

**AGENDA FOR REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
INVERNESS, FLORIDA, CITY HALL, 212 WEST MAIN STREET
November 17, 2015 - 5:30 PM**

NOTICE TO THE PUBLIC

Any person who decides to appeal any decision of the Governing Body with respect to any matter considered at this meeting will need a record of the proceedings and, for such purpose, may need to provide that a verbatim record of the proceeding is made, which record includes testimony and evidence upon which the appeal is to be based (Section 286.0105, Florida Statutes).

Accommodation for the disabled (hearing or visually impaired, etc.) may be arranged with advance notice of seven (7) days before the scheduled meeting, by dialing (352) 726-2611 weekdays from 8 AM to 4 PM.

ENCLOSURES*

- 1) INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

- 2) PLEASE SILENCE ELECTRONIC DEVICES**

- 3) ACCEPTANCE OF AGENDA**

- 4) PUBLIC HEARINGS**
 - 4 - 7 a) Park Ordinance Change (Final Reading)*

 - 8 - 17 b) Final Budget Amendment - FY2015*

- 5) OPEN PUBLIC MEETING**

The public is invited to express opinion on any item for this meeting or pending action at a future meeting of City Council. (Speaking time limit: Individual - 3 minutes; Group/Organization - 5 minutes)

- 6) PRE-SCHEDULED PUBLIC APPEARANCES**

**AGENDA FOR REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
INVERNESS, FLORIDA, CITY HALL, 212 WEST MAIN STREET
November 17, 2015 - 5:30 PM**

7) MAYOR'S LOCAL ACHIEVEMENT AWARDS

8) CITY ATTORNEY REPORT

9) CONSENT AGENDA

18 - 19 a) Bill Listing *

Recommendation - Approval

20 - 24 b) Council Minutes -11/03/15*

Recommendation - Approval

10) CITY MANAGER'S REPORT Correspondence/Reports/Recommendations

25 - 31 a) Board Member Appointments/Resignations*

32 - 36 b) Christmas Parade - Road Closure Permit*

37 - 43 c) HD Supply Piggy-Back Contract Renewal- OUC*

44 - 48 d) Merry Building - Encroachment*

49 - 52 e) School Board Correspondence:Waste Franchise Agreement*

f) Other

11) COUNCIL/MAYOR SUBJECTS

12) NON-SCHEDULED PUBLIC COMMENT

(Speaking time limit: Individual - 3 minutes; Group/Organization - 5 minutes)

13) ADJOURNMENT

**AGENDA FOR REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
INVERNESS, FLORIDA, CITY HALL, 212 WEST MAIN STREET
November 17, 2015 - 5:30 PM**

a)

DATES TO REMEMBER

Friday Night Thunder

Friday, November 20, 2015 at 5:00pm

Downtown Inverness

Inverness Grand Prix and Motorsport Festival

Friday Night Concert and Festival, November 20, 2015 at 6:00pm

Saturday Race Day, November 21, 2015 at 12:00noon

Downtown Inverness - No Rain Date

Thanksgiving Holiday

Thursday, November 26 & 27, 2015

Administrative Offices Closed

Police and Utility Services Operational; Satellite Parks Available
(Whispering Pines Park will be closed November 26)

Inverness City Council Regular Meeting

Tuesday, December 1, 2015 at 5:30pm

Inverness Government Center

Valerie Theatre Presents - A Christmas Holiday Event

Saturday, December 5, 2015 at 3:00pm & 7:00pm

Valerie Theatre - Downtown Square

Agenda Memorandum – *City of Inverness*

DATE: November 13, 2015
ISSUE: Park Ordinance Modification – Public Hearing & Second Reading
FROM: City Manager
CC: City Clerk
ATTACHED: Ordinance
Public Hearing Ad

A public hearing has been duly advertised to accommodate a minor change to existing City Ordinance that relates to the newly developed plaza that supports Valerie Theatre Cultural Center public and private oriented programming. As discussed, the modification will align regulations to support (potentially) approved activity at the Valerie Theatre Cultural Center and Plaza. The change will basically be for the plaza and require approval from the Office of City Manager, which is the way current regulations read.

The City Attorney has been consulted and prepared the ordinance to meet legal sufficiency.

Recommended Action –

1. Motion and second to read the Ordinance by title
2. Clerk reads Ordinance title
3. Open the Public Hearing
4. Those for; Those against
5. Close the Public Hearing to deliberate
6. If the desire is to proceed, motion and second to adopt the Ordinance by roll-call.


Frank DiGiovanni

Administrative Offices
212 West Main Street, Inverness Florida 34450
www.Inverness-FL.gov

ORDINANCE NO. 2015 -712

AN ORDINANCE OF THE CITY OF INVERNESS, FLORIDA, AMENDING THE CODE OF ORDINANCES TO PROVIDE FOR A SPECIAL EVENTS PERMIT PROCESS FOR THE ALLOWANCE OF ALCOHOL IN CERTAIN PARK AREAS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that it necessary to amend the Code of Ordinances dealing with the allowance of alcohol in parks in order to permit the consumption of alcohol in the plaza area of the Valerie Theatre through the Special Events Permit process.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Inverness, Florida, this ____ day of _____, 2015, as follows:

Section 1. Section 14.5-6(a), entitled "Regulated and prohibited activities." is hereby amended to read as follows:

- (a) *Alcoholic Beverages.* No person shall possess or consume alcoholic beverages in any park recreational area owned and or managed by the city, unless approved under a special event permit (per section 4-4(7) of the Code of Ordinances). Such special event permit must be coordinated through and approved by the City Manager. Provided, however, a special event permit which allows the consumption of alcoholic beverages shall not be issued for Whispering Pines Park.

Section 2. INCLUSION IN THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Inverness as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code of Ordinances.

Section 3. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 4. EFFECTIVE DATE

This Ordinance shall become effective as provided by law.

Upon motion duly made and carried on first reading, the foregoing ordinance was approved on the 3rd day of November, 2015.

Upon motion duly made and carried on second reading, the foregoing ordinance was adopted on the _____ day of _____, 2015.

CITY OF INVERNESS, FLORIDA

By: _____
JACQUIE HEPFER, President

ROBERT PLAISTED, Mayor

ATTEST:

DEBORAH DAVIS, City Clerk

Approved as to form and content:

LARRY M. HAAG, City Attorney

Proof of Publication

from the
CITRUS COUNTY CHRONICLE
Crystal River, Citrus County, Florida
PUBLISHED DAILY

STATE OF FLORIDA
COUNTY OF CITRUS

Before the undersigned authority personally appeared

Theresa J. Savery and/or LaKeshia Brisco and/or Mary Ann Naczi and/or Mishayla Coffas

Of the Citrus County Chronicle, a newspaper published daily at Crystal River, in Citrus County, Florida, that the attached copy of advertisement being a public notice in the matter of the

816-1106 THCRN City of Inverness PUBLIC NOTICE
NOTICE is hereby given by the City Council of the City of Inverness, Florida that pursuant to Chapter 166.041 of the laws of Florida a Public Notice be given by the City Council of the City of Inverness

Court, was published in said newspaper in the issues of November 6th, 2015.

Affiant further says that the Citrus County Chronicle is a Newspaper published at Crystal River in said Citrus County, Florida, and that the said newspaper has heretofore been continuously published in Citrus County, Marion County and Levy County, Florida, each week and has been entered as second class mail matter at the post office in Inverness in said Citrus County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



The foregoing instrument was acknowledged before me

This 6th day of Nov. 2015

By: Theresa J. Savery and/or LaKeshia Brisco and/or Mary Ann Naczi and/or Mishayla Coffas

who is personally known to me and who did take an oath.


Notary Public

816-1106 THCRN
City of Inverness
PUBLIC NOTICE

NOTICE is hereby given by the City Council of the City of Inverness, Florida that pursuant to Chapter 166.041 of the laws of Florida a Public Notice be given by the City Council of the City of Inverness that an ordinance entitled:

ORDINANCE NO. 2015 -712

AN ORDINANCE OF THE CITY OF INVERNESS, FLORIDA, AMENDING THE CODE OF ORDINANCES TO PROVIDE FOR A SPECIAL EVENTS PERMIT PROCESS FOR THE ALLOWANCE OF ALCOHOL IN CERTAIN PARK AREAS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

will be considered for final reading and adoption by the City Council. All interested parties may appear at the meeting and be heard with respect to the proposed Ordinance at 5:31 PM, November 17th, 2015.

Copy of the proposed ordinance will be on file with and available for inspection by the public in the office of the City Clerk in the City Hall, 212 W. Main Street, Inverness, Florida, between the hours of 8:30 AM and 4:30 PM, Monday through Friday of each week.

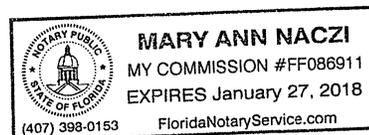
Be advised that if any person or persons may wish to appeal a decision of the City Council of the City of Inverness, Florida, made at this meeting, a record of the proceedings will be needed by such person or persons and a verbatim record may be needed.

This Notice is issued under my hand as the President of the City Council of the City of Inverness this 3rd day of November, 2015.

/s/ Jacquie Hapfer
President of City Council

Attest: */s/ Debbie Davis*
City Clerk

Published November 6, 2015



Agenda Memorandum – *City of Inverness*

DATE: November 13, 2015
ISSUE: Budget Ledger Adjustments (Final) Year Ending 9/30/15
FROM: City Manager
CC: City Clerk, Finance Director
ATTACHED: Memorandum by Sheri Chiodo
Budget Amendment Resolution
Budget Hearing Public Notice

The City Auditor has been working with Finance Staff to prepare to close and audit fiscal activity for the period of October 1, 2014 through September 30, 2015. The annual audit will commence immediately, and following the New Year.

Rather than repeat what has been prepared, you are encouraged to review the memorandum that follows to gain insight to contents of the prepared Resolution and reasons for the changes.

Basically, what is before City Council has more to do with General Ledger entries and less about spending or receivables. We must insure the City Budget process tracks with changes to General Governmental Accounting Practices and are aligned to how the Auditor interprets the process.

The Resolution is prepared for Council action to provide full disclosure of the fiscal accounting and actions by the City and to bring these items to the policy level of the City.

Recommended Action –

1. Motion and second to read the Resolution by title only.
2. Clerk reads title
3. Open the Public Hearing: Those for; Those Against
4. Close the Public Hearing to discuss this matter
5. To proceed, motion and second to adopt the Resolution by roll-call


Frank DiGiovanni

Administrative Offices
212 West Main Street, Inverness Florida 34450
www.Inverness-FL.gov



FINANCE DEPARTMENT

212 W. Main Street
Inverness, FL 34450
(352) 726-5016 Phone
(352) 726-5534 Fax

Memorandum

To: Frank DiGiovanni, City Manager

From: Sheri Chiodo, Director of Finance

CC: Debbie Davis, City Clerk

Date: November 10, 2015

Reference: Final Budget Amendments – Fiscal Year 2015

The 2015 Fiscal Year is currently being closed and preparations are under way for the annual audit to commence in January 2016. Florida Statute 166.241(a) authorizes City Council to amend the prior year budget within 60 days of the close of the fiscal year. As part of the closing procedure, a final budget review is conducted to ensure there are no major variances in appropriated funds to actual expenditures for the year. During this review several housekeeping items were identified, Valerie Theater revenues and expenditures, ICRA TIF revenues, reduction in Whispering Pines Park Capital Projects, reduction in debt proceeds, unforeseen insurance proceeds in the Utility Fund and an increase in pension benefits in the Employees' Pension Fund that will require council action to recognize unforeseen revenues not identified during the development of the 2015 budget and appropriate said revenues to the cost of the service. This item is defined as follows:

General Fund – Recognition of TIF payments to ICRA

Governmental Generally Accepted Accounting Principles (Govt. GAAP) has changed how the City records the collection of ad-valorem taxes for the purpose of Tax Increment Finance payments to the ICRA Fund. The City must now reduce the ad-valorem revenues in the General Fund by the TIF payment instead of recording the payment as an "inter-fund transfer". The amendment reflects the decrease in the ad-valorem revenues by the City's portion of the TIF (\$63,000) and recognizes the decrease in the transfer to ICRA on the expenditure side. Additionally, the amendment increases the Tax Increment Financing revenue in the ICRA fund and reduces the Transfer from the General Fund revenue item by the \$63,000 payment.

