

RESOLUTION LOG 2013

- 13-01 **Adopt** *Event Policy & Procedure Manual* for outdoor events (1/24/13)
- 13-02 **Tabled**
- 13-03 Support County's adoption of *Domestic Partnership Registry* (1/10/13)
- 13-04 Authorize CM to apply for grand funds for North Douglas (1/24/13)
- 13-05 **Amend** operating & capital budgets - FY 12/13 (1/24/13)
- 13-06 **Amend** operating & capital budgets - FY 12/13 (1/24/13)
- 13-07 **Amend** operating & capital budgets - FY 12/13, CRA (1/24/13)
- 13-08 Establish Ordinance Review Committee (2/7/13)
- 13-09 PCSB request, San Jose bussing (1/24/13)
- 13-10 **Vacate** utility easement 433 Causeway Boulevard, App. 13-1V (2/21/13)
- 13-11 Accept donation from Dunedin Youth Guild for Weaver Park playground (2/7/13)
- 13-12 Budget adjustment for Capital carryover (2/21/13)
- 13-13 Reimbursement resolution for Stormwater (2/21/13)
- 13-14 Sign Code exemption (3/7/13)
- 13-15 Budget Amendment Weaver Playground (3/7/13)
- 13-16 Commitment to Blue Jays (4/4/13)
- 13-17 Budget Amendment (3/21/13)
- 13-18 Budget Amendment (3/21/13)
- 13-19 Southern Magnolia as City tree & flower; Osprey as City bird (4/18/13)

RESOLUTION LOG 2013

- 13-20 Budget Amendment (5/2/13)
- 13-21 Land swap, Belcher fire station & Highlander Park fire station (6/6/13)
- 13-22 **Pulled**
- 13-23 Budget Amendment (5/16/13)
- 13-24 **Vacate** easement, 61 Citrus Ave., App. 13-2V (6/6/13)
- 13-25 Hwy. Beautification Maint. Agmt., Arboretum (6/6/13)
- 13-26 Chief Don Story Public Safety Series (6/20/13)
- 13-27 Budget Amendment (6/20/13)
- 13-28 **Vacate** Bunker Hill Dr.; repeal res. 02-40 (7/11/13)
- 13-29 **Vacate** 1905 Indian Creek Ct. easement; App. #13-3V (8/1/13)
- 13-30 Marina rates (8/1/13)
- 13-31 Extend Ordinance Review Committee (8/15/13)
- 13-32 Budget Amendment (8/1/13)
- 13-33 **Vacate** easement; 1226 Weybridge Lane; App.# 13-4V (8/15/13)
- 13-34 Budget Amendment (8/15/13)
- 13-35 **Adopt** tentative millage (9/12/13)
- 13-36 **Adopt** tentative budget (9/12/13)
- 13-37 **Adopt** property tax millage (9/26/13)
- 13-38 **Adopt** budget FY 12/13 (9/12/13)

RESOLUTION LOG 2013

- 13-39 **Amend** budget FY 12/13 (9/12/13)
- 13-40 **Vacate** utility easement; 1142 MLK Blvd.; App. 13-5V (9/12/13)
- 13-41 **Adopt** Annual Floodplain Mgmt. Plan (9/12/13)
- 13-42 Request to FI Congressional Delegation to revise Bigger-Waters Flood Ins. Act (9/12/13)
- 13-43 **Adopt** Defined Contribution Plan (10/3/13)
- 13-44 Reorg. Dunedin Causeway & Coastal Waterway Comm. (10/3/13)
- 13-45 Stop flavored tobacco sales (11/21/13)
- 13-46 Budget amendment (10/17/13)
- 13-47 Budget amendment (10/17/13)
- 13-48 Opposition to Uniform Chart of Accounts for Financial Reporting (11/21/13)
- 13-49 Authorize issuance of revenue note; finance fire station (11/21/13)
- 13-50 **Tabled**
- 13-51 **Amend** Res. 13-31, extend ORC (11/21/13)
- 13-52 Budget Amendment (11/21/13)
- 13-53 Budget Amendment (12/19/13)

RESOLUTION 13-01

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, ADOPTING AN EVENT POLICY AND PROCEDURE MANUAL AND ESTABLISHING A UNIFORM SET OF CRITERIA FOR OUTDOOR EVENTS; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission recognizes the role which special community events play in the quality of life in the City of Dunedin; and

WHEREAS, the City Commission recognizes that such events can have many social, cultural and financial benefits including economic growth, increased tourism, and recreational opportunities; and

WHEREAS, the City Commission recognizes that such events can also have a significant impact on the municipal budget, may require support services from a variety of governmental departments, and can have an impact on the general public; and

WHEREAS, the City Commission wishes to establish criteria by which to approve the holding of special community events within the City of Dunedin, including events on public and private property and by which to determine the fee schedule for license agreements and support services from a variety of governmental departments; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That organizations wishing to conduct special events must make application to the Event Coordinator of the City of Dunedin Parks and Recreation Department at least 90 days prior to the proposed event.

Section 2. That the city shall use a uniform set of criteria for categorizing each proposed event as attached hereto as Exhibit "A". These criteria shall determine which fees and charges shall be applied. The City Manager, or designee, has the authority to establish the fee schedule for license agreements and support services from a variety of governmental departments.

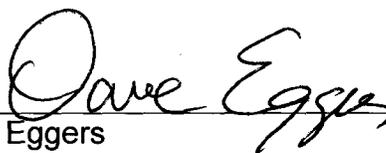
Section 3. That a policy and procedure by which organizations desiring to conduct special events may request permission to hold such events is hereby created, adopted and approved. The City Manager shall have the authority to make minor changes or amendments to the policies and procedures without action by the City Commission. The Event Policy and Procedure Manual is attached hereto as Exhibit "B".

Section 4. That a review committee, appointed by the City Manager, or Designee, and consisting of members of each Division and Department normally involved in special events, is hereby established to review requests to conduct special events and to make recommendations to the City Manager, through the Parks and Recreation Director, as to whether the event(s) should be held and whether and to what extent fees and charges should be applied. The City Manager shall forward requests for special events requiring a revocable license agreement to the City Commission for final action.

Section 5. That Resolution 97-9 is hereby repealed.

Section 6. That this Resolution shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 24th day of January, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

Resolution 13-01

City of Dunedin Parks & Recreation Department
Outdoor Event Criteria

"Exhibit A"

Category:	Defined As:	Existing Events Related to:
1.) Events produced by the City of Dunedin	<p>Events produced by the Parks & Recreation Department or other City Department.</p> <p>Direct Costs: allocated within City's budget License fee: not applicable Road Closure fee: not applicable</p>	<ul style="list-style-type: none"> •Antiques Fair (Spr/Fall) •Chinese New Year •Films in the Park (Apr/Oct) •HAC Garage Sale •Halloween Happenings •Hog Hustle •Holiday Boat Parade •Hometown USA/4th of July •MLK Jr. Celebration •Old Fashioned Christmas & Holiday Parade •Sunset Music Series •Starlight Concerts •Touch-A-Truck
2.) Events produced by a Non-Profit entity	<p>Events held on public property and produced by a non-profit organization.</p> <p>Direct Costs: 100% charged License fee: \$150</p>	<ul style="list-style-type: none"> •Art Harvest •Celtic Festival •Creative Artists Guild •Dogtoberfest •Duck Derby •Dunedin Sprint Triathlon •Girls Night Out •Highland Games •Mardi Gras •Men on Fire •Midnight Run •Mutt March •Orange Festival* •Pride •Regatta •Rib Fest •Wines the Blues
3.) Events produced by a For-Profit entity	<p>Events held on public property and produced by a private enterprise.</p> <p>Direct Costs: 100% charged License fee: Based on attendance</p>	<ul style="list-style-type: none"> •Cinco de Mayo •Oktoberfest •St. Patrick's Day •Seafood Festival •Stone Crab Festival
4.) Events on Private Property	<p>Events held on private property, produced by a business or organization.</p> <p>Direct Costs: 100% charged if applicable License fee: not applicable except if Road Closure has minimal impact, \$150 License Fee</p>	<ul style="list-style-type: none"> •Cricketeers events •Jollimon's events •Military Tattoo •Our Lady of Lourdes events •Scotoberfest •Suncoast Brotherhood events
5.) CRA Events	<p>Events produced in downtown Dunedin via Agreement with City. Payments and fees per the terms of the Agreement.</p>	<ul style="list-style-type: none"> •Art & Craft Festivals •Green Market

Events held at Parks: License fee applies. Shelters, gazebos, outdoor stages included in fee.

