending its Ten-Year Water Supply Plan.

III. INTERGOVERNMENTAL COORDINATION ELEMENT AMENDMENTS:

The following amendments are proposed to the Intergovernmental Coordination Element to the City of Arcadia Comprehensive Plan based on the Water Supply Facilities Work Plan.

Objective 5: ***The City of Arcadia shall work with surrounding governments and coordinate its Comprehensive Plan with the Water Supply Plan approved by the Southwest Florida Water Management District, to ensure that meeting future potable water needs is coordinated on a regional basis.***

Policy 5.1: The City hereby adopts by reference the Southwest Florida Water Management District Regional Water Supply Plan. The City will update its Water Supply Plan within 18 months of adoption of the current Plan, and all future updates to the Regional Water Supply Plan, and shall be consistent with the Southwest Florida Water Management District Plan when proposing and/or amending its Ten-Year Water Supply Plan.

Policy 5.2: The City of Arcadia shall work with surrounding governments and coordinate its Comprehensive Plan with the Water Supply Plan approved by the Southwest Florida Water Management District, to ensure that meeting future potable water needs is coordinated on a regional basis.

Policy 5.3: The City shall continue coordination with SWFWMD and Desoto County regarding cooperative water supply planning and joint projects which may collectively conserve groundwater and enhance use of reclaimed water. Coordination shall also include entities such as the Heartland Water Alliance (HWA).

IV. CAPITAL IMPROVEMENTS ELEMENT AMENDMENTS:

The following amendments are proposed to the Capital Improvement Element to the City of Arcadia Comprehensive Plan based on the Water Supply Facilities Work Plan.

Policy 2.8: The City shall include financially feasible projects in the annual update of its five-year capital improvements schedule as identified for implementation in the first five years of the Ten-Year Water Supply Plan, and all subsequent updates thereto.

CITY OF ARCADIA
EXHIBIT "B"

TEN YEAR WATER SUPPLY FACILITIES WORK PLAN

Ordinance 978
Exhibit "B"

CITY OF ARCADIA
DESOTO COUNTY, FLORIDA

TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN

2012 - 2022

Prepared for the
City of Arcadia, Florida

Prepared By:
Central Florida Regional Planning Council

October 2012

CITY OF ARCADIA
TEN-YEAR WATER SUPPLY FACILITIES
WORK PLAN

2012-2022

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CITY OF ARCADIA
TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN

2012-2022

INTRODUCTION

The purpose of the City of Arcadia 10-Year Water Supply Facilities Work Plan is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government's jurisdiction. This requirement is cited in Chapter 163, Part II, Florida Statutes, and requires local governments to prepare and adopt work plans into their comprehensive plans within 18 months after their water management district approves a regional water supply plan or its update. According to state guidelines, the work plan and related comprehensive plan goals, objectives, and policies must address the development of traditional and alternative water supplies, and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period. As such, this 10-Year Water Supply Facilities Work Plan has been developed in accordance with the requirements and guidelines contained in the Regional Water Supply Plan approved by the Southwest Florida Water Management District Governing Board in July 2011.

SOUTHERN WATER USE CAUTION AREA

The City of Arcadia, situated in central DeSoto County, is located within an area designated by Southwest Florida Water Management District (SWFWMD) as the Southern Water Use Caution Area (SWUCA). This area is indicated on the **City of Arcadia – Southern Water Use Caution Area Map** (Appendix). A water use caution area is an area where existing and reasonably anticipated sources of water may not be adequate to supply water for all existing uses and anticipated future needs while sustaining water resources and related natural systems through the year 2025. In 2006, SWFWMD adopted a recovery strategy for the area, proposing a program of natural system restoration, groundwater withdrawal reductions, and alternative source development projects to stabilize ground and surface water resources in the region.

POTABLE WATER SERVICE AREA

The City of Arcadia owns, operates, and maintains a central potable water treatment and distribution system within its corporate limits. The City's potable water system

provides water for both residential and non-residential purposes, including fire protection demands within the City's service area. There are no significant industrial users of potable water on the City's system. Outside of individual wells, there are no private residential or nonresidential water systems inside the city. Residences and business outside the City's service area are served by either Desoto County Utilities or by private systems.