General Fund – Valerie Theater Revenues and Expenditures

The development of the FY 2015 budget included revenue and expenditures for the Valerie Theater for a 9 month period which was not recognized due to the opening of the Valerie later in FY 2015. The

amendment reflects a reduction in program and advertising revenues in the amount of \$210,000 and equally reduces the Valerie Theater expenditures by the same amount.

Whispering Pines Park – Reduction in Capital Improvement Program Projects

Whispering Pines Park capital projects were reduced in FY 2015 by \$25,000 in response to a need to replenish cash reserve balances in the fund. The amendment reflects a reduction in the transfer to the capital projects fund and increases ending reserves by \$25,000. The Capital Projects fund eliminates the funding for the construction of a pavilion and reduces the parking lot paving program by \$5,000.

Capital Projects Funds – Debt Proceeds

The City elected to not secure debt for Whispering Pines Park and the Valerie Theater projects in the amount of \$1,500,000. Whispering Pines Park projects identified for debt issuance were placed on hold and the Valerie Theater project was funded adequately by capital project reserves without requiring an issuance of debt, maintaining the City's debt free status in Governmental Funds.

Utility Fund – Insurance Proceeds

The water and sewer plants suffered damage due to an electrical storm and required immediate remediation. The damage qualifies for insurance reimbursement; therefore, the budget amendment increases insurance proceed revenue by \$85,000 and increases water and sewer plant expenses by \$85,000 to fund the needed repairs.

General Employee Pension Fund – Pension Benefits

Pension benefits payable in FY 2015 exceeded projections by \$7,100. This amendment appropriates \$7,100 to benefits expense and reduces the ending pension reserves by \$7,100.

The notice of public hearing and budget summary advertisement will be published on Sunday November 15th in accordance with statutory requirements. A copy of the resolution, notice of hearing, and budget summary are provided for your reference.

RESOLUTION 2015-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INVERNESS, FLORIDA AMENDING THE ADOPTED BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2016, AMENDING THE, CAPITAL PROJECTS FUND, UTILITY FUND, CEMETERY FUND AND IMPACT FEE FUND REVENUES AND EXPENDITURES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Inverness desires to amend the Fiscal Year 2015-2016 budget to provide for recognition of Fiscal Year 2015 carry forward reserves, grant funds, and impact fee funds in the General, Capital Projects, Utility, Cemetery, and Impact Fee Funds; and

WHEREAS, the City Council desires to appropriate the reserves, grant and impact fee funds for authorized project expenses appropriated in Fiscal Year 2015 and not expended; and

WHEREAS, the City Council held a public hearing on October 20, 2015; as required by Florida Statute 200.065; and

WHEREAS, Ordinance Number 2015-711, Section 5, authorizes amendments to the final adopted budget by resolution approved by the City Council of the City of Inverness, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF INVERNESS AS FOLLOWS:

Section 1. That revenue accounts in the Capital Projects Fund shall be amended as follows:

| Revenues | Original Budget | Revised Budget | Adjustment |
|---------------------------|----------------------------|---------------------------|-----------------------------------|
| CIGP Grant Funds | \$ 75,000 | \$ 675,000 | \$ 600,000 |
| DOT Landscape Maint Grant | \$ -0- | \$ 13,750 | \$ 13,750 |
| Impact Fee Funds | \$ 127,300 | \$ 465,300 | \$ 338,000 |
| Beginning Reserves | \$1,216,145 | \$3,390,060 | <u>\$2,173,915</u> \$3,125,665 |

Section 2. That expenditure accounts in the Capital Projects Fund shall be amended as follows:

| Expenditures | Original Budget | Revised Budget | Adjustment |
|----------------------|----------------------------|---------------------------|-------------------|
| General Government | \$ 720,000 | \$1,521,832 | \$ 801,832 |
| Economic Environment | \$ 866,000 | \$ 998,313 | \$ 132,313 |
| Public Safety | \$ -0- | \$ 257,709 | \$ 257,709 |
| Transportation | \$ 875,600 | \$2,584,295 | \$ 1,708,695 |
| Cultural/Recreation | \$ 464,021 | \$ 689,137 | <u>\$ 225,116</u> |
| | | | \$ 3,125,665 |

Section 3. That expenditure accounts in the Utility Operations Fund shall be amended as follows:

| Expenditures | Original Budget | Revised Budget | Adjustment |
|--|----------------------------|---------------------------|---------------------|
| Transfer to Renewal & Replacement-Utility Acquisition | \$ -0- | \$ 157,400 | \$ 157,400 |
| Ending Reserve Balances | \$ 2,283,760 | \$2,126,360 | <u>\$ (157,400)</u> |
| | | | \$ -0- |

Section 4. That revenue accounts in the Utility Renewal and Replacement Projects Fund shall be amended as follows:

| Revenues | Original Budget | Revised Budget | Adjustment |
|---------------------------------|----------------------------|---------------------------|-------------------|
| Transfer from W/S Operations | \$ -0- | \$ 157,400 | \$ 157,400 |
| Beginning Reserves | \$1,329,858 | \$2,086,893 | <u>\$ 757,035</u> |
| | | | \$ 914,435 |

Section 5. That expenditures accounts in the Utility Renewal and Replacement Projects Fund shall be amended as follows:

| Expenditures | Original Budget | Revised Budget | Adjustment |
|---------------------|----------------------------|---------------------------|-------------------|
| Water Plant | \$ 315,000 | \$ 408,000 | \$ 93,000 |
| Sewer Plant | \$ 521,830 | \$ 713,350 | \$ 191,520 |
| Water/Sewer Lines | \$ 661,418 | \$1,291,333 | <u>\$ 629,915</u> |
| | | | \$ 914,435 |

Section 6. That revenue accounts in the Cemetery Fund shall be amended as follows:

| Revenues | Original Budget | Revised Budget | Adjustment |
|--------------------|----------------------------|---------------------------|-------------------|
| Beginning Reserves | \$ 57,728 | \$ 147,728 | \$ 90,000 |

Section 7. That expenditures accounts in the Cemetery Fund shall be amended as follows:

| Expenditures | Original Budget | Revised Budget | Adjustment |
|------------------------------|------------------------|-----------------------|-------------------|
| Cemetery – Professional Svcs | \$ -0- | \$ 90,000 | \$ 90,000 |

Section 8. That revenue accounts in the Impact Fund shall be amended as follows:

| Revenues | Original Budget | Revised Budget | Adjustment |
|--------------------|------------------------|-----------------------|-------------------|
| Beginning Reserves | \$ 482,767 | \$ 500,567 | \$ 17,800 |

Section 9. That expenditure accounts in the Impact Fee Fund shall be amended as follows:

| Expenditures | Original Budget | Revised Budget | Adjustment |
|---------------------|------------------------|-----------------------|-------------------|
| Transportation | \$ 28,000 | \$ 45,800 | \$ 17,800 |

Section 10. That this resolution shall be effective on the 20th day of October, 2015

PASSED AND ADOPTED this ___ day of _____, 2015.

CITY OF INVERNESS

By: _____
Jacquie Hepfer
President of City Council

ATTEST:

Deborah Davis
City Clerk

NOTICE OF BUDGET HEARING

The City Council of the City of Inverness will hold a public hearing on Tuesday, November 17, 2015 at 5:30 p.m. at the Inverness Government Center, 212 W. Main Street, Inverness, FL to consider and finalize a resolution amending the adopted budget for the General, Inverness Community Redevelopment Agency, Whispering Pines Park, Capital Projects, Utility and Employee Pension Funds for the fiscal year commencing October 1, 2014 and ending September 30, 2015.

2014/2015 FISCAL YEAR
 THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF INVERNESS ARE 4.1% LESS THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES

| ESTIMATED REVENUES | CAPITAL PROJECTS | | | TOTAL BEFORE | | | | |
|---|-------------------|-----------------------|------------------|-------------------|----------------|-------------------|---------------------|-------------------|
| | GENERAL FUND | WHISPERING PINES PARK | FUND | IMPACT FEE FUND | PENSION FUNDS | COMPONENT UNIT | I.C.R.A. TRUST FUND | TOTAL ALL FUNDS |
| TAXES: | | | | | | | | |
| AD-VALOREM | 2,269,594 | | | | | 2,269,594 | | 2,269,594 |
| AD-VALOREM Delinquent Taxes | 58,517 | | | | | 58,517 | | 58,517 |
| SALES AND USE TAXES | 300,000 | | | | | 300,000 | | 300,000 |
| FRANCHISE FEES | 714,500 | | | | | 714,500 | | 714,500 |
| UTILITY SERVICE TAXES | 710,000 | | | | | 710,000 | | 710,000 |
| COMMUNICATIONS SERVICE TAX | 313,000 | | | | | 313,000 | | 313,000 |
| LOCAL BUSINESS TAX | 58,000 | | | | | 58,000 | | 58,000 |
| LICENSES AND PERMITS | 85,600 | | | | | 85,600 | | 85,600 |
| GRANTS/SHARED REVENUE | 7,500 | 2,050,821 | 600,000 | | | 2,658,321 | 138,000 | 2,796,321 |
| STATE SHARED REVENUES | 684,500 | | | | | 684,500 | | 684,500 |
| CHARGES FOR SERVICES | 860,675 | 129,750 | 4,300 | 3,377,008 | | 4,371,733 | | 4,371,733 |
| FINES AND FORFEITURES | 24,800 | | | | 22,500 | 24,800 | 800 | 24,800 |
| INTEREST EARNINGS | 45,100 | 800 | 20,000 | 34,000 | 21,500 | 143,900 | | 144,700 |
| RENTS & ROYALTIES | 154,800 | | 250 | | | 155,050 | | 155,050 |
| SPECIAL ASSESSMENTS/IMPACT FEES | 600 | 300 | 580,043 | | 25,000 | 605,643 | | 605,643 |
| CONTRIBUTIONS/DONATIONS | 4,500 | | | | | 4,800 | | 4,800 |
| SALE OF FIXED ASSETS | | | | 14,600 | | 14,600 | | 14,600 |
| PENSION CONTRIBUTIONS | | | | | 1,500 | 1,500 | | 1,500 |
| MISCELLANEOUS REVENUES | 30,400 | 2,700 | 20,000 | 104,000 | 300 | 157,400 | | 157,400 |
| DEBT PROCEEDS | | | | | | | | |
| TOTAL SOURCES | 6,314,586 | 141,050 | 2,675,164 | 4,115,258 | 35,400 | 13,331,458 | 138,800 | 13,470,256 |
| TRANSFERS IN | 465,000 | 410,000 | 934,000 | 3,538,983 | 130,658 | 5,478,641 | | 5,478,641 |
| FUND BALANCES/RESERVES/NET ASSETS | 5,404,192 | 290,940 | 5,970,160 | 7,673,800 | 753,231 | 20,893,720 | 70,990 | 21,054,710 |
| TOTAL REVENUES, TRANSFERS & BALANCES | 12,183,778 | 841,990 | 9,579,324 | 15,328,041 | 920,289 | 39,793,819 | 209,790 | 40,003,609 |
| EXPENDITURES | | | | | | | | |
| GENERAL GOVERNMENTAL | 2,122,230 | | 1,314,375 | | 17,500 | 3,454,305 | | 3,454,305 |
| PUBLIC SAFETY | 1,775,000 | | 30,000 | | | 805,000 | | 805,000 |
| PHYSICAL ENVIRONMENT | 1,190,008 | | | 3,927,315 | 146,182 | 5,263,505 | | 5,263,505 |
| TRANSPORTATION | 728,866 | | 2,148,433 | | 20,200 | 2,897,499 | | 2,897,499 |
| ECONOMIC ENVIRONMENT | 242,058 | | 1,660,200 | | | 1,902,258 | 94,995 | 1,997,253 |
| CULTURE & RECREATION | 711,671 | 691,265 | 3,741,391 | | | 5,144,327 | | 5,144,327 |
| DEBT SERVICES | | | | 848,248 | | 848,248 | | 848,248 |
| TOTAL EXPENDITURES | 5,769,833 | 691,265 | 8,894,599 | 4,775,563 | 146,182 | 20,315,142 | 94,995 | 20,410,137 |
| TRANSFERS - OUT | 1,194,000 | 50,000 | | 3,988,983 | 134,158 | 5,367,141 | 111,500 | 5,478,641 |
| FUND BALANCES/RESERVES/NET ASSETS | 5,219,945 | 100,725 | 684,725 | 6,563,495 | 639,949 | 14,111,536 | 3,285 | 14,114,831 |
| TOTAL APPROPRIATED EXPENDITURES, | 12,183,778 | 841,990 | 9,579,324 | 15,328,041 | 920,289 | 39,793,819 | 209,790 | 40,003,609 |
| TRANSFERS, RESERVES & BALANCES | | | | | | | | |