Resolution 13-01
Exhibit "B"



**Dunedin Parks & Recreation Department
Event Policies & Procedures Manual**

The City of Dunedin Parks & Recreation Department is pleased that you have decided to host your event in our City. All of the following rules and guidelines apply to any Special Event hosted within the City of Dunedin. Persons and/or organizations who wish to conduct an Event in the City of Dunedin must submit a completed application a minimum of ninety (90) days prior to the proposed event date to:

Mail: City of Dunedin Parks and Recreation Department
Attn: Events Coordinator
1920 Pinehurst Road
Dunedin, Florida 34698

Online: www.DunedinGov.com

Receipt of an application is not a guarantee of event approval. Annual events should request dates one year in advance.

EVENT DEFINITION

An Event is defined as any activity that is outside of the normal operations of the facility and/or has an impact on the general public. Examples may include one or more of the following:

1. Open and advertised to the general public
2. The sale of food, beverage or merchandise to the general public
3. Exceeds pavilion boundaries
4. Event requires one or more of the following: parking arrangements, traffic control, law enforcement, EMS, Fire Marshall, portable toilets, dumpsters, or City permits
5. Requires that portions of a public facility be closed to the general public

EVENT RULES AND GUIDELINES

1. **Production Meetings:** The event promoter/organizer must attend a pre-event consultation, production meeting, and a post-event evaluation with City staff and other parties as necessary. Event promoter is responsible for all event logistics before, during, and after the event including equipment, security, trash, traffic, etc.
2. **Site Map:** Site Map should include: (as many pages as necessary, does not all need to be on one map)
 - a. Vendor locations
 - b. Event equipment (stages, booths, scaffolding, trucks, etc.)
 - c. Seating arrangements
 - i. Indicate Type (Theater, Bleacher, Tables w/ Chairs, other)
 - ii. Indicate Locations
 - iii. Indicate Number at Each Location
 - d. Tent locations and sizes, etc.
 - e. Barricade locations
 - f. Entertainment / activities
 - g. Electrical needs
 - h. Portable restroom locations
 - i. Dumpster & Recycling collection location(s)
 - j. Road and/or sidewalk closures
 - k. First aid / medical stations
 - l. Traffic flow, parking and shuttles
3. **Traffic & Parking:** Traffic flow and parking plan is required. Please provide map and details of plan. Include shuttle services, pick-up and drop-off locations and a copy of the company's license and insurance. Also indicate parking areas for event personnel, volunteers, vendors, etc.

Please retain a copy for your records and information. (rev 1-14-13)

4. **Vendors:** Event Promoter is responsible for obtaining a copy of all license and insurance from each vendor, including inflatables (moonwalks), climbing walls, pony rides, food vendors, etc., and providing the same to the City of Dunedin. All vendors must provide own generator for electrical needs and approved tie-downs. Food vendors also subject to fire inspection and must adhere to all Health Department and Fire Department rules and regulations, including keeping walkways clear and electrical cords, hoses, etc. properly covered and secured.
5. **Selling:** Selling or offering for sale of any goods or services requires Departmental approval.
6. **Alcohol:** Event Promoter is responsible for abiding by all local, State and Federal liquor regulations, including the Division of Alcoholic Beverages & Tobacco (ABT). Sale, dispensing, possession, use and/or consumption of alcoholic beverages on public property is prohibited except pursuant to City and State Ordinance. Serving or selling of alcohol at the event is subject to departmental approval. Once event is approved, the Event Promoter may obtain a temporary liquor license permit, or an extension of the current liquor license, through the Planning & Development office. A certificate of liquor liability insurance in the amount of \$500,000 naming the City of Dunedin as additionally insured must also be provided. If liquor is to be sold, a copy of the liquor license must be provided in the name of the organization selling the product. Copies of insurance(s) and license(s) must be submitted to the Parks & Recreation Department a minimum of thirty (30) days prior to the event. Contact the Florida Department of Business & Professional Regulation at www.myflorida.com/dbpr.
7. **Beer Garden:** Any event selling or dispensing alcohol where alcohol consumption is normally prohibited may be required to establish an area commonly referred to as a "beer garden". All alcohol must be contained within this area, established by barricades or other approved fencing. It is the responsibility of the event promoter to ensure all alcohol stays within these confines. Alcohol can only be sold or provided to individuals 21 years or older. Beer garden location and dimensions must be included on site map and approved by the Fire Department.
8. **Tents:** All tents must be properly secured and anchored and made of flame-resistant materials in accordance with NFPA 701 Standard Method of Fire tests for Flame Propagation of Textiles and Films. The applicant must provide a copy of the flame-resistance rating. All tents larger than 10' x 10' require a Building (tent) permit. Event Promoter can contact the Dunedin Planning and Development Department for the arrangement of a tent permit. Applications are available online at www.DunedinGov.com, Planning & Development, Applications & Forms, Tent/Event Permit, or call (727) 298-3210. Tent permit fees: \$40 (up to 10 tents); \$85 (more than 10 tents). Additional inspection fees may be required. See Attachment A for tent related fire codes.
9. **Noise:** All events must comply with the City of Dunedin noise ordinances unless a waiver is granted. The following is a brief summary of the noise restrictions. For complete restrictions, please visit www.DunedinGov.com and click on City Charter Ordinances.
 - a. The production of sound, including sounds from any amplifier, stereo or digital sound system that exceeds an A-weighted decibel of 65 Db, measured at the property line of the complainant or which otherwise creates a nuisance.
 - b. In a public park or on other public lands, any sounds from any amplifier, stereo, or digital sound system that exceeds an A-weighted decibel threshold of 65Db, measured (1) at the property line of the complainant or (2) from a distance of 100 feet from the source of the sound, whichever is less or which otherwise creates a nuisance is unlawful.
 - c. Amplified sound, whether music or any other form of sound that may be heard outside the property line from which the amplified sound is generated after 11:00 p.m. until 7:00 a.m. any day of the week.
10. **Restrooms:** The Applicant may be required to provide portable restrooms depending on scope and size of the Event. In general, one portable toilet will be required for every 250 people in attendance. One toilet must be ADA accessible for every 10 toilets in each location. Multi-day events will require daily cleaning service of portable restrooms. Portable restrooms may be placed one day prior to the Event, and must be removed from the site following the Event.