Arcadia's potable water system serves a City population of 9,857 permanent residents, as of 2010 as estimated by SWFWMD. The "functional population" of Arcadia's service area in 2010 was 10,570 persons, as interpolated from data estimated by the SWFWMD. Functional population estimates take into account peak population that includes seasonal residents.

POTABLE WATER SYSTEM COMPONENTS

The City of Arcadia's potable water system consists of one central water treatment plant, five public supply wells, an elevated storage tank, ground storage tank, pumping stations and distribution mains.

Water Source

The primary water source for Arcadia's potable water supply is the immediate aquifer, which is considered a Class G-2 groundwater. The City's domestic water supply is regulated by a withdrawal permit from the SWFWMD.

Water Treatment Plant

The City's water treatment plant, constructed in the late 1968, is located on NE Turner Avenue. The plant pumps, processes, and distributes an average of **827,000 gallons** of water on a daily basis. The system has the pumping capacity to provide 2,160,000 gallons per day, although the design capacity of the plant is 3 MGD at peak flow. The plant is currently being replaced with a new 1.5 MGD ion exchange water treatment plant. The City's water treatment capacity is identified in **Table 1**.

Table 1
Public Potable Water Treatment System; Arcadia Service Area

WUP Permit No.	Permitee	Water plant design capacity*	Average Daily Withdrawal	Maximum Daily Withdrawal	Water Use Permit Allowance
4725.007	City of Arcadia Water Plant	3,000,000 Gallons per Day (GPD) Peak Flow	827,000 GPD	1,340,400 GPD	1,117,000 GPD
* System limited to 2,160,000 GPD pumping capacity of well.					

Wells and Distribution System

Raw water, pumped from the Intermediate Aquifer, is provided by five wells located just to the south of the treatment plant. Raw water is transmitted through a 12 inch raw water line to the treatment plant. The wells are in fair condition and are routinely maintained. The average depth of the wells is 350 feet. The majority of the City wells have been brought above grade. In addition, a new well is being constructed directly south of the water treatment plant. The new well will increase the current maximum pumping capacity from 1,500 gallons per minute to 1,800 gallons per minute. The locations of the wells are indicated on the **City of Arcadia Potable Water System Map** (Appendix).

The City adheres to the standards for wellhead protection set by SWFWMD and the Florida Department of Environmental Protection (FDEP), including restricting the type of development allowed in the vicinity of a wellhead, and requiring a protection zone. Land use surrounding a water supply site is a major consideration in the selection and protection of well sites to avoid contamination. As part of the City's wellhead protection plan, the City identifies all potential sources of contamination for existing wells.

GENERAL CONDITIONS AND SYSTEM IMPROVEMENTS

The most notable water supply decision the City of Arcadia has made in meeting future potable water demands is to construct a new facility water treatment plant. The existing plant, constructed in 1968, is significantly deteriorated and has reached the end of its serviceable life without substantial improvements. In addressing this, a Water Facilities Plan, PW 14010, was prepared for the City of Arcadia in 2010 by Hazen and Sawyer, Environmental Engineers and Scientists. More details as to problems, findings, alternatives and recommendations are identified in that Plan which was prepared for the Florida Department of Environment Protection to meet requirements of the State Revolving Loan Fund.

Other improvements are needed to the distribution system, which is continually maintained by Utility staff. Repairs and rehabilitation of water mains due to broken pipes and joints are periodically made.

CONSERVATION PRACTICES

The City implements a number of water conservation regulations, initiatives and practices, consistent with SWFWMD's requirement for implementation of a water conservation plan, and with other requirements of law intended to reduce per capita consumption over time.

The City periodically provides information to utility customers about water saving faucets and plumbing fixtures, and beneficial landscaping techniques. In addition, the City continues to implement policies in the Comprehensive Plan that promote water conservation in a cost-effective and environmentally-sensitive manner.

The City will continue to use the following techniques throughout the ten-year planning period:

- Conduct audits of the municipal water system to determine areas that may be in need of repair and may be contributing to increased water consumption through leaking pipes, and prioritize accordingly.
- Require the use of low volume plumbing fixtures for all new construction, as part of the City's building code and other appropriate permitting regulations.
- Require the use of **Florida Friendly** landscaping techniques for all new development.
- Continue the conservation education outreach program.