ARE ON FILE IN THE OFFICE OF THE ABOVE REFERENCED TAXING AUTHORITY AS A PUBLIC RECORD

2014/2015 FISCAL YEAR
 THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF INVERNESS ARE 4.1% LESS THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES

| ESTIMATED REVENUES | GENERAL FUND | WHISPERING PINES PARK | CAPITAL PROJECTS FUND | WATER & SEWER | CEMETERY | IMPACT FEE FUND | PENSION FUNDS | TOTAL BEFORE COMPONENT UNIT | I.C.R.A. TRUST FUND | TOTAL ALL FUNDS |
|--|-------------------|-----------------------|-----------------------|-------------------|----------------|-----------------|----------------|-----------------------------|---------------------|-------------------|
| TAXES: | | | | | | | | | | |
| AD-VALOREM | 2,269,594 | | | | | | | 2,269,594 | | 2,269,594 |
| AD-VALOREM Delinquent Taxes | 58,517 | | | | | | | 58,517 | | 58,517 |
| SALES AND USE TAXES | 300,000 | | | | | | | 300,000 | | 300,000 |
| FRANCHISE FEES | 714,500 | | | | | | | 714,500 | | 714,500 |
| UTILITY SERVICE TAXES | 710,000 | | | | | | | 710,000 | | 710,000 |
| COMMUNICATIONS SERVICE TAX | 313,000 | | | | | | | 313,000 | | 313,000 |
| LOCAL BUSINESS TAX | 58,000 | | | | | | | 58,000 | | 58,000 |
| LICENSES AND PERMITS | 85,600 | | | | | | | 85,600 | | 85,600 |
| GRANTS/SHARED REVENUE | | 7,500 | 2,050,821 | 600,000 | | | | 2,658,321 | 138,000 | 2,796,321 |
| STATE SHARED REVENUES | 684,500 | | | | | | | 684,500 | | 684,500 |
| CHARGES FOR SERVICES | 860,675 | 129,750 | 4,300 | 3,377,008 | | | | 4,371,733 | | 4,371,733 |
| FINES AND FORFEITURES | 24,800 | | | | | | | 24,800 | | 24,800 |
| INTEREST EARNINGS | 45,100 | 800 | 20,000 | 34,000 | 21,500 | | 22,500 | 143,900 | 800 | 144,700 |
| RENTS & ROYALTIES | 154,800 | | | 250 | | | | 155,050 | | 155,050 |
| SPECIAL ASSESSMENTS/IMPACT FEES | 600 | | 580,043 | | | 25,000 | | 605,643 | | 605,643 |
| CONTRIBUTIONS/DONATIONS | 4,500 | 300 | - | | | | | 4,800 | | 4,800 |
| SALE OF FIXED ASSETS | - | | | | 14,600 | | | 14,600 | | 14,600 |
| PENSION CONTRIBUTIONS | - | | | | | | 1,500 | 1,500 | | 1,500 |
| MISCELLANEOUS REVENUES | 30,400 | 2,700 | 20,000 | 104,000 | 300 | | | 157,400 | | 157,400 |
| DEBT PROCEEDS | | | - | | | | | - | | - |
| TOTAL SOURCES | 6,314,586 | 141,050 | 2,675,164 | 4,115,258 | 36,400 | 25,000 | 24,000 | 13,331,458 | 138,800 | 13,470,258 |
| TRANSFERS IN | 465,000 | 410,000 | 934,000 | 3,538,983 | 130,658 | | | 5,478,641 | - | 5,478,641 |
| FUND BALANCES/RESERVES/NET ASSETS | 5,404,192 | 290,940 | 5,970,160 | 7,673,800 | 753,231 | 492,080 | 399,317 | 20,983,720 | 70,990 | 21,054,710 |
| TOTAL REVENUES, TRANSFERS & BALANCES | 12,183,778 | 841,990 | 9,579,324 | 15,328,041 | 920,289 | 517,080 | 423,317 | 39,793,819 | 209,790 | 40,003,609 |
| EXPENDITURES | | | | | | | | | | |
| GENERAL GOVERNMENTAL | 2,122,230 | | 1,314,575 | | | | 17,500 | 3,454,305 | | 3,454,305 |
| PUBLIC SAFETY | 775,000 | | 30,000 | | | | | 805,000 | | 805,000 |
| PHYSICAL ENVIRONMENT | 1,190,008 | | - | 3,927,315 | 146,182 | | | 5,263,505 | | 5,263,505 |
| TRANSPORTATION | 728,866 | | 2,148,433 | | | 20,200 | | 2,897,499 | | 2,897,499 |
| ECONOMIC ENVIRONMENT | 242,058 | | 1,660,200 | | | | | 1,902,258 | 94,995 | 1,997,253 |
| CULTURE & RECREATION | 711,671 | 691,265 | 3,741,391 | | | | | 5,144,327 | - | 5,144,327 |
| DEBT SERVICES | - | | | 848,248 | | | | 848,248 | - | 848,248 |
| TOTAL EXPENDITURES | 5,769,833 | 691,265 | 8,894,599 | 4,775,563 | 146,182 | 20,200 | 17,500 | 20,315,142 | 94,995 | 20,410,137 |
| TRANSFERS - OUT | 1,194,000 | 50,000 | - | 3,988,983 | 134,158 | | | 5,367,141 | 111,500 | 5,478,641 |
| FUND BALANCES/RESERVES/NET ASSETS | 5,219,945 | 100,725 | 684,725 | 6,563,495 | 639,949 | 496,880 | 405,817 | 14,111,536 | 3,295 | 14,114,831 |
| TOTAL APPROPRIATED EXPENDITURES, TRANSFERS, RESERVES & BALANCES | 12,183,778 | 841,990 | 9,579,324 | 15,328,041 | 920,289 | 517,080 | 423,317 | 39,793,819 | 209,790 | 40,003,609 |

ARE ON FILE IN THE OFFICE OF THE ABOVE REFERENCED TAXING AUTHORITY AS A PUBLIC RECORD

NOTICE OF BUDGET HEARING

The City Council of the City of Inverness will hold a public hearing on Tuesday, November 17, 2015 at 5:30 p.m. at the Inverness Government Center, 212 W. Main Street, Inverness, FL to consider and finalize a resolution amending the adopted budget for the General, Inverness Community Redevelopment Agency, Whispering Pines Park, Capital Projects, Utility and Employee Pension Funds for the fiscal year commencing October 1, 2014 and ending September 30, 2015.



11/13/2015 09:46
siddings

CITY OF INVERNESS
CASH REQUIREMENTS REPORT

P 1
apcshreq

| VENDOR DOCUMENT | INVOICE | VOUCHER | DESCRIPTION | DUE DATE | DUE 11/30/15 |
|-----------------|---------|---------|--|----------|--------------|
| | | | TOTALS FOR ACE HARDWARE CO OF INV INC | | 178.62 |
| | | | TOTALS FOR ANNGEOLACE BLUE-MCLEAN | | 14.99 |
| | | | TOTALS FOR BRIGHT HOUSE NETWORKS | | 8,275.80 |
| | | | TOTALS FOR FLORIDA PUBLIC UTILITIES COMPANY | | 672.43 |
| | | | TOTALS FOR EMBARQ FLORIDA, INC | | 30.15 |
| | | | TOTALS FOR CITRUS COUNTY BOARD OF COMMISSIONER | | 61,989.43 |
| | | | TOTALS FOR CITRUS COUNTY CHRONICLE | | 51.80 |
| | | | TOTALS FOR CLERK OF THE CIRCUIT COURT, ANGELA VICK | | 60.00 |
| | | | TOTALS FOR JAMES CURRAN | | 90.00 |
| | | | TOTALS FOR THE DAILY SUN | | 625.00 |
| | | | TOTALS FOR E G P INC | | 194.87 |
| | | | TOTALS FOR FLORIDA AIR SERVICES | | 1,017.00 |
| | | | TOTALS FOR HAAG, FRIEDRICK & WILLIAMS, PA | | 2,203.50 |
| | | | TOTALS FOR MAILFINANCE INC | | 146.00 |
| | | | TOTALS FOR SOUTHEASTERN PAPER GROUP | | 506.18 |
| | | | TOTALS FOR KIMLEY-HORN AND ASSOCIATES, INC | | 950.00 |
| | | | TOTALS FOR LITTLEJOHN ENGINEERING ASSOCIATES, INC | | 158.05 |
| | | | TOTALS FOR TYLER MATKOWSKI | | 400.00 |
| | | | TOTALS FOR ONLINE IMPLEMENTATION SERVICES, INC | | 178.50 |
| | | | TOTALS FOR SOUTHWEST DIRECT | | 2,628.45 |
| | | | TOTALS FOR TAMPA BAY TIMES | | 2,457.25 |
| | | | TOTALS FOR TEN-8 FIRE EQUIPMENT, INC. | | 14,619.16 |
| | | | TOTALS FOR UNIFIRST CORPORATION | | 27.48 |
| | | | TOTALS FOR US LEGAL SERVICES, INC | | 37.50 |
| | | | TOTALS FOR VASALAKIS, JOHN | | 1,250.00 |
| | | | TOTALS FOR WASTE MANAGEMENT OF CENTRAL FL | | 23,195.32 |



11/13/2015 09:46
siddings

CITY OF INVERNESS
CASH REQUIREMENTS REPORT

P 2
apcshreq

| VENDOR DOCUMENT | INVOICE | VOUCHER | DESCRIPTION | DUE DATE | DUE 11/30/15 |
|-----------------|---------|---------|--------------------------------|----------|--------------|
| | | | TOTALS FOR WRIGHT EXPRESS | | 2,140.01 |
| | | | TOTALS FOR ZHA INFORMATION INC | | 6,121.30 |
| | | | REPORT TOTALS | | 130,218.79 |

** END OF REPORT - Generated by Stacey Iddings **

November 3, 2015
5:30 PM

The City Council of the City of Inverness met on the above date in Regular Session at 212 W. Main Street with the following members present:

President Hepfer
Vice President Ryan
Councilwoman Bega
Councilman McBride
Councilman Hinkle
Mayor Plaisted

Also present were City Manager DiGiovanni, City Attorney Haag, Asst. City Manager Williams, Community Development Director Day, Project Director Malm, Deputy Clerk Jackson and City Clerk Davis.