11. **Trash & Recycling:** The Applicant may be responsible for additional dumpsters, trash cans, and/or recycling containers depending on the size and scope of the event. Delivery of dumpsters and temporary recycling receptacles will be arranged with the Solid Waste Division. The Event Promoter will be responsible for placing recycling receptacles throughout the event site as recommended. If the Event Promoter currently receives nonresidential City of Dunedin Solid Waste services, any trash collection charges will be billed to your existing account. All events will be encouraged to participate in the City of Dunedin recycling efforts, see Attachment B for recycling guidelines. For additional information, please contact the Solid Waste Division by calling (727) 298-3215.
12. **Safety:** Safety Plan requirements will be determined by City staff, as well as the Pinellas County Sheriff's Department and the Dunedin Fire Department. Event Promoter may be required to hire off duty law enforcement officers, lifeguards, medical personnel, etc. Event Promoter may also be required to make arrangements with the Pinellas County Sheriff's Department and/or the Dunedin Fire Department for providing a command center and/or a safety unit at Promoter's expense. All events must designate a first-aid station. Arrangements for off-duty Sheriff's Deputies must be made directly by the Event Promoter with the Pinellas County Sheriff's Office. Please call (727) 582-6176 or (727) 582-6285.
13. **Site Closure:** For safety concerns, the event space will temporarily close in the case of inclement weather, emergencies, or other unsafe or hazardous conditions, or should vehicle or event capacity reach maximum.
14. **Inclement Weather:** If the event is canceled due to inclement weather or other unsafe or hazardous conditions, the Event Promoter is responsible for notifying participants of the event cancellation. Event may be rescheduled pending availability. Any additional fees incurred to the City, such as labor, traffic control, or any other unforeseen costs will be invoiced by the City to the Event Promoter. If the event is canceled and not rescheduled, the Event Promoter may receive a full refund, minus a \$40 administrative fee plus any direct costs already incurred. The City reserves the right to cancel an event due to inclement weather, emergencies, or other unsafe or hazardous conditions.
15. **Cancellations/Refunds:** Event Promoter must notify the Dunedin Parks & Recreation Department in writing of any cancellations or rescheduling of the event. If Event Promoter cancels the event at least fourteen (14) days prior to the event, any payments made will be refunded, minus a \$40 administrative fee and any direct costs incurred by the City. If Event Promoter cancels less than fourteen (14) days prior to the event, the Event Promoter may receive a refund less 10% of the license fee, a \$40 administrative fee, and any direct costs incurred by the City.
16. **Permits:** Applicant is required to obtain all permits, licenses and certificates required by City, County, State, Federal, ABT (Division of Alcoholic Beverages & Tobacco), or other applicable regulatory agencies. Copies of all such permits and licenses must be submitted a minimum of thirty (30) days prior to the event. For cooking regulations at temporary events please visit: http://www.myfloridalicense.com/dbpr/hr/licensing/GT_tempevents.html.
17. **Event Conclusion:** The event space is to be restored to the same condition as it was prior to the Event. **Applicant will be responsible for the cost to repair any damage resulting from the event and/or attendees.** All equipment and structures placed at the Event site must be removed by the end of the event. The City of Dunedin is not responsible for any items left at the event site.
18. **Owed Monies:** Should collection efforts be required to collect any sums due, the City will be entitled to interest at the highest legal rate and the City will be entitled to collection costs including attorney's fees.
19. **City Logo:** The use of the City of Dunedin logo, Parks & Recreation Department logo, or any other reference to the City of Dunedin is strictly prohibited except where written permission has been granted. This permission will only be granted where the City of Dunedin is a sponsor of the event.
20. **Privileges:** Failure to abide by Parks & Recreation Department Rules and Guidelines will result in event privileges being suspended.

21. **Special Events Calendar:** The City of Dunedin maintains the Special Events Calendar that details community events on the City of Dunedin website. Only permitted events will be listed on the calendar. Periodically, events of significance or great public interest are included in the calendar. The City of Dunedin reserves the right to determine the events and content included in the Special Events Calendar.
22. **Insurance:** A certificate of general liability insurance in the amount of \$1,000,000.00 naming the City of Dunedin as an additional insured is required. A copy of the certificate must be submitted a minimum of thirty (30) days prior to the event.

EVENT FEES

All Events are subject to the following fees: License Fees, Direct Expenses (staffing, equipment, etc.), Road Closure Fees, and any other miscellaneous expenses. All fees are to be paid in advance. A deposit will be required with the signed Event Agreement. The Event Agreement will outline a payment schedule with the final payment due at least thirty (30) days prior to the event.

The following is an explanation of the current fee structure:

Event produced by a Non-Profit entity	\$150 per day, + tax	\$150 per day, + tax
Attendance: Up to 149	\$150 per day, + tax	\$650 per day, + tax
Attendance: 150 – 299	\$300 per day, + tax	\$800 per day, + tax
Attendance: 300 – 599	\$500 per day, + tax	\$1,000 per day, + tax
Attendance: 600 - 999	\$750 per day, + tax	\$1,250 per day, + tax
Attendance: 1000 – 2,499	\$1,000 per day, + tax	\$1,500 per day, + tax
Attendance: 2,500 – 4,999	\$1,250 per day, + tax	\$1,750 per day, + tax
Attendance: 5,000 – 7,499	\$2,000 per day, + tax	\$2,500 per day, + tax
Attendance: 7,500 +	\$2,500 per day, + tax	\$3,000 per day, + tax
Setup / Tear Down (outside of event days)	Daily rate up to \$500 + tax	

**Event License Fees are taxable. If organization is tax exempt and provides documentation, tax will not be charged.*

Parks & Recreation Staffing	\$35 per hour
Public Services – Facilities, Traffic, etc.	\$35 per hour
Fire Inspection (included in tent permit. If event does not require a tent permit, Fire Inspection fee will be charged.)	\$45 per hour
Sheriff Deputies (contracted separately)	Fees determined by PCSO

**THANK YOU FOR YOUR COOPERATION AND ALLOWING THE CITY OF DUNEDIN
PARKS & RECREATION DEPARTMENT TO SERVE YOU!**



Attachment A

Dunedin Fire Department

Requirements for Tents with Seating and No Cooking

1. All tents will adhere to the Standard for Assembly Seating, Tents, and Membrane Structures per Florida Fire Prevention Code, NFPA 101-Chapter 11.10.
2. All tents will be permitted through the City.
3. All tents shall be made of flame-resistant materials in accordance with NFPA 701 Standard Method of Fire tests for Flam Propagation of Textiles and Films and have a copy of the flame-resistance rating attached to the permit application.
4. A seating area plan shall be submitted with the permit application.
5. An Occupant Load sign will be issued for posting in each tent after reviewing the seating area plan.
6. There must be a 44" clear aisle between chairs, benches, and tables.
7. Exit lights will be required for the two required Exits that are remotely located from each other.
8. Emergency battery lights will be required for the interior of each tent.
9. All electrical installations will be required to meet the National Electric Code, NFPA 70, of the Florida Fire Prevention Code.
10. Each tent will be required to have on hand in a visible and accessible area, at least two 2A10BC-classification fire extinguishers that have current inspection tags on them. More may be required by the Dunedin Fire Department. They must be hung on the tent poles near the exits so as to be obvious, per NFPA 10, of the Florida Fire Prevention Code.
11. Sidewalks shall be kept clear of storage at all times.

These may not be all of the requirements you will need to obey. Check with the City of Dunedin Building Department, the County Health Department and the State Division of Hotels and Restaurants.

Requirements for Tents with Cooking Areas and No Seating

1. All tents will adhere to the Standard for Assembly Seating, Tents, and Membrane Structures per Florida Fire Prevention Code, NFPA 101-Chapter 11.10.
2. All tents will be permitted through the City.
3. All tents shall be made of flame-resistant materials in accordance with NFPA 701 Standard Method of Fire tests for Flam Propagation of Textiles and Films and have a copy of the flame-resistance rating attached to the permit application.
4. All electrical installations will be required to meet the National Electric Code, NFPA 70, current edition.
5. All bottled gas installations will be required to meet the Standard for Storage and Handling for Liquefied Petroleum Gases, NFPA 58, NFPA 1, of the Florida Fire Prevention Code.
6. Each participant will be required to have on hand in a visible and accessible area, one 2A10BC-classification fire extinguisher per NFPA 10, of the Florida Fire Prevention Code.
7. Any participant who has a deep fat fryer in his/her area will also be required to have one a Class K classification fire extinguisher, per NFPA 10, of the Florida Fire Prevention Code.
8. All propane tanks must be outside of tent and secured in a stable position at the rear of the tent per NFPA 58, NFPA 1, of the Florida Fire Prevention Code.
9. The area behind the tents should be roped off so that the public has no access.
10. Sidewalks shall be kept clear of storage at all times.