The City will coordinate future water conservation efforts with SWFWMD to ensure that proper techniques are applied. In addition, the City will continue to support and expand existing goals, objectives and policies in the comprehensive plan that promote water conservation in a cost-effective and environmentally-sensitive manner.

WATER USE PERMIT

The Water Management District regulates the withdrawal of surface water and groundwater through well construction permits and consumptive use permits (WUPs) under the authority of Chapters 403 and 373, Florida Statutes. The City's 2011 Water Use Permit (WUP) permits an average daily pumpage of 1,117,000 GPD and a maximum average of 1,340,000 GPD.

The City has submitted a request for a 20-year WUP renewal. The City has requested a permitted allowance of 1,250,000 GPD to facilitate estimated water usage through the 2030 planning horizon. The renewal application is currently under review by the SWFWMD.

POTABLE WATER DEMAND SURPLUSES AND DEFICIENCIES

The City of Arcadia water system withdraws approximately 827,000 GPD average daily flow for domestic supply. **Table 2** shows the per capita demand, based on the SWFWMD-estimated functional population of 10,570 persons.

Table 2
Actual Service Area Per Capita Demand

Average Daily Flow		Functional Population	Per Capita Demand (Functional)		Permanent Population	Per Capita Demand (Permanent)
827,000 GPD*		10,570**	78 GPD		9,857	84 GPD

Source: *Public Supply Annual Report Water Use Data, 2010 (SWFWMD).
**Functional Population: The 2012 Southwest Florida Water Management District (SWFWMD). The projection is based on the adopted level of service of 102 established in the Comprehensive Plan.

Based on the City's Water Use Permit, current average daily flow is at 74 percent of permitted withdrawal. 827,000 GPD is also 38 percent of the daily pumping capacity of its wells.

For comprehensive planning purposes, the City has adopted a level of service for water at 102 gallons per day per person (GPCD). This level of service is not exceeded for providing water to the functional population of the service area, which is considered peak seasonal potable water consumption.

Based on the functional population, the level of service amounts to 78 GPCD, which is within standard guidelines established for communities within the Southern Water Use Caution Area.

POPULATION TRENDS

Arcadia's population trends are shown in **Table 3.**

Table 3
PopulationTrends

1990 Population	2000 Population	2008 Population	1990 – 2008		2000 – 2008	
			% Change	Annual Growth Rate %	% Change	Annual Growth Rate %
6,488	6,604	6,627	2.14%	0.12%	0.35%	0.04%

Sources: 2008 population estimate – Bureau of Economic and Business Research (BEBR)
2000 population – United States Census Bureau (SF-1, P1: 2000)
1990 population – United States Census Bureau (SF-1, DP-1: 1990)

According to the United States Census Bureau and the Bureau of Economic and Business Research (BEBR), the City's population increased from 6,488 persons in 1990,

to 6,627 persons in 2008, an increase of 139 persons, or 0.12 percent annually. From 2000 to 2008, the population increased by 23 persons, or 0.04 percent annually.

The projected service area water demand from 2010 to 2030 for the City of Arcadia water service area is shown in **Table 4**. Over the next twenty years (2010 - 2030), the average daily demand is projected to increase from 1,078,140 GPD to 1,129,446 GPD at the adopted level of service.

Table 4
Projected Service Area Water Demands

Year	Functional Population	Adopted Level of Service	Average Day Demand
2010	10,570	102	1,078,140
2015	10,692	102	1,090,584
2020	10,819	102	1,103,538
2025	10,946	102	1,116,492
2030	11,073	102	1,129,446

Source: Functional population: The 2012 Southwest Florida Water Management District (SWFWMD). The projection is based on the adopted level of service of 102 established in the Comprehensive Plan.

Table 5 compares projected demand to permitted water supply based on the current WUP which provides for a withdrawal of 1,117,000 GPD. Based on the functional population projections and the adopted level of service of 102 gallons per capita per day, the City will have a projected average daily demand of 1,129,446 GPD by 2030. A surplus is maintained through the 2025 planning horizon, with a deficit occurring between 2025 and 2030.