The Invocation was given by Councilman Hinkle and the Pledge of Allegiance was led by the City Council.

ACCEPTANCE OF AGENDA

Councilwoman Bega motioned to accept the Agenda as presented. Seconded by Councilman Hinkle. The motioned carried.

PUBLIC HEARINGS

None

OPEN PUBLIC MEETING

None

SCHEDULED APPEARANCES

6)a) Clark Stillwell – Leeson’s Mobile Home Park provided power point and short history of his client, owner of Leeson’s Mobile Home Park. He referenced the City’s Survey and encroachments by mobile home units and Club House onto the right of way. Mr. Stillwell reviewed the City’s Proposal regarding existing stormwater runoff on Line Ave and Zephyr Street. He stated that on Zephyr Street there was a substantial stormwater treatment system vs. no water treatment by the design of the facility on Line Street. The design that he was presenting does not require his client to move any of the existing mobile home facilities, which have encroached into the City right of way for over 40 years, and she avoids that cost. His client is prepared to pay to the City approximately 50% of this new design. He presented Alternative (2) in the area of Line Street, where one mobile home exists that could be relocated to the west. In his opinion this would be less invasive, higher quality stormwater treatment, and resolves the issue of displacement of these mobile homes.

He asked that the city give due consideration to the alternatives that they have presented this evening as they are in the long term best interest of the City.

He spoke of three critical issues that he believed needed to be resolved as we go forward.

1) The encroachment by Leasons being a two story masonry building which encroaches into the City right of way 1.5 feet, with the cost being extraordinary and we have no desire, inclination, or intent to incur that cost. The building has been there for over 40 years, and suggested that we come up with an alternate system to grant a permanent easement for 1.5 feet and then when building is abandoned, relocate and build on the prior property.

2) He asked for a letter of interpretation from the city indicating under the statutes dealing with mobile home parks, that we are entitled to the statutory pre-emption and wants that question answered.

3) He stated the final issue to be addressed is the storm water drainage easement through the middle of the park with a pipe that discharges storm water and he understands it will no longer be utilized if the city intends to abandon it. We have to resolve these issues of whether or not the city is willing to accept the alternative proposals. His client has flown down here and is willing to sit down and negotiate in good faith, and we need direction from Council.

Attorney Haag stated that he understands the permits have been granted, so issues relating to vesting in the park weren't pertinent to what we are talking about. The problem exists that we have encroachments outside of the park, which have nothing to do with the vesting. Attorney Stillwell referenced the Florida Statutes which says you can replace mobile homes in a park, but we are not able to relocate mobile homes and comply with city setbacks. Attorney Haag stated that they could replace/move these mobile homes within the park in accordance with Chapter 723 and the issue here is encroachment into the city right of way, which has nothing to do with the Statute.

City Manager DiGiovanni stated that City staff has been open and communicative with this and worked with them on setbacks and design of project to maintain and improve water treatment. We have removed the setback issue from the table and we seek removal of the conflict. The design of the project is to maintain stormwater treatment and improve what exists. The pipe is being abandoned as it runs through the park, which there was an easement and mobile homes were placed on top of them and we are willing to ameliorate that and things that benefit the mobile home park and have had open communication. The conflicts are the penetration into the right of way which is needed for the project to be sure it's safe for traffic mobility and manage stormwater appropriately. We spoke and sent communication where we would openly work with city council to grant 10 year easement to the 1.5 feet of the masonry building. We are trying to clean up the area and Zephyr Street with a high level of consciousness of cost to owner. The Project has already been bid, and has been reviewed by SWFMD, and found to be compliant.

City Manager DiGiovanni spoke to the Land Development Code which staff that is highly competent in managing. When we get to point in time that they have removed the conflicts, and if you wish to engage in duration of the easement, we will bring that forward, but now we are trying to resolve the simplicity of encroachment into the city right of way.

Attorney Stillwell spoke to the encroachments having been there over 40 year and haven't cause any detriment to the city to date. You are asking his clients to give up the prescriptive easement and pay \$2,500 to \$4,000 per mobile home to move it for a storm water treatment system that does not provide any pretreatment.

City Manager DiGiovanni advised that the storm water plan improves the properties of the mobile home park as the pipe will be abandoned. This needs to continue to go through staff review and if we can't work this out, Zephyr Street will remain as is, and project will not go forward.

Attorney Haag asked Attorney Stillwell, if we stick to the current design, and you are granted an easement to allow the Club House Building to stay until such time that it is torn down or moves from its current location and meets setback, etc., do you have a timeline in mind, for the length of this easement. Attorney Stillwell stated "Let's just say that the Line Street four lane project is not in your CIP for the next ten years." He noted that the mobile homes won't be accessed off of Line Street, which is a large safety issue. Ten years is too short, for an easement. There is no problem if the structure is destroyed by fire, etc., to move and replace. If they abandon the structure that is no problem, as well as with all other encroachments.

City Manager spoke to safety, which the project addresses. He suggested a ten year upfront understanding of the club house with renewal clause built in, so it's not in perpetuity, but at least there is a review, beyond the ten years. It was suggested that a meeting be held between Attorney Stillwell, Attorney Haag and City Manager to talk these things through to bring to City Council a comprehensive approach that they're comfortable that their staff has vetted and Attorney is vetted. Attorney Stillwell spoke to a memorandum of understanding presented to him at the beginning of this process, which they have tweaked and will tweak it again, but I suggest to you that there is a better alternative. He noted that the current design kills the biggest cypress tree on the lake. Those are the things that come into play.

City Manager DiGiovanni stated that this is way beyond drainage only, but the design captures other deficiencies of that area.

MAYOR'S LOCAL ACHIEVEMENT AWARDS

None

CITY ATTORNEY REPORT

None

CONSENT AGENDA

- a) Bill Listing*
 - Recommendation – Approval
- b) Council Minutes –10/20/15*
 - Recommendation – Approval

Councilman McBride motioned to accept the Consent Agenda. Seconded by Councilman Ryan. The motion carried.

CITY MANAGER'S REPORT

10)a) Parks Ordinance Amendment (1st Reading) was addressed by City Manager DiGiovanni. He explained that the proposed minor modification to the Ordinance governing activity on city park property, is being made to align resolutions to better support approved activity at the Valerie Theatre Cultural Center and Plaza. He explained that this pertains mainly to the plaza area. As the Theatre is leased to accommodate an

event, the event may wish to have beverages as part of the event, outside. We need the authority to be able to approve the confines of the building, but the adjoining plaza as well and is an operational change. He spoke to the first event, with tickets for sale for the Ditchfield Family Singers, with a Holiday Venue.

Councilman Ryan motioned to have the City Clerk read Ordinance 2015-712 by title only. Seconded by Councilwoman Bega. The motion carried.

ORDINANCE NO. 2015 -712

AN ORDINANCE OF THE CITY OF INVERNESS, FLORIDA, AMENDING THE CODE OF ORDINANCES TO PROVIDE FOR A SPECIAL EVENTS PERMIT PROCESS FOR THE ALLOWANCE OF ALCOHOL IN CERTAIN PARK AREAS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

Councilman Hinkle spoke to Winston Perry who wished to have a Roof Top Facility, located on the existing building between the Theatre and the Plaza, and asked if that would have an impact on the surrounding businesses to do business? City Manager DiGiovanni noted that competition needs people and this will help pull people to the area. Councilman Hinkle questioned Attorney Haag that the way this is written would there be any change in interpretation, ten years down road, to possibly understand it to be for all the parks. Attorney Haag noted that to be absolutely sure, we could craft language to state just this area. City Manager noted that any permit would need to be approved through the City Manager.

Councilman McBride motioned to approve Ordinance 2015-712 on the first reading, by roll call vote. Seconded by Councilman Ryan. Roll call vote was as follows: Councilwoman Bega, yes; Councilman McBride, yes; Councilman Hinkle, yes; Councilman Ryan, yes; President Hepfer, yes. The motion carried.

City Manager DiGiovanni additionally reported on the following:

- Spoke to the impact of the Cooter Festival (Cooterstock) and how the ATM actually ran out of money. He noted the water shows, with gliders and skiers, fireworks, carnival, etc., were pretty impactful.
- This weekend is the 44th Annual Art Festival, followed by the Veterans Day Parade on Wednesday, November 11th, the Grand Prix on the weekend of the 20th, and then resting on Thanksgiving.

COUNCIL/MAYOR SUBJECTS

Councilman McBride stated the Cooter Festival was extremely well attended with good weather and everyone enjoyed it. Special Events were saluted, along with the entire staff, for doing an outstanding job.

Mayor Plaisted agreed that the Cooter Fest was outstanding and in the future could be the best Festival on the West Coast of Florida. Veteran's Day Parade is coming and looking forward to participating in that.

Councilwoman Bega spoke to the Cooter Fest. She spoke of attending the League of Cities advanced training and highlighted the four subjects that were addressed during the training.

Councilman Hinkle agreed with the Cooter Fest comments. But it is getting hard to be a judge with all the great costumes. He spoke of the upcoming Friday Night Thunder. We work for the best of our city, future generations, and a great community.

Councilman Ryan noted the Cooter Fest was great and spoke to efforts of the City Staff. Attended the Advanced Training and noted that our City has a more civil council than other cities, and noticed that from comments by those at the conference. He would like City Manager to follow up on the Stillwell/Leeson's issue.

Council President Hepfer spoke to IEMO advanced training classes she attended back in 1990 and how informative they are.

CITIZENS NOT ON AGENDA

Bud Osborne, spoke of working approximately 30 hours during the Cooter Fest and it was something special. He referenced the company he worked for about 30 years and he organized the conventions and meetings. Council made a good move with the Ordinance this evening regarding alcoholic beverages.

Steve Johnson, 503 Whispering Pines Blvd., spoke to the convenience fee when using a credit card to pay his utility bill and was charged \$3.95 for using credit card and did not agree with that. **City Manager** commented that the fee is levied by the credit card company with the fee going directly to the credit card company. We are going to look at a way to see how the pricing may absorb that cost.

Meeting adjourned at 6:38pm.