These may not be all of the requirements you will need to obey. Check with the City of Dunedin Building Department, the County Health Department and the State Division of Hotels and Restaurants.

Office of Fire Department Administration
(727) 298-3102
Fax: (727) 298-3104
1042 Virginia Road
Dunedin, Florida 34698
www.ci.dunedin.fl.us



Dunedin Solid Waste Division Solid Waste & Recycling Program

The City of Dunedin Solid Waste Division would like to help make your special event "greener." To achieve this, recycling bins will be made available for event patrons to use. An event staff person or volunteer should be assigned to trash and recycling duty.

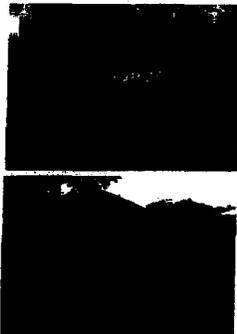


Recycling Bin



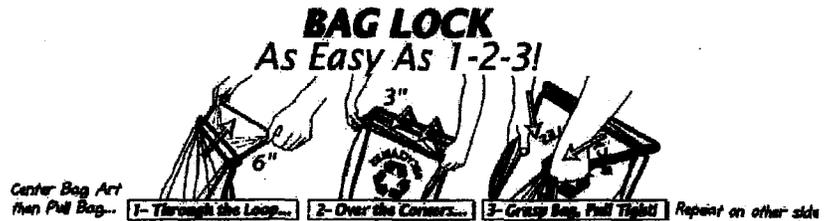
Rolling Cart

- The City of Dunedin Solid Waste Division may provide temporary recycling bins for special events at no additional charge.
- We are able to recycle plastic bottles and/or aluminum cans only. We are unable to recycle plastic cups, Styrofoam, plastic forks or plates during events.
- The Event Promoter will be responsible for putting recycling bins throughout the event site and returning them back to a pre-described location after the event.
- **Recycling bins should be placed next to trash cans** – this is important. People will sort their items in the appropriate receptacles when the two containers are placed next to each other. Recycling bins by themselves will likely become contaminated with garbage.
- The Event Promoter is responsible for collecting the recycling material from the bins and placing them into a rolling cart. The rolling cart will be provided by the Solid Waste Department and placed next to your garbage dumpster.
- Arrangements for recycling bins, liners, and rolling cart(s) will be coordinated through the special event process and/or production meeting.



Secured Lids & Racks

Inserting and replacing bin liners is easy:



To contact the Solid Waste Division, please call (727) 298-3215, ext 1324.
Thank you for helping make our City "greener."

Office of Dunedin Solid Waste & Recycling
(727) 298-3215
Fax: (727) 298-3214
1070 Virginia Street
Dunedin, Florida 34698



Dunedin Parks & Recreation Department Event Application

Date Received: _____

Date: _____ Approved Denied

If approved, your confirmation will be in the form of an Event Agreement issued to the Applicant. All applicable fees and charges will be invoiced once an Event Agreement is signed by the Applicant and the City. The submission of this application does NOT guarantee approval. Do not publicize your event until approval has been confirmed.

APPLICANT

Name of Applicant: _____ Drivers License #: _____
(Must be 21 years of age or older)

Title (if applicable): _____

Name of Organization (if applicable): _____

Tax Exempt? Yes No If yes, please provide documentation. Non-Profit? Yes No If yes, please provide documentation.

Mailing Address _____ Street _____ City _____ State _____ Zip _____

Daytime Phone _____ Cell Phone _____ E-mail _____

EVENT INFORMATION

Event Title: _____

Event/Organization Web Address: _____

Event Location(s): _____

Event Date(s) & Time(s): Date	Day of Week	Start Time	End Time
_____-_____-_____-	_____	: <input type="checkbox"/> AM <input type="checkbox"/> PM	: <input type="checkbox"/> AM <input type="checkbox"/> PM
_____-_____-_____-	_____	: <input type="checkbox"/> AM <input type="checkbox"/> PM	: <input type="checkbox"/> AM <input type="checkbox"/> PM
_____-_____-_____-	_____	: <input type="checkbox"/> AM <input type="checkbox"/> PM	: <input type="checkbox"/> AM <input type="checkbox"/> PM
_____-_____-_____-	_____	: <input type="checkbox"/> AM <input type="checkbox"/> PM	: <input type="checkbox"/> AM <input type="checkbox"/> PM

* Events past 11:00 pm must submit a Special Permission Usage Application (\$25 fee)

Setup Dates(s): _____ Time(s): _____ to _____

Cleanup Dates(s): _____ Time(s): _____ to _____

Description of Event: _____

Will this be an Annual Event? Yes No If yes, next year's date(s) _____

EVENT LOGISTICS

Estimated Attendance: _____
(Includes event crew, participants and spectators) This Year _____ Last Year (if applicable) _____

List all event activities: _____

List all food and beverage vendors (Event Promoter is responsible for obtaining copies of all licenses and insurance from each vendor and provide the same to the City.): _____

Will alcohol be served or sold? Served Sold No alcohol

* If yes, refer to Event Procedure Manual for details.

List all other vendors (may need to provide copy of certificate of insurance in a form acceptable to the City for each vendor): _____

Event Equipment (include dimensions, seating, staging, platforms, tents, booths, scaffolding, trucks, etc. on site map): _____

* Any tents larger than 10' x 10' require a Building Permit (tent permit). Permit fee: \$40 (up to 10 tents); \$85 (more than 10 tents). Additional inspection fees may be required. See Event Procedure Manual for details.

Entertainment (detail type, bands, DJs, dancers, clowns, etc.): _____

List times of music and/or amplified sound (list PA systems, microphone, speakers, amps): _____

Requesting Noise Ordinance Waiver? Yes No If yes, include details: _____

Electricity Needed? Yes No Source: _____

Will portable restrooms be used? Yes No If yes (include on site plan): One ADA compliant toilet for every 10 (per location)
How many: _____ Installation date: _____ Removal date: _____

Will dumpsters be used? Yes No If yes (include on site plan):
How many: _____ Size: _____ Installation date: _____ Removal date: _____

Please list any admission charges, donations, parking, registration or other fees and how much: _____

Does Event require any Road or Sidewalk Closures (check all that apply): Full closed road(s) Rolling road(s) closure
If yes, you must include all the details in site plan including streets and times. Sidewalk(s)

Road	Start Intersection	Finish Intersection	Date	Times
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

As the Applicant, I hereby accept and understand the responsibility to oversee all contractors, vendors, or parties affiliated with the event and to insure compliance with the event policy and procedure manual, the event rules, guidelines, requirements for tents and all policies, rules, regulations, and code provisions of the City of Dunedin. I understand that any violations may result in immediate cancellation and revocation of the Event Agreement. I further certify that all the facts contained in this request are accurate.

For events on public property, I agree to obtain and furnish the City of Dunedin with a certificate of general liability insurance in the amount of at least one million dollars (\$1,000,000) or greater as deemed satisfactory by the City Risk Manager. The insurance must name the City of Dunedin as an additional insured.