Table 5
Comparison of Projected Demand, Water Supply, and Permit Conditions under Current Approved Water Use Permit

	2010	2015	2020	2025	2030
Functional Population	10,570	10,692	10,819	10,946	11,073
Adopted Level of Service (GPCD)	102	102	102	102	102
***Projected Average Daily Demand (GPD)**	1,078,140	1,090,584	1,103,538	1,116,492	1,129,446
WUP Permitted Amount (GPD Annual Average)	1,117,000	1,117,000	1,117,000	1,117,000	1,117,000
WUP Permitted Surplus (Deficit)	38,860	26,416	13,462	508	(12,446)

Source: Functional population: The 2012 Southwest Florida Water Management District (SWFWMD).
* Projection based on the adopted level of service of 102 established in the comprehensive plan.

Table 6 compares projected demand to permitted water supply based on the approval of the renewal WUP which has been requested to facilitate a withdrawal of 1,250,000 GPD. Based on the functional population projections and the adopted level of service of 102 gallons per capita per day, the City would have a projected average daily demand of 1,129,446 GPD by 2030. The City would maintain a surplus through the 2030 planning horizon and will be able to serve their population throughout this period.

Table 6
Comparison of Projected Demand, Water Supply, and Permit Conditions under Requested Renewal Water Use Permit

	2010	2015	2020	2025	2030
Functional Population	10,570	10,692	10,819	10,946	11,073
Adopted Level of Service (GPCD)	102	102	102	102	102
*Projected Average Daily Demand (GPD)	1,078,140	1,090,584	1,103,538	1,116,492	1,129,446
WUP Permitted Amount (GPD Annual Average)	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000
WUP Permitted Surplus (Deficit)	171,860	159,416	146,462	133,508	120,554

Source: Functional population: The 2012 Southwest Florida Water Management District (SWFWMD).
* Projection based on the adopted level of service of 102 established in the comprehensive plan.

Table 7 provides the City of Arcadia Permanent Population, Permanent and Seasonal Population and Functional Population Projections.

The projected functional population of the Arcadia water service area, which includes areas outside the City limits, was estimated in the 2012 SWFWMD's Population Estimates. The functional population projections include commercial and business consumption on a 24-hour-per-day, seven day-per-week standard. The functional population will increase from 10,570 persons in 2010 to 11,073 persons in 2030. The overall functional population will remain higher than the City-wide population.

Table 7
Arcadia Population Projections
2010 - 2030

Year	City-Wide Permanent Population (persons)	City-Wide Permanent and Seasonal Population	Water Service Area Functional Population
2010	9,857	10,478	10,570
2015	9,958	10,586	10,692
2020	10,064	10,698	10,819
2025	10,169	10,810	10,946
2030	10,274	10,921	11,073

Sources: Permanent Population estimate – SWFWMD
Functional population: 2012 SWFWMD

CONCLUSION

Arcadia is within the boundary of the Southern Water Use Caution Area (SWUCA). Rule 40 D-2, F.A.C. states that the level of service for water must be lower than 150 gallons per person per day. The functional population per capita demand is 78 GPCD, which is well under that requirement. The adopted level of service for potable water shall remain at 102 GPCD.

Although facilities are available (pumping capacity of 2.16 MGD) to supply water services for the next twenty years, the City is limited in its service provisions, based on the current WUP which permits a withdrawal of 1,117,000 GPD. Based on current and projected population figures, the City will maintain a surplus through the 2025 planning horizon, but will reach a deficit between 2025 and 2030. In response to this analysis, the City has submitted a request for a 20-year WUP renewal. The City has requested a permitted allowance of 1,250,000 GPD to facilitate estimated water usage through the 2030 planning horizon. The renewal application is currently under review by the SWFWMD.

As new development proposals are received, the Concurrency Management System will provide a mechanism to ensure the availability of adequate capacity and to identify needed facility improvements to serve the new development. Even though substantial reductions have already been achieved, the City should continue its conservation efforts

and its conservation rate structure through all available means and continue to upgrade its facilities when improvements are needed.