City Clerk

City Manager

Interoffice Memorandum – *City of Inverness*

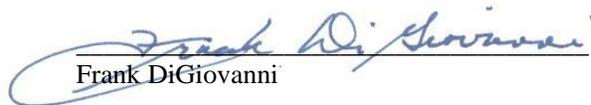
November 13, 2015

TO: Elected Officials
FROM: City Manager
SUBJECT: Resignation of James Devine from P&Z Commission
CC: City Clerk, Bruce Day and Debra Schramm
Enclosure: Letter by Jim Devine
Memo by Bruce Day

With reference to the attached, as a voluntary member of the Planning and Zoning Commission, Mr. James Devine has served this City well for many years. At this point in time, he finds it necessary to discontinue his service and tendered a letter of resignation that will be effective upon acceptance by City Council.

Recommended Action –

It is recommended that City Council motion, second and vote to accept Mr. Devine's resignation from the Planning and Zoning Commission, and do so with knowledge that we will forward a letter of gratitude for the years served.


Frank DiGiovanni

M E M O R A N D U M

TO: Frank DiGiovanni, City Manager
FROM: Bruce Day
CC: Debbie Davis
DATE: November 10, 2015
RE: Resignation of James Devine – Planning & Zoning Commission

Mr. James Devine has tendered his resignation from the Planning & Zoning Commission Board. No specific reason for his resignation was provided in the resignation letter.

Mr. Devine has been a board member of the Planning & Zoning Commission for 7 years. He was appointed to the board in 2008 during the period when a complete rewrite of the comprehensive plan was newly adopted. Mr. Devine has served the City well in being a part of the City's long term planning team. His guidance has helped to shape the direction and contribute to the success of the City.

It is with respect that we recognize the Mr. Devine's public service. It is also with sadness that his resignation was received, and the Department recommends that his wishes be honored and that his resignation be accepted.

November 3, 2015

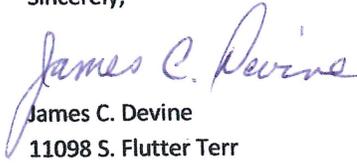
City of Inverness
Planning and Zoning Commission
212 W. Main St.
Inverness, FL 34450

To Whom It May Concern:

Please be advised that I will be resigning my position on the Planning and Zoning Commission as of November 6, 2015.

It has been a privilege to be a member of this board and I appreciated the opportunity to serve and to give back to the city of Inverness.

Sincerely,

A handwritten signature in blue ink that reads "James C. Devine". The signature is written in a cursive style with a large initial 'J'.

James C. Devine
11098 S. Flutter Terr
Inverness, FL 34452

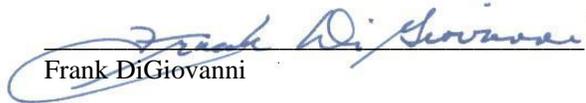
Agenda Memorandum – *City of Inverness*

DATE: November 13, 2015
ISSUE: Board & Commission Member Appointment: P&Z Commission
FROM: City Manager
CC: Bruce Day
ATTACHED: Memo by Bruce Day
Application by Janice Devine

With reference to attachments, Mrs. Janice Devine is duly qualified to serve, and requests placement on the Planning and Zoning Commission as replacement for her husband Jim who is unable to continue service. This initiative is supported by staff and we believe Ms. Devine will be an excellent member.

Recommended Action –

Motion, second and vote to appoint Mrs. Janice Devine as a volunteer member of the Planning and Zoning Commission for the City of Inverness.


Frank DiGiovanni

Administrative Offices
212 West Main Street, Inverness Florida 34450
www.Inverness-FL.gov

M E M O R A N D U M

TO: Frank DiGiovanni, City Manager
FROM: Bruce Day, Community Development Director
DATE: November 12, 2015
RE: Application for Inverness Planning and Zoning Commission
Janice Devine

APPLICATION:

Ms. Janice Devine has submitted an application for board membership to the Inverness Planning and Zoning Commission. The intent is for her appointment to fill the vacant seat of her husband James Devine who is resigning from the commission.

Ms. Devine is familiar with the role and function of the Planning and Zoning Commission as she has attended all their meetings for the past three years. It is suspected her attendance goes back further but documentation of attendance by the public is not charted.

REQUIREMENTS:

Through the application and her involvement within the City, Ms. Devine meets the criteria for becoming a member of the board through owning property in the City. Ms. Devine's experience, property ownership, interest in the City and background would provide the necessary skills and vantage point to benefit her and the City as candidate for this board.

REVIEW:

There will be significant changes to the City's comprehensive plan in the coming months and the City will benefit by having new members with experience in the scope of the Planning and Zoning Commission's powers and duties. The needs of the Planning and Zoning commission are significantly addressed by the traits that Ms. Devine brings to the board.

RECOMMENDATION:

It is the recommendation by the Department that Ms. Janice Devine be considered for board membership to the Inverness Planning and Zoning Commission.

APPLICATION FOR SERVING ON CITY BOARDS

1. Name: JANICE DEVINE Home Phone 344-8129

2. Home Address 11098 S. FLUTER TERR INVERNESS, FL

3. Business _____ Bus. Phone _____

4. Business Address _____

5. Brief resume of education and experience: AS in business ; AS in
medical

6. Are you a registered voter? Yes No _____ Precinct# 400

7. Are you a resident of the City? Yes _____ No

8. Do you own property in the City? Yes No _____

9. Do you hold a Public Office? Yes _____ No

10. Are you employed by the City? Yes _____ No

11. At present, do you serve on a board or committee of either the city or county?
Yes _____ No

If "yes", name: _____

12. Please check the boards and/or committees you are interested to serve on:

- Planning & Zoning Commission
- Zoning Board of Adjustment
- Code Enforcement Board (must be a resident of the City)
- Inverness Community Redevelopment Agency
- Architectural/Aesthetic Review Committee

13. Committee or Boards you have served in the past: None

14. Why do you believe you are qualified to serve on this board/committee? _____

Have been coming to meetings for past few years & believe I'd have something to offer.

15. Would you consider serving on another board or committee other than the one(s) you selected above? Yes _____ No

16. Until such time you are selected for the board or committee of your choice, may we submit your application when vacancies occur rather than phone you?
Yes _____ No

NOTE: (1) Application will remain active for one (1) year from submittal date.

(2) If appointed, you are required to complete a Financial Disclosure form.

SIGNATURE *Janice Devine* DATE _____
*APPLICATIONS REMAIN ON FILE FOR 6 MONTHS

Agenda Memorandum – *City of Inverness*

DATE: November 13, 2015
ISSUE: CHRISTMAS PARADE PERMIT; FDOT APPROVAL; CITY CONFIRMATION
FROM: City Manager
CC: N/A
ATTACHED: Letter by Citrus County Chamber to City
FDOT Application for Temporary Road Closure

Please reference attachments for additional information.

Upon receipt, we are proceeding without delay to secure a permit to accommodate the 2015 Chamber of Commerce Christmas Parade for road closure of Main Street on December 12, 2015. Staging for the parade will commence at 8:30am at the Citrus High School with a scheduled start time at 12:00pm. The program will follow the normal route on Main Street and turn to finish at Highlands Boulevard. This is brought before City Council to confirm that we are aware of the program and temporary road closure.

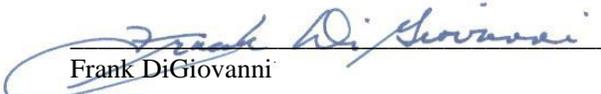
As the local government, the City of Inverness must include a copy of the minutes from a meeting of the governing board to approve the City's hosting of the event. Even though the application includes the signatures of the City Manager and Sheriff, FDOT policy mandates that the local Government Board – City Council – addresses the matter.

Recommended Action –

To meet the criteria of FDOT, it is recommended that City Council motion, second and vote to authorize that the City host and accommodate the parade on December 12, 2015, on the FDOT roadway Main Street (Highway 41/44) through town, and accordingly support a temporary closure of the road for this purpose.

Once approved, related paperwork will be sent to FDOT for final action.

Thank you,


Frank DiGiovanni

Administrative Offices
212 West Main Street, Inverness Florida 34450
www.Inverness-FL.gov



October 20, 2015

City of Inverness
Frank DiGiovanni, City Manager
212 W. Main Street
Inverness, FL 34450

Dear Frank,

Please find enclosed the road closure permit for the Inverness Christmas Parade on December 12, 2015. At your convenience, please sign where indicated and then forward to the Sheriff to have them sign. Upon completion of that, we will request that the Citrus County Chamber be notified to pick up the documents. Due to this year's time constraints, the documents will be hand delivered to the FDOT office in Tampa.

If you have any questions, please do not hesitate to ask. Thank you for your attention in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leslie Bollin".

Leslie Bollin
For Citrus County Chamber of Commerce

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TEMPORARY CLOSING OF STATE ROAD PERMIT

Date: 10/20/2015

Permit No. _____

Governmental Entity

| | |
|---|--|
| Approving Local Government <u>City of Inverness</u> | Contact Person <u>Frank DiGiovanni</u> |
| Address <u>212 W. Main St., Inverness, FL 34450</u> | |
| Telephone <u>352-726-2611</u> | Email <u>administration@inverness-fl.gov</u> |

Organization Requesting Special Event

| | |
|---|---|
| Name of Organization <u>Citrus County Chamber of Commerce</u> | Contact Person <u>Josh Wooten</u> |
| Address <u>915 North Suncoast Blvd, Crystal River, FL 34429</u> | |
| Telephone <u>352-795-3149</u> | Email <u>josh@citruscountychamber.com</u> |

Description of Special Event

| | |
|--|-------------------------------|
| Event Title <u>Inverness Christmas Parade</u> | Date of Event <u>12/12/15</u> |
| Start Time <u>12:00PM</u> | End Time <u>2:30PM</u> |
| Event Route (attach map) <u>SR-44, from County Bus Terminal, proceeding east to Highland Blvd.</u> | |
| <u>SR44 from MP16.502 R to MP 17.626 R</u> | |
| Detour Route (attach map) <u>Traffic from US41 North and SR44 West will be detoured onto Montgomery Ave to the Highland Blvd area to the intersection of US41 South and SR44 East (SR44 from MP 16.502 R to MP 17.626 R)</u> | |

Law Enforcement Agency Responsible for Traffic Control

| |
|--|
| Name of Agency <u>Citrus County Sheriff's Department</u> |
|--|

US Coast Guard Approval for Controlling Movable Bridge

| |
|--|
| Not Applicable <input checked="" type="checkbox"/> |
| Copy of USCG Approval Letter Attached <input type="checkbox"/> |
| Bridge Location _____ |

The Permittee will assume all risk of and indemnify, defend and save harmless the State of Florida and the FDOT from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise of this event.

The Permittee shall be responsible to maintain the portion of the state road it occupies for the duration of this event, free of litter and providing a safe environment to the public.