I understand incomplete applications or any outstanding financial obligations with any department with in the City of Dunedin may result in a denial of my request.

Print Name (must be president if Corporation) _____

Signature _____

Corporation Name (if applicable) _____

Date _____



**Dunedin Parks & Recreation Department
Event Application
Support Documentation**

Please include:

- Site Map
- Traffic & Parking Plan
- Safety Plan
- Certificate of Insurance (due 30 days prior to event)
- Day of Event Contact Person & Cell Number
- Tax Exempt Documentation (if applicable)
- Non-Profit Documentation (if applicable)

Please send application to:

Dunedin Parks & Recreation Department
Administration Office – Events
1920 Pinehurst Road
Dunedin, FL 34698

Phone: (727) 812-4545

Fax: (727) 812-4547

Upon approval, an Event Agreement will be sent to the Applicant. The Applicant shall sign the Event Agreement and return it to the Parks and Recreation Department with payment of deposit within ten (10) days.

Payment Schedule

Payment	Amount	Due Date	Received Amount	Received Date	Staff Initials	Balance Due
Down Payment						
Payment 1						
Final Payment						
Total						

**Send Payments to: Dunedin Parks & Recreation Department
 Attn: Events Coordinator
 1920 Pinehurst Road, Dunedin, FL 34698
 Payable to City of Dunedin**

The City of Dunedin does hereby grant and the Applicant accepts to conduct an event as outlined above. Event activities shall only be conducted within the dates and times as are specifically outlined. No other use or occupancy shall be made of any public land. The Agreement grants only temporary and revocable right of use and shall not be deemed to establish a landlord/tenant relationship between the parties or any other right in real property that is cognizable under the terms of Chapter 83, Florida Statutes, or any other right of use or of occupancy or of possession except as is otherwise specifically set forth herein.

The Applicant shall not be considered in joint venture, an agent, employee, or partner of the City of Dunedin for any purpose whatsoever. The Applicant shall be responsible for the payment of all appropriate sales taxes to conduct sales activities in the event space. The Applicant shall be responsible for all permits and licenses necessary for the conduct of sales activities in the event space including all Health Department or other regulatory agency approvals. Any violation of the licensing requirements, health requirements or of any other requirements of other regulatory or law enforcement agencies shall be deemed to be sufficient cause for the immediate revocation of this agreement and the removal of the Applicant.

All activities must be conducted according to the law and be appropriate for the use of public facilities. The City reserves the right to refuse a license request for agencies or activities it believes inappropriate and to terminate said usage. The Applicant shall be responsible for provision of adequate law enforcement personnel as determined by consensus between the Applicant, City Staff and the Sheriff's Department. The Applicant shall be responsible for the assembly and removal of all tents, tables and displays and other items of personal property used to conduct event activities. The Applicant shall be responsible for cleaning up the event space and the area in its immediate vicinity of all trash, litter and garbage including cleaning any utilized street and parking areas. The Applicant shall repair and restore any public land to its condition prior to the event. The Applicant is personally responsible and will guarantee orderly behavior of the participants, guests or attendees.

Any broadcasting of music or other production of sound incident to the conduct of activities within the event space shall meet with approval of the City representative. At all times, the City shall have the absolute right to disapprove the sale of any item that it deems inappropriate to be sold from City-owned property. The Applicant does hereby waive any and all claims for damages, lost profits, or any other economic loss or cost arising from a decision of the City to disapprove the sale of any item or material, including materials enjoying protection of the First Amendment of the Constitution of the United States.

The Applicant shall indemnify and save the City of Dunedin harmless from any and all costs, judgments, fees, penalties and any and all charges whatsoever arising from the Applicant's use of the event space and such indemnification shall include the agents, officers, elected officials and employees of the City. The Applicant shall deliver to the City a policy of general liability insurance for personal injury and product liability in the amount of one million dollars (\$1,000,000.00) and in the form as is otherwise established by the regulations issued by the City Manager or as is suitable to the City of Dunedin. The City of Dunedin will be named an additional insured on such insurance policies from the issuing insurance company. The lapse, cancellation or non-delivery of such insurance policies shall immediately cancel all rights of the Applicant under this Agreement without any further notice or action on the part of the City. The insurance policy will provide that before lapse, cancellation or change in the insurance policy the City of Dunedin is notified of such lapse, cancellation or change.

In licensing or making available the use of City facilities, the City of Dunedin assumes no responsibility:

- (1) for loss of, or damage to, any property placed on the premises by the Applicant; or,
- (2) for loss or damage to any property or personal effects, including motor vehicles and their contents, of the Applicant, its members, employees, agents, participants, guests or attendees; or,
- (3) for any physical injuries sustained by any individual, or group of individuals, while on the premises; or
- (4) malfunction of any electrical or mechanical equipment provided for the Licensee (i.e., ice machine, air conditioner, refrigerator, etc.) and the applicant waives any claims thereof.

This Agreement shall not be assignable by the Applicant to any other person, firm or corporation and shall be entirely personal to the Applicant. The City shall retain the absolute right to cancel this Agreement as is above set forth for any reason or purpose that it deems to be in the public interest without liability whatsoever to the Applicant for any lost profits or other damages that may be sustained by the Applicant because of the cancellation of rights for the space. Time is of the essence in all aspects of this Agreement and failure to comply with any of the terms or conditions of this Agreement shall be deemed to be a material breach hereof.

I understand that the City of Dunedin has the right to add further charges if the facility, equipment, or any privilege granted is abused, or if more equipment or time than specified in this license is used. I also understand that my group will be asked to vacate the premises immediately if any conduct is deemed unsatisfactory and all payments will be forfeited. I agree to abide by the facility rules, guidelines and restrictions.

 Print Name (must be president if Corporation)

 Signature

 Corporation Name (if applicable)

 Date

 City Representative

 Date

 Parks & Recreation Director

 Date

RESOLUTION 13-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, SUPPORTING PINELLAS COUNTY'S ADOPTION OF A DOMESTIC PARTNERSHIP REGISTRY FOR RESIDENTS OF PINELLAS COUNTY; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, there are a significant number of residents within Pinellas County, and specifically within the City of Dunedin, who maintain important personal, emotional and economic relationships with persons to whom they are not married; and

WHEREAS, the 2010 census indicates that *over* 12% of Americans (approximately 6,759,453 households) identified themselves as living in a domestic partnership, representing a 25% increase *over* the 2000 census numbers; and

WHEREAS, individuals forming such domestic partnerships often live in a committed, family relationship but may be denied certain rights for themselves or their dependents due to the lack of a system that recognizes these types of relationships; and

WHEREAS, on January 15, 2013 the Pinellas County Board of County Commissioners will take under consideration an ordinance providing for the implementation of a Domestic Partnership Registry ("Registry"); and

WHEREAS, the City of Dunedin supports the adoption of a countywide Registry that would extend certain rights, privileges and benefits normally exercised by married couples to domestic partners and their dependents; now, therefore,

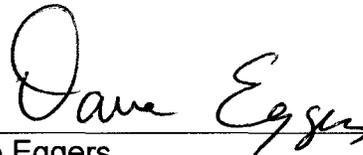
BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the City of Dunedin supports the Pinellas County Board of County Commissioners' adoption of an ordinance establishing a Domestic Partnership Registry to be applied countywide.

Section 2. That the City Clerk is directed to forward a copy of this resolution to the Chair of the Board of County Commissioners.