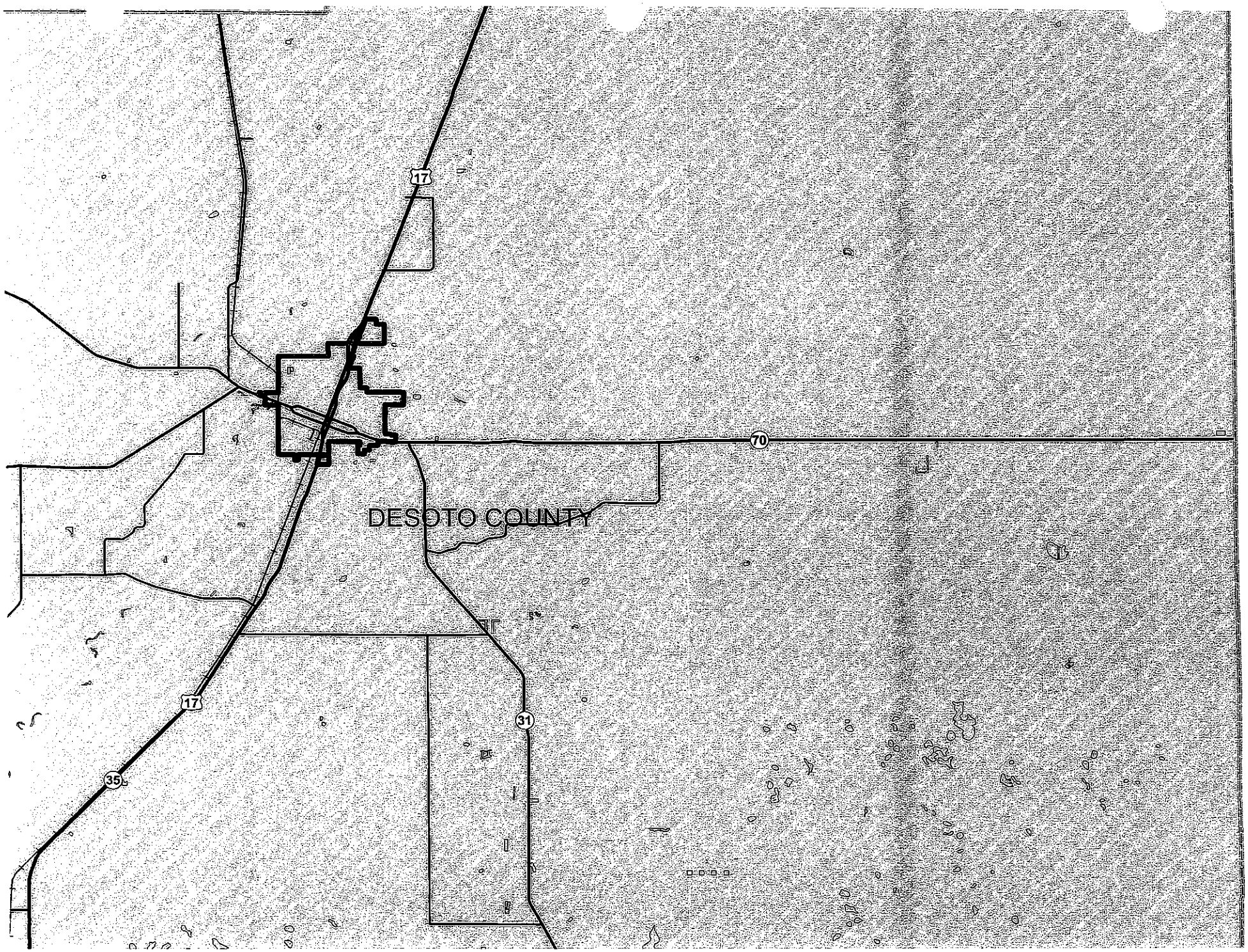
CITY OF ARCADIA
TEN-YEAR WATER SUPPLY FACILITIES
WORK PLAN

2012-2022

APPENDIX

City of Arcadia Southern Water Use Caution Area

City of Arcadia Potable Water System Map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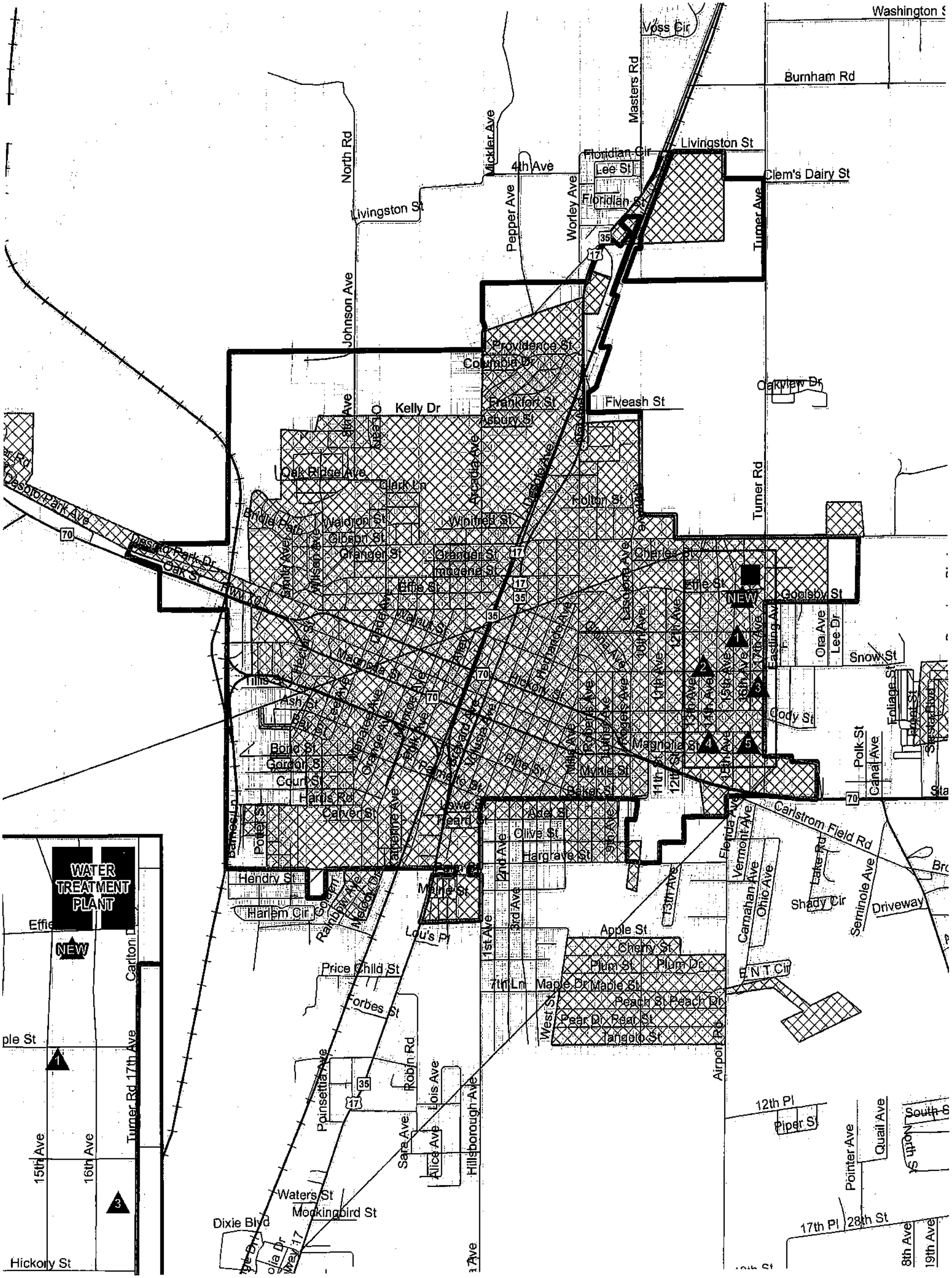

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Livingston St
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4th Ave
Floridian Cir
Lee St
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Floridian St
Worley Ave
Pepper Ave
Turner Ave
Johnson Ave
Providence St
Columbia Dr
Oakview Dr
Frankfort St
Fiveash St
Kelly Dr
Asbury St
Oak Ridge Ave
Clark Ln
Arcadia Ave
Holton St
Turner Rd
Desoto Park Ave
Winifred St
Waldron St
Gibson St
Granger St
Charles St
Desoto Park Dr
Oak St
Effie St
NEW
Goolsby St
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Magnolia St
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Tillis St
Ash St
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Bond St
Gordon St
Court St
Harris Rd
Myrtle St
Baker St
Polk St
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Carver St
Carlstrom Field Rd
Adel St
Olive St
Hargrave St
Heard St
Lowe St
Hendry St
Maine St
Harlem Cir
Lou's Pl
1st Ave
2nd Ave
3rd Ave
13th Ave
Apple St
Cherry St
Plum St
Plum Dr
Maple Dr
Maple St
7th Ln
Peach St
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Pear Dr.
Pear St
Tangelo St
West St
Airport Rd
Florida Ave
Vermont Ave
Carnahan Ave
Ohio Ave
Lake Rd
Seminole Ave
Shady Cir
Driveway
E N T Cir
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Forbes St
Poinsettia Ave
Robin Rd
Lois Ave
Hillsborough Ave
Sara Ave
Alice Ave
Waters St
Mockingbird St
Dixie Blvd
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Piper St
Pointer Ave
Quail Ave
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ORDINANCE NO. 984