Signatures of Authorization

| | | |
|--|--|----------------------|
| Event Coordinator <u>Josh Wooten (President/CEO)</u> | Signature  | Date <u>10-27-15</u> |
| Law Enforcement Name/Title <u>Jeffrey J. Dawsey, Sheriff</u> | Signature _____ | Date _____ |
| Government Official Name/Title <u>Frank DiGiovanni, City Manager</u> | Signature _____ | Date _____ |

FDOT Special Conditions

| |
|--|
| |
| |
| |
| |

FDOT Authorization

| | | |
|------------------|-----------------|------------|
| Name/Title _____ | Signature _____ | Date _____ |
|------------------|-----------------|------------|

**Inverness Christmas Parade
Traffic Officers**

| # of Officers | Location |
|----------------------|--|
| 2 | SR 44 West & Montgomery St. |
| 1 | SR 44 West & North Ella St. |
| 1 | US 41 North & Montgomery Ave. |
| 1 | SR 44 West & US 41 North |
| 1 | SR 44 West (Main) & Trout Ave. |
| 1 | Main St. & Cherry Ave. |
| 1 | Main St. & Line Ave. |
| 1 | Main St. & Citrus Ave. |
| 1 | Main St. & Osceola Ave. |
| 1 | Main St. & Seminole Ave |
| 1 | Main St. & Pine Ave. |
| 1 | Main St. & Apopka Ave. |
| 1 | Main St. & Park Ave. |
| 2 | SR 44 East / 41 South & Highland Ave |
| 3 | SR 41 South at Hill St. |
| 1 | Highland Blvd & S. Apopka Ave. |
| 1 | Highland Blvd & S. Line Ave |
| 1 | Highland Blvd & Entrance to Staging Area |

Agenda Memorandum – *City of Inverness*

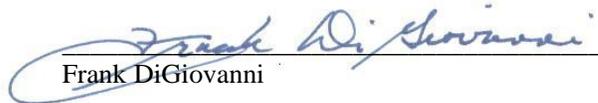
DATE: November 13, 2015
ISSUE: Piggy Back Bid Extension for Utility Supplies
FROM: City Manager
CC: City Clerk, Finance Director, Woodard Curran
ATTACHED: Memo by Sheri Chiodo
Extension of Agreement No. 895 Water/Wastewater Material Alliance

The Orlando Utility Commission (OUC) is an enormous operation that has achieved excellent pricing for utility system operations – parts and supplies. The City of Inverness joined the OUC bid program in 2010, which has worked well to control costs and leverage the resources of HD Supply.

With interest to continue this relationship, City Council is asked to support an extension to the existing piggy back bid agreement to keep us compliant with the OUC bid process.

Recommended Action –

Motion, second and vote to adopt and continue with the Orlando Utility Commission bid with HD Supply by extending piggy-back bid provisions, and authorize the City Manager to execute purchase agreement documents and provide letters of committee by the City of Inverness to continue participation in this program.


Frank DiGiovanni

Administrative Offices
212 West Main Street, Inverness Florida 34450
www.Inverness-FL.gov



FINANCE DEPARTMENT

212 W. Main Street
Inverness, FL 34450
(352) 726-5016 Phone
(352) 726-5534 Fax

Memorandum

To: Frank DiGiovanni, City Manager

From: Sheri Chiodo, Director of Finance

CC: Debbie Davis, City Clerk

Date: November 10, 2015

Reference: Orlando Utility Commission (OUC) / HD Supply Bid

The City has piggy-backed the Orlando Utilities Commission (OUC) contract with HD Supply since 2010. The agreement has provided pricing at a substantially reduced rate as a result of the purchasing power of the OUC. During the past five years the contract has stabilized costs in the utility fund supply and maintenance areas as well as provided efficiencies by reducing procurement steps.

The extension is valid through June 30, 2016 and requires the authorization by City Council to extend the OUC purchasing agreement with HD Supply for Water/Waste Water Materials. The pricing remains consistent with the original 2010 agreement. The agreement is structured to continue to add other governmental utility entities through piggy-back purchasing protocol as governed by Florida Statute 189.4221. The initial formal and final bid documents remain on file in the Public Works Department which include commodity and price listing, and letters of approval from the OUC and HD Supply Waterworks for the City of Inverness to pig-back the bid.



The Reliable One

April 7, 2015

Jerry L. Webb, CEO
HD Supply Waterworks, Ltd.
1820 Metcalf Avenue
Thomasville, GA 31799-1419

Subject: Extension of Agreement No. 895 Water/Wastewater Material Alliance

Dear Mr. Webb:

The subject Alliance expires on June 30, 2015, and in accordance with Section 2. "Term" of the Alliance, "the Agreement shall automatically terminate unless the Parties hereto mutually agree in writing to extend said term." Based on the 2012/2013 price comparison analysis and your evaluated performance OUC is recommending the extension of the Alliance. The current pricing is valid through June 30, 2016 until which time new catalog pricing will be submitted by HD Supply Waterworks for review and acceptance by OUC.

The Alliance will be extended to June 30, 2016 with the same terms and conditions. Please indicate your acceptance of this offer by having an officer of your firm execute the acceptance portion below and return the original of this letter to the address below. Please include a current certificate of Liability Insurance with OUC as additional insured.

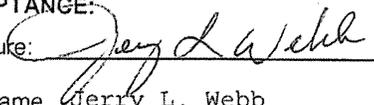
Upon execution below by your firm's authorized representative, this extension will be your official notice that the Alliance has been extended until June 30, 2016 and no additional documentation will be required.

If you have any questions regarding the foregoing, please contact Peg Rhoden at 407 434 4015. Your prompt attention into this matter would be greatly appreciated.

Sincerely,

Peg Rhoden
Purchasing Team Administrator

ACCEPTANCE:

Signature: 

Print Name Jerry L. Webb

Title/Date: CEO / April 8, 2015

ORLANDO UTILITIES COMMISSION
5971 Pershing Avenue | PO Box 3193 | Orlando, FL 32822 | 407-434-4048 Telephone | 407-434-4338 Telefax | www.ouc.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/30/2015

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

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

| | | |
|---|---|--|
| PRODUCER MARSH USA, INC. TWO ALLIANCE CENTER 3560 LENOX ROAD, SUITE 2400 ATLANTA, GA 30305 Attn: HDSupply.certrequest@marsh.com or fax 212.948.1142 775978-HD-GAWX-15-16 WATER | CONTACT NAME: PHONE (A/C, No, Ext): _____ FAX (A/C, No): _____ E-MAIL ADDRESS: _____ | |
| | INSURER(S) AFFORDING COVERAGE | |
| INSURED HD SUPPLY, INC. CUMBERLAND CENTER II 3100 CUMBERLAND BOULEVARD ATLANTA, GA 30339 | INSURER A : Illinois National Insurance Company NAIC # 23817 | |
| | INSURER B : New Hampshire Ins Company 23841 | |
| | INSURER C : N/A N/A | |
| | INSURER D : National Union Fire Insurance Co. of Pittsburgh, PA 19445 | |
| | INSURER E : | |
| | INSURER F : | |

COVERAGES **CERTIFICATE NUMBER:** ATL-003549322-30 **REVISION NUMBER:** 4

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

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|--------------------|-------------------------|-------------------------|---|
| D | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER: | | | GL3333254 | 08/30/2015 | 08/30/2016 | EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 50,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 |
| D | AUTOMOBILE LIABILITY | | | CA 7469844 (AOS) | 08/30/2015 | 08/30/2016 | COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 |
| B | <input checked="" type="checkbox"/> ANY AUTO | | | CA 7469843 (MA) | 08/30/2015 | 08/30/2016 | BODILY INJURY (Per person) \$ |
| D | <input type="checkbox"/> ALL OWNED AUTOS | | | CA 7469845 (VA) | 08/30/2015 | 08/30/2016 | BODILY INJURY (Per accident) \$ |
| | <input type="checkbox"/> HIRED AUTOS | | | | | | PROPERTY DAMAGE (Per accident) \$ |
| | <input type="checkbox"/> SCHEDULED AUTOS | | | | | | Self Insured Phy Dmg \$ |
| | <input type="checkbox"/> NON-OWNED AUTOS | | | | | | |
| | UMBRELLA LIAB | | | | | | EACH OCCURRENCE \$ |
| | EXCESS LIAB | | | | | | AGGREGATE \$ |
| | DED | | | | | | \$ |
| | RETENTION \$ | | | | | | |
| B | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | WC 024781030 (AOS) | 08/30/2015 | 08/30/2016 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER |
| D | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | Y/N | N/A | WC 024781031 (CA) | 08/30/2015 | 08/30/2016 | E.L. EACH ACCIDENT \$ 1,000,000 |
| A | If yes, describe under DESCRIPTION OF OPERATIONS below | | | WC 024781032 (FL) | 08/30/2015 | 08/30/2016 | E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 |
| | | | | (SEE ATTACHED) | | | E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |

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

| | |
|--|---|
| CERTIFICATE HOLDER CITY OF INVERNESS 212 W. MAIN ST INVERNESS, FL 34450-4855 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE of Marsh USA Inc. Manashi Mukherjee <i>Manashi Mukherjee</i> |
|--|---|

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ACORD 25 (2014/01)

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AGENCY CUSTOMER ID: 775978

LOC #: Atlanta



ADDITIONAL REMARKS SCHEDULE

Page 2 of 4

| | | | |
|---------------------------|-----------|--|--|
| AGENCY MARSH USA, INC. | | NAMED INSURED HD SUPPLY, INC. CUMBERLAND CENTER II 3100 CUMBERLAND BOULEVARD ATLANTA, GA 30339 | |
| POLICY NUMBER | | EFFECTIVE DATE: | |
| CARRIER | NAIC CODE | | |

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
 FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

HD Supply 15-16 Additional Workers Compensation Carriers Continued:

Carrier: New Hampshire Insurance Company
 Policy #: WC 024781033
 Effective Dates: 08/30/2015 - 08/30/2016
 Workers Compensation Limits: Statutory
 EL Each Accident - \$1,000,000
 EL Disease - Policy Limit - \$1,000,000
 EL Disease - Each Employee - \$1,000,000
 States Covered: AK, AZ, VA

Carrier: New Hampshire Insurance Company
 Policy #: WC 024781034
 Effective Dates: 08/30/2015 - 08/30/2016
 Workers Compensation Limits: Statutory
 EL Each Accident - \$1,000,000
 EL Disease - Policy Limit - \$1,000,000
 EL Disease - Each Employee - \$1,000,000
 States Covered: IL, KY, NC, NH, UT, VT

Carrier: New Hampshire Insurance Company
 Policy #: WC 024781036
 Effective Dates: 08/30/2015 - 08/30/2016
 Workers Compensation Limits: Statutory
 EL Each Accident - \$1,000,000
 EL Disease - Policy Limit - \$1,000,000
 EL Disease - Each Employee - \$1,000,000
 States Covered: ME

Carrier: New Hampshire Insurance Company
 Policy #: WC 024781037
 Effective Dates: 08/30/2015 - 08/30/2016
 Workers Compensation Limits: Statutory
 EL Each Accident - \$1,000,000
 EL Disease - Policy Limit - \$1,000,000
 EL Disease - Each Employee - \$1,000,000
 States Covered: NJ, PA

Carrier: New Hampshire Insurance Company
 Policy #: WC 024781035
 Effective Dates: 08/30/2015 - 08/30/2016
 Workers Compensation Limits: Statutory
 EL Each Accident - \$1,000,000
 EL Disease - Policy Limit - \$1,000,000
 EL Disease - Each Employee - \$1,000,000
 States Covered: MA, ND, OH, WA, WI, WY

AGENCY CUSTOMER ID: 775978

LOC #: Atlanta



ADDITIONAL REMARKS SCHEDULE

Page 3 of 4

| | | | |
|---------------------------|-----------|--|--|
| AGENCY MARSH USA, INC. | | NAMED INSURED HD SUPPLY, INC. CUMBERLAND CENTER II 3100 CUMBERLAND BOULEVARD ATLANTA, GA 30339 | |
| POLICY NUMBER | | EFFECTIVE DATE: | |
| CARRIER | NAIC CODE | | |