Section 3. That this Resolution shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 10th day of January, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-04

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR GRANT FUNDS FROM THE PINELLAS COUNTY COMMUNITY DEVELOPMENT FOR THE STREETSCAPING OF NORTH DOUGLAS FROM GRANT STREET TO SKINNER BOULEVARD; FINDING THAT SUCH A PUBLIC PURPOSE WILL BE SERVED BY APPLYING FOR SUCH FUNDS; PROVIDING FOR ACCEPTANCE OF SUCH GRANTS; AND PROVIDING FOR AN EFFECTIVE DATE HERE OF

WHEREAS, the City Manager has recommended to the City Commission that the City apply to the Pinellas County Community Development for grant funds for the purpose of streetscaping North Douglas (Grant Street to Skinner Boulevard); and

WHEREAS, the City Commission finds that applying for such grant funds and accomplishing the projects for which the grant funds are received serves a public purpose and will represent a benefit to the citizens of the City of Dunedin; now, therefore:

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA DULY ASSEMBLED THAT:

Section 1. That the City Manager is authorized to execute the application documents and to do the studies, evaluations and other matters necessary to apply for a grant to the Pinellas County Community Development for streetscaping North Douglas (Grant Street to Skinner Boulevard).

Section 2. That the City Commission of the City of Dunedin finds that a public purpose is served by applying for the aforesaid grants and making the necessary expenditures and commitments to submit such applications

Section 3. That the City Manager is hereby authorized to accept the grants if they are awarded on substantially the same terms and in the amount

reflected in the application. In the event that there is a material difference in the terms of the grants, or in the amount of the grants awarded to the City, acceptance of the grant will be by motion of the City Commission.

Section 4. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 24th day of January, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-05

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

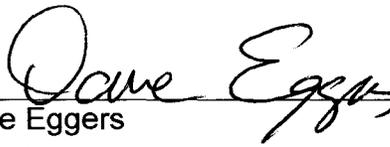
WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

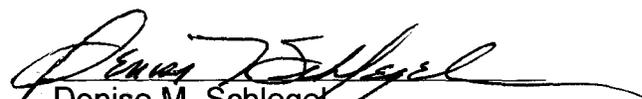
1. Appropriate \$15,000 of General Fund reserve for the Achieva Corporate Headquarters demolition and site plan assistance.
2. Appropriate \$42,500 of General Fund reserve for the Achieva Corporate Headquarters Façade grant.
3. Appropriate \$5,835 of General Fund reserve for the Achieva Corporate Headquarters Development Agreement.
4. Necessary accounting entries to affect these changes are directed.
5. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 24th day of January, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-06

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

1. Additional Carry forward encumbrances from FY 2012 totaling \$426,243.98
2. Necessary accounting entries to affect these changes are directed.
3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 24th day of January, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-07

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

1. Appropriate \$3,500 of CRA Reserves for the fabrication and installation of new directory at Marina, Project No. 171105.
2. Appropriate \$2,400 of CRA Reserves for new Branding advertising on Jolley Trolley, Project No. 171105.
3. Appropriate \$3,000 of CRA Reserves for new Branded street banners for downtown, Project No. 171105.
4. Necessary accounting entries to affect these changes are directed.
5. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 24th day of January, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-08

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, ESTABLISHING A COMMITTEE TO REVIEW THE CITY ORDINANCES; PROVIDING FOR THE COMPOSITION OF THE COMMITTEE AND CERTAIN PROCEDURAL REQUIREMENTS; PROVIDING FOR THE DUTIES AND RESPONSIBILITIES THEREOF; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Charter of the City of Dunedin requires that the Code of Ordinances be reviewed at least once every five years by a committee of City electors, and it is deemed desirable by the City Commission that such a committee be appointed to conduct such review, as set forth in the Charter; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the City Commission does hereby establish a committee of seven electors of the City of Dunedin to constitute the committee required by Section 6.03 of the Charter of the City of Dunedin. The committee shall be comprised of seven residents of the City to be designated by motion of the City Commission.

At the time of initial appointment, the City Commission shall, by motion, designate a chairman to conduct the organizational meeting of the committee until such time as a permanent chairman is selected by the committee.

Section 2. That following appointment, the committee shall select a Chairman and a Vice-Chairman and shall establish such rules of procedure as it shall deem appropriate. A quorum of five members shall be necessary for any official act of the committee, and no act of the committee shall be valid unless adopted by the affirmative vote of the majority of a quorum present. The committee may meet with less than a quorum present for the purposes of discussion or other informal action.

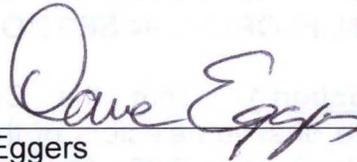
Section 3. The committee shall continue in existence until such time as it submits its recommendations to the City Commission, following its review of the City Ordinances. Such report shall be submitted to the City Commission not later than one hundred and eighty (180) days from the date that such members have been appointed by motion of the City Commission.

Section 4. The City Clerk's Office and the City Attorney shall make available to the committee such assistance as is authorized by the City Commission for the accomplishment of the duties of the committee. Committee members shall not be entitled to any compensation for their services, but may be reimbursed for actual out-of-pocket expenses as are previously authorized by the City Commission.

Section 5. The Ordinance Review Committee shall review the ordinances of the City of Dunedin for the purpose of determining only their legality or obsolescence, in accordance with Section 6.03 of the Charter of the City of Dunedin. The said Committee shall not concern itself with matters of policy or desirability of the said ordinances, but shall restrict their considerations of the said Ordinances as set for in Section 6.03 of the Charter."

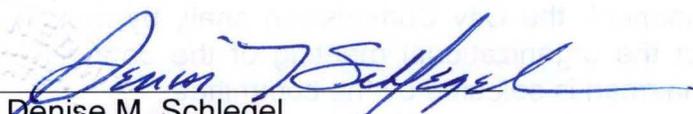
Section 6. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 7th day of February, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-09

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, REQUESTING THAT THE PINELLAS COUNTY SCHOOL BOARD RECONSIDER ITS POSITION TO CEASE PROVIDING BUS SERVICE TO STUDENTS OF SAN JOSE ELEMENTARY SCHOOL; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the Pinellas County School Board staff recently reevaluated the limits from which the School Board will provide school bus service for students enrolled at the San Jose Elementary School; and

WHEREAS, the School Board is currently bussing 48 students that reside south of State Road 580; and

WHEREAS, the 48 students presently eligible for busing will be expected to walk or obtain other transportation in the 2013-14 school year; and

WHEREAS, designated walk path for these students crosses State Road 580 at the intersection of Skinner Boulevard/Main Street/Bass Boulevard; and

WHEREAS, the Florida Department of Transportation (FDOT) won't approve a crossing for golf carts at the same intersection because it is hazardous; and

WHEREAS, the intersection includes a unique angle that creates additional danger; and

WHEREAS, it will be challenging, even with adult crossing guards, to safely shepherd elementary school children across a multi-lane divided state highway, even at a signalized intersection; and

WHEREAS, the School Board transportation model ignores the inherent dangers of elementary school children crossing State Road 580; and

WHEREAS, the School Board does not provide school crossing guards; and

WHEREAS, there is not currently a crosswalk to the east leg of the intersection of State Road 580/Skinner Boulevard/Main Street/Bass Boulevard; and

WHEREAS, even if the City of Dunedin was to incur the costs of the placement of a new crossing guard at the 4-way stop intersection of Milwaukee Avenue/Virginia Street and two more crossing guards at the signalized

intersection of Skinner Boulevard/MainStreet/Bass Boulevard, those measures would do little to protect the students; and

WHEREAS, the decision of the School Board staff to cease the busing service was based solely upon changing the two mile walk zone from the parent pick-up/drop-off loop at San Mateo and San Jose, rather than the access/bus loop/visitor parking area at San Salvador and San Helen Drives; and

WHEREAS, Pinellas County School Board Associate Superintendent, Michael Bessette, has confirmed that "the safety of students is the District's primary concern"; and

WHEREAS, the City Commission of the City of Dunedin and City Staff agree that the safety of the students is its primary concern; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the City Commission of the City of Dunedin, Florida respectfully requests that the Pinellas County School Board reconsider its decision to cease busing elementary students to San Jose Elementary School and confirm that safety of the school children being its utmost concern.