AN ORDINANCE AMENDING DIVISION 3 OF ARTICLE IV OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF ARCADIA BY RENAMING THE TITLE OF CITY RECORDER TO CITY CLERK; DELETING SEC. 2-115 CUSTODY OF CITY FUNDS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Division 3 of Article IV of Chapter 2 of the Code of Ordinances of the City of Arcadia sets forth the office of City Recorder; and

WHEREAS, the title of City Recorder should be renamed to City Clerk as utilized by other municipalities throughout the State of Florida; and

WHEREAS, the office of City Recorder is no longer the custodian of the funds of the City; and

WHEREAS, it is in the best interest of the citizens of the City of Arcadia that Division 3 of Article IV of Chapter 2 of the Code of Ordinances of the City of Arcadia be amended,

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Arcadia, Florida:

SECTION 1. Findings. The Council hereby adopts and incorporates by reference herein all of the findings set forth above as findings of the Council.

SECTION 2. Amendment of the Code of Ordinances. Division 3 of Article IV of Chapter 2 of the Code of Ordinances of the City of Arcadia is hereby amended as follows:

"DIVISION 3. – CITY CLERK ~~RECORDER~~

Sec. 2-111. - Office established.

There is hereby created the office of City Clerk ~~recorder~~.

Sec. 2-112. - Appointment.

The City Clerk ~~recorder~~ shall be appointed by the city administrator subject to approval of the city council.

Sec. 2-113. - Duties generally.

(a) The City Clerk ~~recorder~~ shall perform such duties and responsibilities as set forth in this Code.

(b) The City Clerk ~~recorder~~ shall act as the recording secretary for the board of adjustment and planning and zoning board of the city and as such be responsible for preparation of their notices, minutes, correspondence, recommendations and publications thereof, where necessary, subject to the approval of those boards respectively. The City Clerk ~~recorder~~

shall further aid and assist the planning and zoning board in its capacity as the comprehensive planning board of the city as it, from time to time, may direct.

(c) The City Clerk ~~recorder~~ shall have and perform such other duties as the city administrator may from time to time direct.

Sec. 2-114. - Attendance at council meetings; recording of proceedings.

The City Clerk ~~recorder~~ shall attend all meetings of the city council and keep a true record of the proceedings thereof in a book to be provided for that purpose.

~~**Sec. 2-115. - Custody of city funds.**~~

~~The city recorder shall be the custodian of the funds of the city and shall receive and pay out all moneys in the manner prescribed by the ordinances of the city.~~

Sec. 2-116. - Payment of funds; signing of checks.

The City Clerk ~~recorder~~ shall pay no funds except on a check issued pursuant to the budget, which shall be signed by the finance director or the city administrator and countersigned by one member of the city council.

Sec. 2-117. - Custody of city seal and records; record of ordinances.

The City Clerk ~~recorder~~ shall be the custodian of the seal of the city, and shall keep and preserve all documents, records and papers that may come into his or her custody, and shall attest all ordinances passed by the city council, record the ordinances in a minute book, and transcribe the ordinances from the minutes in a separate book to be known and called "ordinance book," to be provided for that purpose.

Secs. 2-118—2-130. - Reserved."

SECTION 3. Codification. The publisher of the City's Code of Laws, the Municipal Code Corporation, is directed to incorporate the amendments included in Section 2 above into the Code of Ordinances.

SECTION 4. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

SECTION 5. Effective Date. This ordinance shall be effective immediately upon final passage by the City Council.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, on this ___ day of _____, 2013.