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

HD SUPPLY INSUREDS

HD Supply, Inc. Entity List

- HD Supply Holdings, Inc. (f/k/a HDS Investment Holding, Inc.; name changed)
- HDS Holding Corporation
- HD Supply, Inc.
- HD Supply Holdings, LLC
- HD Supply GP & Management, Inc.
- HD Supply Management, Inc.
- HD Supply Support Services, Inc.
- Brafasco Holdings II, Inc.
- Brafasco Holdings, Inc.
- Cox Lumber Co. (merged into LBM Holdings, LLC)
- Creative Touch Interiors, Inc. d/b/a HD Supply Interior Solutions
- HD Supply Canada Inc d/b/a HD Supply Industrial Solutions
- HD Supply Charitable Fund, Inc.
- HD Supply Construction Supply Group, Inc.
- HD Supply Construction Supply, Ltd. d/b/a HD Supply Construction and Industrial
- HD Supply Distribution Services, LLC d/b/a HD Supply Hardware Solutions
- HD Supply Facilities Maintenance Group, Inc.
- HD Supply Facilities Maintenance, Ltd. d/b/a HD Supply Facilities Maintenance; d/b/a HD Supply Government Solutions; d/b/a HD Supply Healthcare Solutions; d/b/a HD Supply Hospitality Solutions; d/b/a HD Supply Maintenance Solutions; d/b/a HD Supply Multi Family Solutions
- HD Supply FM Services, LLC (organized)
- HD Supply Electrical, Ltd. (converted and merged into HD Supply Utilities, Ltd.)
- HD Supply Fasteners & Tools, Inc. (name changed to HDS Power Solutions, Inc.)
- HDS Power Solutions, Inc. (f/k/a HD Supply Fasteners & Tools, Inc.; name changed)
- HD Supply Power Solutions Group, Inc. (f/k/a HD Supply Utilities Group, Inc name changed)
- HD Supply Power Solutions, Ltd. (f/k/a HD Supply Utilities, Ltd., name changed) d/b/a HD Supply Power Solutions
- HD Supply Repair & Remodel, LLC d/b/a HD Supply Home Improvement Solutions; d/b/a Contractors' Warehouse
- HD Supply Utilities Group, Inc. (name changed to HD Supply Power Solutions Group, Inc.)
- HD Supply Utilities, Ltd. (name changed to HD Supply Power Solutions, Ltd.)
- HD Supply Waterworks Group, Inc.
- HD Supply Waterworks, Ltd. d/b/a HD Supply Waterworks; d/b/a HD Supply Fire Protection; d/b/a/ HD Supply Fusible Piping
- HD Builder Solutions Group, LLC (merged into Creative Touch Interiors, Inc.)
- HDS IP Holding, LLC
- HSI IP, Inc.
- LBM Holdings, LLC
- Madison Corner, LLC (dissolved)
- NHDSA LLC
- NHDSA Holding, LLC
- Park Emp, LLC (dissolved)
- ProValue, LLC
- Sunbelt Supply Canada, Inc. (dissolved)
- White Cap Construction Supply, Inc.
- Williams Bros. Lumber Company, LLC (dissolved)
- HD Supply International Holdings, Inc.

AGENCY CUSTOMER ID: 775978

LOC #: Atlanta



ADDITIONAL REMARKS SCHEDULE

Page 4 of 4

| | | | |
|---------------------------|-----------|--|--|
| AGENCY MARSH USA, INC. | | NAMED INSURED HD SUPPLY, INC. CUMBERLAND CENTER II 3100 CUMBERLAND BOULEVARD ATLANTA, GA 30339 | |
| POLICY NUMBER | | EFFECTIVE DATE: | |
| CARRIER | NAIC CODE | | |

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
 FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

- HD Supply International Holdings II, LLC
- HD Supply (Hong Kong) Limited
- HD Supply India Private Limited (dissolved)
- HD Supply Panama, S.A.
- HD Supply (Shenzhen) Company Limited
- Pro Canadian Holdings I, ULC
- Solbell Supply Southwest, S.A. de C.V.
- Amerifile LLC (merged into HD Supply Facilities Maintenance, Ltd.)
- AP RE LLC (merged into HD Supply Facilities Maintenance, Ltd)
- GCP Amerifile Coinvest Inc. (merged into HD Supply Holdings, LLC)
- Peachtree Business Products LLC (merged into HD Supply Facilities Maintenance, Ltd)
- Varsity AP Holding Corporation (merged into HD Supply Holdings, LLC)
- Varsity AP Holdings LLC (merged into HD Supply Facilities Maintenance, Ltd.)

Agenda Memorandum – *City of Inverness*

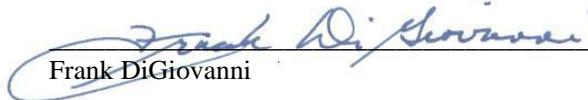
DATE: November 13, 2015
ISSUE: Merry Building Letter of Encroachment
FROM: City Manager
CC: City Attorney
ATTACHED: Letter by Clark Stillwell

Reference is made to the attached.

City Council has discussed this based on a presentation by Mr. Winston Perry regarding roof top dining; a proposed lease condition payment of \$1,000 in lieu of roof top dining, and the City's commitment to support the concept of roof top dining by the property owner. (The condition was that the City would act to remove any/all encroachments of the plaza once the owner is at the point of having secured permit approvals and being ready to commence construction.)

We will meet with Mr. Stillwell to bring this to a point of providing City Council a reasonable manner to resolve the issue.

Recommended Action –
No Action at this time


Frank DiGiovanni

Administrative Offices
212 West Main Street, Inverness Florida 34450
www.Inverness-FL.gov

LAW OFFICE OF
CLARK A. STILLWELL, LLC
ATTORNEY AT LAW

BRANNEN BANK BUILDING
320 U.S. HIGHWAY 41 SOUTH
INVERNESS, FLORIDA 34450

TELEPHONE: (352) 726-6767
FAX: (352) 726-8283
caslaw@tampabay.rr.com

MAILING ADDRESS:
POST OFFICE BOX 250
INVERNESS, FL 34451-0250

November 6, 2015

Via email service and US Mail

Mayor and City Council
City of Inverness
212 W. Main Street
Inverness, Florida 34450

RE: Merry Building, Alternate Key #1756839 - Plaza - Encroachment

Ladies and Gentlemen:

My office represents the owner of the above noted parcel located at 101 Courthouse Square, Inverness, Florida. I attach my client's deed and survey.

Prior to the City's fountain/plaza project, my client owned a vacant, linear strip of land to the north of the Merry building approximately five (5) feet.

The attached photos show the City has encroached into my client's property taking the above noted open linear space. Please remove this unauthorized encroachment within thirty (30) days. Absent timely removal, my client will undertake to do such and bill the City for the costs of its unlawful encroachment.

Further, pursuant to F.S. 119.00 et. Seq. we would request (1) approved construction plans for fountain plaza and (2) building permit application and issued building permit.

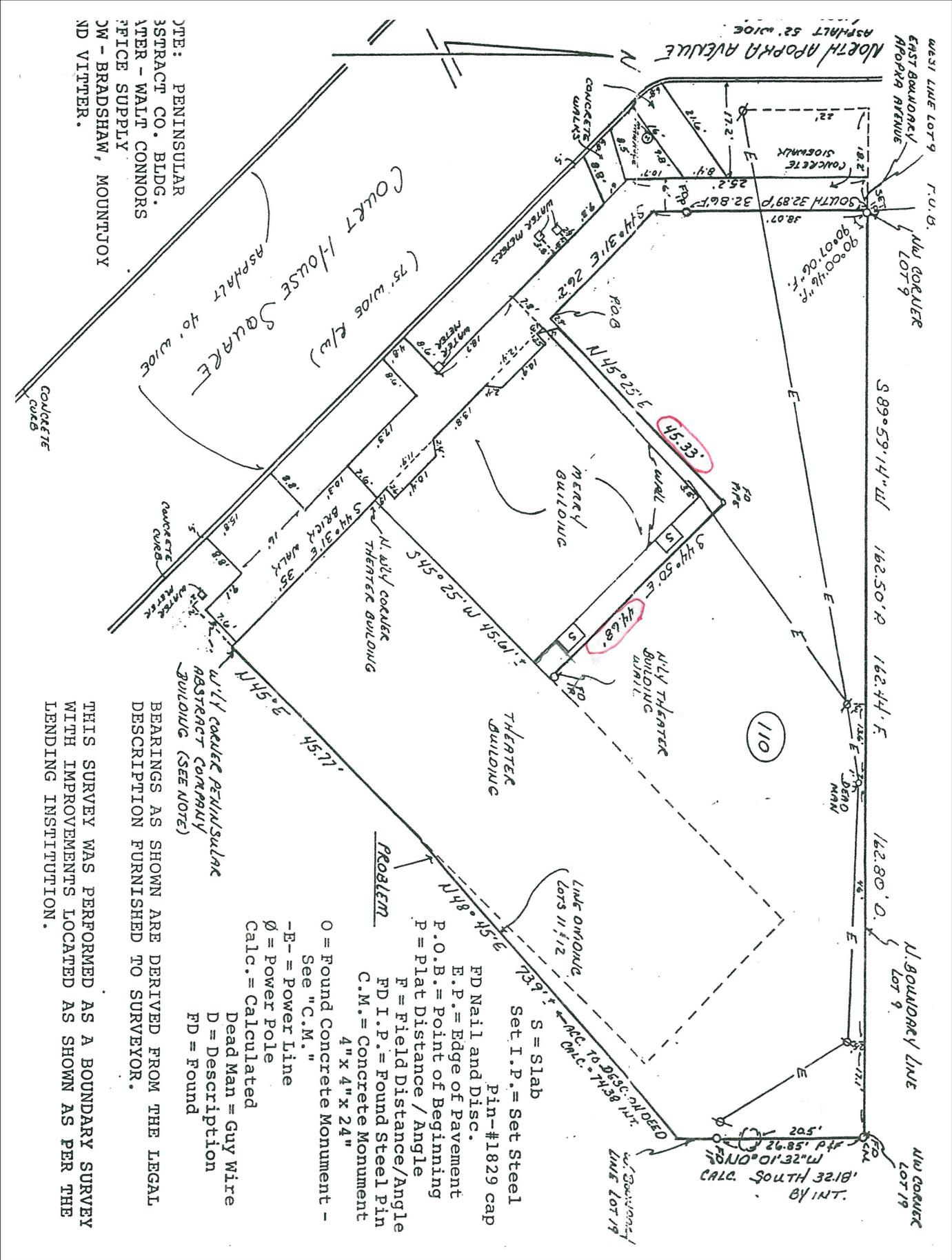
Very truly yours,

LAW OFFICE of CLARK A. STILLWELL, LLC



Clark A. Stillwell

CAS/cv
Enclosure
cc: Larry Haag, City Attorney
Frank DiGiovanni, City Manager
Client