Section 2. That the City Clerk is directed to forward a copy of this resolution to each member of the Pinellas County School Board.

Section 3. That this Resolution shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 24th day of January, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2013076680 03/07/2013 at 11:57 AM
OFF REC BK: 17915 PG: 395-397
DocType:GOV RECORDING: \$27.00

RESOLUTION 13-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, VACATING A UTILITY EASEMENT MEASURING APPROXIMATELY 71 FEET X 15 FEET AT THE REAR OF THE PROPERTY LOCATED AT 433 CAUSEWAY BOULEVARD; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the owner of the property located at 433 Causeway Boulevard has requested that an approximate 71' x 15' utility easement be vacated; and

WHEREAS, the City Commission finds and determines that the vacation of such utility easement is consistent with the Charter of the City of Dunedin and with the Comprehensive Plan of the City of Dunedin; and

WHEREAS, there is no public need for the 71' x 15' utility easement described on Exhibit "A" attached hereto and Progress Energy, Bright House Networks, Clearwater Gas System and Knology Broadband of Florida, Inc. have made no objection to the vacation of said utility easement; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That it is found that there is no public need for the 71' x 15' utility easement described in Exhibit "A" attached hereto and the said utility easement is vacated. It is further found that there is no public referendum required pursuant to the City Charter.

Section 2. That the City Clerk is directed to record a certified copy of this resolution in the Public Records of Pinellas County, Florida, and send a certified copy thereof to the Property Appraiser of Pinellas County, Florida

Section 3. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of February, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-11

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, ACCEPTING A DONATION OF A MONETARY GIFT NOT TO EXCEED \$200,000.00 FROM THE DUNEDIN YOUTH GUILD WITH WHICH TO DEVELOP A PLAYGROUND AT JOSIAH CEPHAS WEAVER PARK; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Dunedin owns the property on Bayshore Boulevard known as Josiah Cephas Weaver Park; and

WHEREAS, the Dunedin Youth Guild is a 501(c)(3) tax exempt charitable organization that for over 40 years has actively supported many school and community activities and youth-related needs in the City of Dunedin by providing assistance and funding to the youth of Dunedin; and

WHEREAS, the Dunedin Youth Guild recently received a charitable donation from Tom and Nan Moffatt; and

WHEREAS, the Dunedin Youth Guild sought out projects within the City of Dunedin that would benefit the City's youth and be fitting with the Moffatts and the Dunedin Youth Guild's vision; and

WHEREAS, City Staff attended the general membership meeting of the Dunedin Youth Guild on January 15, 2013 to explore the possibility of a nature-themed play area to be built within Josiah Cephas Weaver Park, using the donation received from the Moffatts; and

WHEREAS, at that meeting a conceptual plan was presented to the Dunedin Youth Guild of a playground proposed for Josiah Cephas Weaver Park containing pieces inspired by nature including trees, butterflies, ant hills, caterpillars, etc. The playground would be fully ADA accessible and designed for all abilities; and

WHEREAS, the general membership of the Dunedin Youth Guild overwhelmingly voted in support of the playground project; and

WHEREAS, the general membership of the Dunedin Youth Guild pledged funds in an amount not to exceed \$200,000.00 for the City of Dunedin to construct said playground; now, therefore

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the City Commission of the City of Dunedin accepts the monetary donation of an amount not to exceed \$200,000.00 from the Dunedin Youth Guild to construct a nature-themed playground at Josiah Cephas Weaver Park for the enjoyment of the youth of the City of Dunedin in memory of Tom and Nan Moffatt.

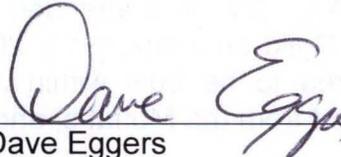
Section 2. That the City Commission of the City of Dunedin agrees that the park shall be designed and built with a focus on nature including trees, butterflies, ant hills, caterpillars, etc. and that the playground will be fully ADA accessible and designed for all abilities.

Section 3. That the City Commission of the City of Dunedin agrees that the City will install appropriate signage designating the Real Property as the "Tom and Nan Moffatt Playground".

Section 4. That the City will use the funds received from the Dunedin Youth Guild for the construction of said playground.

Section 5. That this Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 7th day of February, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-12

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

1. Appropriate \$6,084,585 for the purpose of carrying over capital project budgets from fiscal year 2012 to fiscal year 2013.
2. Appropriate \$266,533 for the purpose of adjusting expenditures and revenues.
3. Necessary accounting entries to affect these changes are directed.
4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of February, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-13

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA ESTABLISHING ITS INTENT TO REIMBURSE CERTAIN CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH STORM WATER AND MUNICIPAL CAPITAL PROJECTS WITH PROCEEDS OF A FUTURE TAX-EXEMPT FINANCING; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, as follows:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to the provisions of Article VIII, Section 2 of the Constitution of the State of Florida, Chapter 166, Part II, Florida Statutes, the municipal charter of the City of Dunedin, Florida (the "City") and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS. The City Commission has hereby ascertained, determined and declared that:

- A. The need exists to incur debt to expend funds in order to construct capital improvements consisting of the construction of stormwater and other municipal capital projects, all in accordance with capital improvement plans on file at the offices of the City, as such plans may be modified from time to time (the "Project").
- B. It is expected that the costs of the Project will be reimbursed by and financed with the proceeds of a future tax-exempt financing for capital expenditures.

SECTION 3. DECLARATION OF INTENT. The City hereby expresses its intention to be reimbursed from proceeds of a future tax-exempt financing for certain capital expenditures to be paid by the City for the purpose of reconstructing and equipping the Project. The City expects to use legally available funds from the facilities internal service fund and the general fund to pay such costs including but not limited to capital expenditures, costs of design, and other costs associated with the incurrence of debt. It is reasonably expected that the total amount of debt to be incurred by the Issuer with respect to the Project will not exceed \$6,000,000. This Resolution is intended to constitute a "declaration of official intent" within the meaning of Section 1.150-2 of the Income Tax Regulations which were promulgated pursuant to the Internal Revenue Code

of 1986, as amended, with respect to the debt incurred, in one or more financings, to finance the Project.

SECTION 4. SEVERABILITY. If any one or more of the covenants, agreements or provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions of this Resolution.

SECTION 5. REPEALER. This Resolution supersedes all prior actions of the City inconsistent herewith. All resolutions or portions thereof in conflict with the provisions of this Resolution are hereby repealed to the extent of any such conflict.

SECTION 6. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of February, 2013.

Approved as to form:



Thomas J. Trask
City Attorney



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-14

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, FINDING THAT THERE EXISTS AN ECONOMIC HARDSHIP IN THE CITY OF DUNEDIN BY FINDING THE EXISTENCE OF AN UNEMPLOYMENT RATE OF 8.3 AS PUBLISHED BY THE BUREAU OF LABOR STATISTICS FOR PINELLAS COUNTY; AUTHORIZING A TEMPORARY EXEMPTION FOR THE USE OF CERTAIN PROHIBITED SIGNS BY OWNER OR TENANTS OF COMMERCIAL PROPERTIES IN THE CITY OF DUNEDIN; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission of the City of Dunedin adopted Ordinance 11-14 which created Section 105-24.1.5 of Chapter 105 of the Land Development Code of the City of Dunedin to provide temporary exemptions for certain prohibited signs (hereinafter referred to as "Temporary Exemption Ordinance"); and

WHEREAS, the City Commission finds that there exists an economic hardship condition in the City of Dunedin as it finds the present existence of an averaged unemployment rate from July 2012 through December 2012 at 8.3 as published by the Bureau of Labor Statistics for Pinellas County; and

WHEREAS, the Temporary Exemption Ordinance authorizes the City Commission to provide a temporary exemption for the use of certain signs by the owners or tenants of commercial properties located within the City of Dunedin after receiving evidence from the City staff that an economic hardship exists; now therefore

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the City Commission hereby authorizes owners or tenants of commercial properties in the City of Dunedin an exemption for the use of those prohibited signs set forth in Section 105-24.1.5 of the Land Development Code.