CITY OF ARCADIA, FLORIDA

_____
KEITH KEENE, MAYOR

ATTEST:

By: _____
VIRGINIA HAAS
CITY CLERK

PASSED ON FIRST READING: _____, 2013.

PASSED ON SECOND READING: _____, 2013.

APPROVED AS TO FORM:

_____
THOMAS J. WOHL, CITY ATTORNEY

ITEM # 19

ORDINANCE NO. 985

AN ORDINANCE AMENDING SECTION 11 OF THE CHARTER OF THE CITY OF ARCADIA TO CHANGE THE ELECTION DATES FOR THE OFFICE OF CITY COUNCIL; PROVIDING FOR THE ONE TIME EXTENSION OF THE TERMS OF THE CITY COUNCIL MEMBERS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII Section 2(b) of the Florida Constitution states that municipalities shall have the governmental powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 166.021(4), Florida Statutes, provides that changes in terms of elected officers and the manner of their election shall be by charter amendment via referendum, except for the selection of election dates and qualifying periods for candidates and to changes in terms of office necessitated by such changes in elections dates; and

WHEREAS, Section 100.3605(2), Florida Statutes, further provides that the governing body may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes; and

WHEREAS, the Florida Attorney General has opined that the changes to Section 100.3605 in 1995 allow a municipality to amend their charter to change the election dates and qualifying periods for candidates, including any changes in terms of offices necessitated by such amendment, such as an extension of term, without a referendum (Op. Att'y Gen. Fla. 2000-61, Op. Att'y Gen. Fla. 2003-52, Op. Att'y Gen. Fla. 2007-34); and

WHEREAS, the City Council for the City of Arcadia has determined that it is fiscally sound policy and in the best interests of the electorate to adjust the dates and times of its City elections to coincide with countywide elections for federal and state representatives, occurring in even numbered years; and

WHEREAS, the City Council for the City of Arcadia has determined that voter turnout and participation in municipal elections increase in years in which countywide general elections are held pursuant to § 100.031, Fla. Stat.; and

WHEREAS, the City Council for the City of Arcadia has noted that the financial expense to the City for municipal elections held in conjunction with countywide elections is less than the financial expense to the City for stand alone municipal elections; and

WHEREAS, the City Council of the City of Arcadia deems it to be in the best interest of the City to adopt this Ordinance for the benefit of the health, safety and welfare of the public,

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Arcadia, Florida:

SECTION 1. Findings. The Council hereby adopts and incorporates by reference herein all of the findings set forth above as findings of the Council.

SECTION 2. Amendment of the Code of Ordinances. Section 11 of Article II of the Charter of the City of Arcadia is hereby amended as follows:

"Sec. 11. - Election and terms.

The regular election of councilmen shall be held on the 1st Tuesday after the 1st Monday of ~~September~~ November of each ~~odd~~ even year in the manner provided by law. If necessary, a run-off election shall be held on the 1st Tuesday after the 3rd Monday of ~~September~~ November of each odd year. At the first election after the enactment of this law, five (5) councilmen shall be elected; the three (3) receiving the most votes shall be elected for four (4) year terms and the other two (2) shall be elected for two (2) year terms. As these terms expire the subsequent elections shall be in ~~odd~~ even number years and all councilmen shall be elected for four (4) year terms. The terms of councilmen shall begin on the 1st day of ~~October~~ December of each ~~odd~~ even year."

SECTION 3. Extension of Term of Office. The terms of an existing City Council member which would otherwise expire before their next election date as modified by this Ordinance shall be extended to the following year in order to effectuate the orderly transition of office.

SECTION 4. Codification. The publisher of the City's Code of Laws, the Municipal Code Corporation, is directed to incorporate the amendments included in Section 2 above into the Code of Ordinances.

SECTION 5. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

SECTION 6. Effective Date. This ordinance shall be effective immediately upon final passage by the City Council.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, on this ___ day of _____, 2013.

CITY OF ARCADIA, FLORIDA

_____
KEITH KEENE, MAYOR

ATTEST:

By: _____
VIRGINIA HAAS
CITY CLERK

PASSED ON FIRST READING: _____, 2013.

PASSED ON SECOND READING: _____, 2013.

APPROVED AS TO FORM:

_____
THOMAS J. WOHL, CITY ATTORNEY