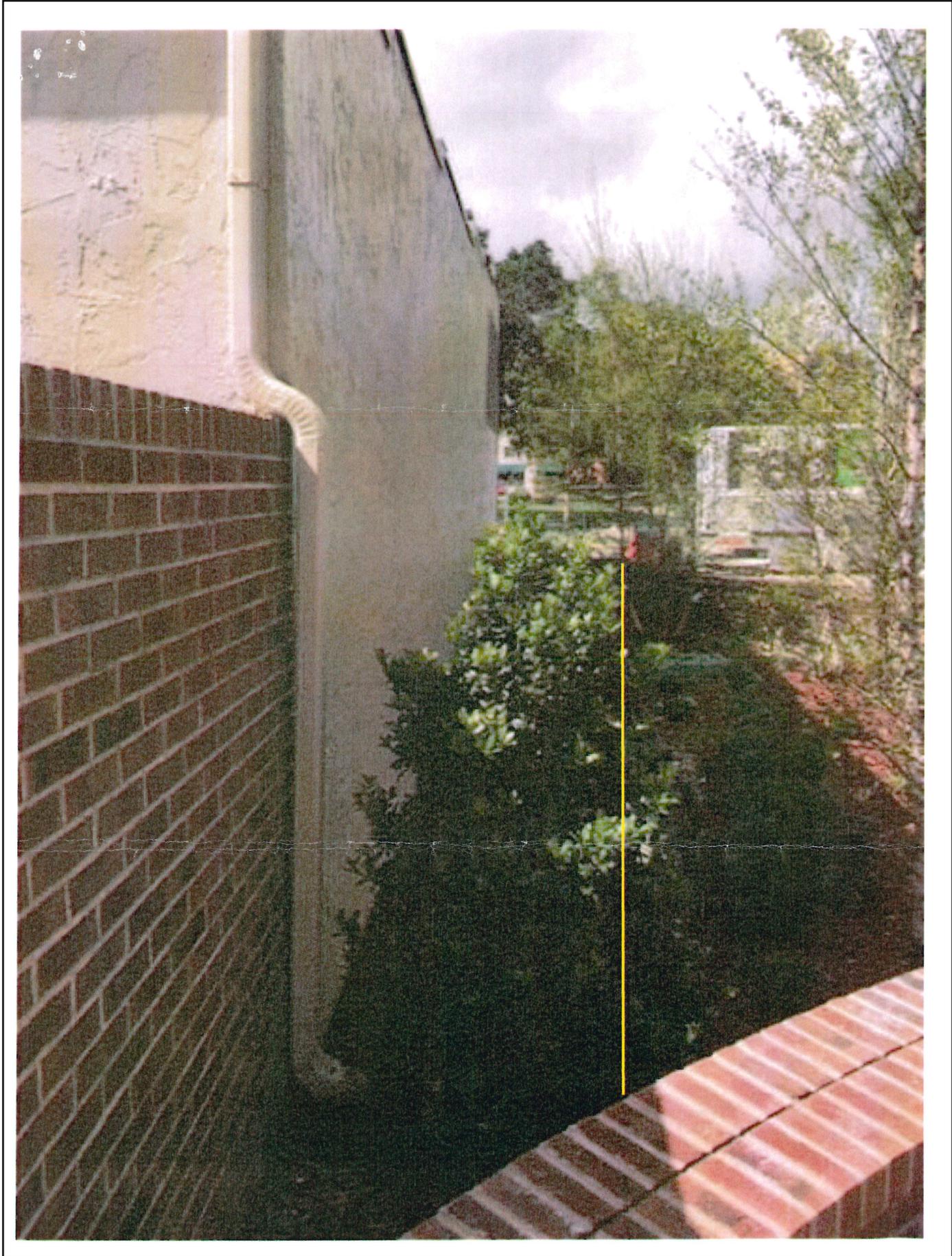


NOTE: PENINSULAR
 ABSTRACT CO. BLDG.
 AFTER - WALT CONNORS
 OFFICE SUPPLY
 CM - BRADSHAW, MOUNTJOY
 AND VITTEB.

BEARINGS AS SHOWN ARE DERIVED FROM THE LEGAL
 DESCRIPTION FURNISHED TO SURVEYOR.
 THIS SURVEY WAS PERFORMED AS A BOUNDARY SURVEY
 WITH IMPROVEMENTS LOCATED AS SHOWN AS PER THE
 LENDING INSTITUTION.

- O = Found Concrete Monument - See "C.M."
- E- = Power Line
- Ø = Power Pole
- Calc. = Calculated
- Dead Man = Guy Wire
- D = Description
- FD = Found
- O = Found Concrete Monument - See "C.M."
- S = Slab
- Set I.P.P. = Set Steel Pin - #1829 cap
- FD Nail and Disc.
- E.P. = Edge of Pavement
- P.O.B. = Point of Beginning
- P = Plat Distance / Angle
- F = Field Distance / Angle
- FD I.P.P. = Found Steel Pin
- C.M. = Concrete Monument
- 4" x 4" x 24"





Agenda Memorandum – *City of Inverness*

DATE: November 13, 2015
ISSUE: Correspondence by School Board: Solid Waste Franchise
FROM: City Manager
CC: City Clerk, City Attorney, Finance Director
ATTACHED: Letter by School Board Attorney

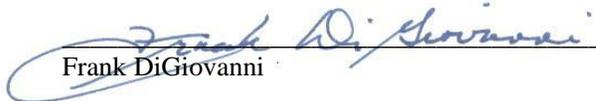
Reference is made to the attached letter from the School Board Attorney that essentially announces their intention to remove themselves from the City Solid Waste Program.

The School System is considered a commercial customer; meaning there is a charge for the service. They have been approached by a hauler that has guided them to believe they can break from the City Ordinance. Per my conversations with Officials of the School System, they intend to solicit bids to serve the five schools, bus garage and administrative buildings of the district for this service.

Essentially, this action represents a material breach of the City Franchise Agreement that will create a revenue shortfall to the general service program provided to residents of the City.

This will be discussed in greater detail publicly at the council meeting.

Recommended Action –
No Action at this time.


Frank DiGiovanni

Administrative Offices
212 West Main Street, Inverness Florida 34450
www.Inverness-FL.gov

BRADSHAW & MOUNTJOY, P.A.
ATTORNEYS AND COUNSELORS AT LAW

S. MICHAEL MOUNTJOY
K. WESLEY BRADSHAW
DONALD J. BRADSHAW (1927-1985)

209 Courthouse Square
Inverness, Florida 34450
Telephone 352.726.1211
Facsimile 352.726.3180

3523 N. Lecanto Hwy.
Beverly Hills, Florida 34465
Telephone 352.746.4343
Facsimile 352.746.1773

PLEASE REPLY TO INVERNESS OFFICE

November 9, 2015

Mr. Frank DiGiovanni, City Manager
City of Inverness
212 West Main Street
Inverness, Florida 34450



Re: Solid Waste Disposal and City's Exclusive Franchise Agreement

Dear Mr. DiGiovanni:

This firm has the pleasure of representing the School Board of Citrus County, Florida (hereinafter "School Board"). This letter is to inform you that the School Board does not legally have to comply with your solid waste disposal exclusive franchise ordinance and as such the School Board intends to issue a Invitation to Bid for the pick-up and removal of solid waste from its school facilities located within the city limits of the City of Inverness (hereinafter "City").

The School Board through its "home rule" powers is not obligated to use the City's exclusive franchise hauler for the removal of solid waste and trash from its educational facilities. The School Board is a political subdivision of the State of Florida with plenary authority over the school system pursuant to Article IX Section 4, of the Florida Constitution; and Florida Statute §§ 1001.30; 1001.32(2) (the School Board home rule provisions); Florida Statute § 1001.33; § 1001.40; § 1001.41; § 1001.42; and § 1010.04, with the exclusive authority to manage, control, operate, administer and supervise Citrus County School District schools and facilities.

As such, it is undisputed that the School Board has constitutional and statutory powers related to the operation of its facilities. In that regard, Article IX, Section 4 of the Florida Constitution states:

SECTION 4. School districts; school boards.

(a) Each county shall constitute a school district; provided, two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district. In each school district there shall be a school board composed of five or more members chosen by vote of

the electors in a nonpartisan election for appropriately staggered terms of four years, as provided by law.

(b) The school board shall operate, control and supervise all free public schools within the school district and determine the rate of school district taxes within the limits prescribed herein. Two or more school districts may operate and finance joint educational programs.

Additionally, Florida Statute § 1001.32(2) provides for the management, control, operation, administration, and supervision of district school systems. It states, in part that:

(2) District school board.--In accordance with the provisions of s. 4(b) of Art. IX of the State Constitution, district school boards shall operate, control, and supervise all free public schools in their respective districts and may exercise any power except as expressly prohibited by the State Constitution or general law. [Emphasis added.]

The aforementioned provisions have been interpreted as granting "home rule" powers to district school boards. *See, e.g.*, Florida Attorney General Opinion 2003-40, September 3, 2003 (district school board-s authorized by home rule power to determine if payment of insurance premiums for School Board attorneys and assistant School Board attorneys fulfill a school purpose); Florida Attorney General Opinion 86-45, May 28, 1986 (only general law and state constitutional law provisions limit a district school board's exercise of "home rule" powers) *See also School Board of Collier County v. Florida Teaching Profession National Education Association*, 559 Southern Second 1197, 1198 (Fla. 2ND DCA 1990), generally discussing home rule powers possessed by school boards.

Additionally, state law clearly grants school boards the power to maintain school facilities and provide for their sanitary condition. Florida Statute § 1001.42(11) gives the district School Board the power to, *inter alia*, "Approve plans for locating, planning, constructing, sanitizing, insuring, maintaining, protecting, and condemning school property as prescribed in chapter 1013." Additionally, Florida Statute §1001.42(11)(c) gives the district school board the power to "

Provide adequately for the proper maintenance and upkeep of school plants, so that students may attend school without sanitary or physical hazards, and provide for the necessary heat, lights, water, power, and other supplies and utilities necessary for the operation of the schools.

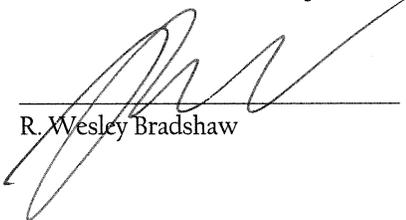
Pursuant to the powers granted to it by the Florida Constitution and the Florida Statutes, the School Board has historically entered into contracts for the removal of solid waste in order to carry out its statutory obligation to provide for the proper maintenance and upkeep of school plants and to provide for their sanitary condition.

Although cities may have authority over solid waste hauling within city limits pursuant to Florida statute Chapters 166, 180, and 403; these Chapters fail to circumvent the concomitant exclusive authority given to the School Board by Florida State Constitution Article IX, Section 4; and Florida Statute §§ 1001.30; 1001.32(2); the School Board "home rule" provision; and Florida Statute §§ 1001.33; § 1001.40; § 1001.41; § 1001.42; and § 1010.04 to exclusively manage, control, operate, administer and supervise the school district's schools and facilities. Since there is no expressed prohibition in the Florida Constitution or Florida statutes forbidding the School Board from contracting for solid waste removal services, either within or outside incorporated areas of the county, the School Board has the right to issue an invitation to bid and award a contract for the removal of solid waste to the lowest bidder.

Based upon the foregoing the School Board shall issue an Invitation to Bid for the removal and disposal of its solid waste within the city limits of Inverness, Florida. If you have any questions, please do not hesitate to contact my office.

Sincerely,

BRADSHAW & MOUNTJOY, P.A.



R. Wesley Bradshaw

RWB/ap

cc: *Via Email:* Citrus County School Board Members
Superintendent Sandra "Sam" Himmel