Section 2. That this temporary exemption shall automatically expire 365 days from the date of adoption of this Resolution, unless extended by the City Commission.

Section 3. That it is the obligation of the property owner or tenant or sign user to discontinue the use of such signs which are exempted hereunder at the termination of the temporary exemption.

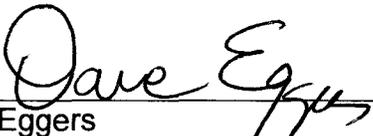
Section 4. That each day of unauthorized use shall constitute a separate offense to the sign code.

Section 5. That nothing herein shall be interpreted to regulate or limit the content of such temporary exempted signage, nor shall any content, limitation or requirement be imposed by this Resolution.

Section 6. That nothing in this Resolution shall directly or by inference allow off-site signage.

Section 7. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 7th day of March, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-15

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

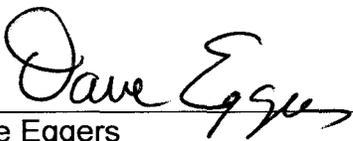
WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget; now therefore

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

1. Transfer \$7,815.00 from Project No. 461301 Park Amenities to Project No. 461303 Weaver Park Playground, both projects in account number 332-4647-572.63-14.
2. Necessary accounting entries to affect these changes are directed.
3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 7th day of March, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-16

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, CONFIRMING THE CITY OF DUNEDIN'S COMMITMENT TO KEEPING THE TORONTO BLUE JAYS SPRING TRAINING IN THE CITY OF DUNEDIN; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the history of Major League Baseball (MLB) in Dunedin began in 1977 when the expansion Toronto Blue Jays flew south for their very first Grapefruit League season; and

WHEREAS, Dunedin has been the site for every Blue Jays Spring Training season since 1977, making the Toronto Blue Jays the only major league franchise to have never changed Spring Training cities; and

WHEREAS, the economic impact of Spring Training in the State of Florida has been estimated to be as much as \$753 million annually, with the additional benefit of 9,200 jobs; and

WHEREAS, since the year 2000, Florida has lost six (6) Spring Training teams to Arizona, and between 2016 and 2017, five (5) Major League Baseball team facility leases with their Spring Training cities/counties will be up for renewal; and

WHEREAS, the license agreement between the Toronto Blue Jays and the City of Dunedin will also be up for renewal by January 1, 2018; and

WHEREAS, the year 2000 renovations to Dunedin's Spring Training facilities were funded largely through a State program designed to retain long-term Spring Training franchises; and

WHEREAS, the State of Florida made funds available for retaining Spring Training franchises in 2006 as well; and

WHEREAS, on February 27, 2013, Governor Rick Scott announced that he would work to provide \$5 million annually to be used for improvements to Spring Training facilities; and

WHEREAS, the City of Dunedin is an ideal Spring Training location. It is less than an hour's travel time from four of the nearest Spring Training sites, and less than two hours from another four, minimizing travel time and expense for teams and fans; and

WHEREAS, Dunedin's proximity to beaches and attractions provides Spring Training tourists a variety of activities in which to participate while they are in Florida; and

WHEREAS, since 1977, many Canadian tourists have fallen in love with Dunedin and have become part-time residents, adding to the City's tax base without full demand on services; and

WHEREAS, at the same time, the Blue Jays have brought many other benefits to our community, from increased tourism to professionally-maintained fields that are used by Dunedin's youth; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. The City Commission hereby confirms its commitment to keeping the Toronto Blue Jays Spring Training activities in the City of Dunedin;

Section 2. The City Commission urges the Pinellas County Board of Commissioners, the Tourist Development Council, Governor Rick Scott, the State and County Convention and Visitors' Bureau and Senator Jack Latvala, the Pinellas County Legislative Delegation and all Pinellas County Mayors to support the City of Dunedin in its commitment to the Toronto Blue Jays.

Section 3. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 4th day of April, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-17

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

Section 1. This Budget Amendment Resolution provides for the movement of budgets from one fund to another, and for various correcting entries, as follows:

1. The movement of the Library Co-op revenues and related expenses from the General Fund to a dedicated fund, Library Co-op Fund-120, in the amount of \$338,023.
2. The movement of various donations and related expenses from the General Fund to a dedicated fund, Donations Fund-150, in the amount of \$21,500.
3. Correcting entries in the Penny Fund, Facilities Capital Fund and Stormwater Funds totaling \$252,752.
4. Recognition of Grant Revenues and Project Expenses in the Penny Fund in the amount of \$205,500.

5. Necessary accounting entries to affect these changes are directed.

Section 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of March, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

Fund/Account	Account Number	Project Number	Debit	Credit
GENERAL FUND-001				
Friends of Library Donations (remove)	001-0000-366-90-13	419901	\$ 18,500	
Programming and Supplies	001-4140-571- various			18,500
Pinellas Co-op Revenues	001-0000-338-90-02		338,023	
Salaries, Wages and Benefits accounts	001-4140-571-xxxx			338,023
Farrar Donation	001-0000-366-90-36	419903	2,000	
Library Materials	001-4140-571-xxxx			2,000
<i>Move Library Donations to Donations Fund-150</i>				
Operating Supplies - Aquatics	001-4250-572-52-10			1,000
Fund Balance			1,000	
<i>Move operating budget to donation fund-City donation</i>			<u>359,523</u>	<u>359,523</u>
LIBRARY CO-OP-120				
Pinellas Co-op Revenues	120-0000-338-90-02		-	338,023
Salaries, Wages and Benefits accounts	120-4141-571-xxxx		338,023	-
<i>v Co-op revenues in separate fund as per Interlocal Agreement.</i>				
			<u>338,023</u>	<u>338,023</u>
DONATIONS FUND-150				
Friends of Library Donations	150-0000-366-90-13	419901	-	18,500
Contractual Services	150-4143-571-3405	419901	8,000	
Travel and Per Diem	150-4143-571-4010	419901	1,500	
Postage and Shipping	150-4143-571-4130	419901	300	
Printing & Binding	150-4143-571-4710	419901	200	
Promotional Activities	150-4143-571-4810	419901	250	
Office Supplies	150-4143-571-5110	419901	250	
Operating Supplies	150-4143-571-5210	419901	7,000	
Uncapitalized Equipment	150-4143-571-5230	419901	1,000	
Farrar Donation	150-0000-366-9036	419903	-	2,000
Library Materials	150-4143-571-6654	419903	2,000	-
<i>Move Library Donations to Donations Fund-150</i>				
Operating Supplies - Sailing	150-4900-575-4610	421301	1,000	
Donations - Sailing	150-0000-366-90-96	421301		1,000
<i>To show all Sailing Donations in one fund and one project</i>			<u>21,500</u>	<u>21,500</u>
PENNY FUND-334				
Library Carpet	334-4140-571.62-01	411301	110,000	
Carryover Reserve				110,000
<i>Correct prior budget entry, s/b Penny Fund-334, not Facility Capital Fund-554.</i>				
North Douglas Corridor	334-1716-515-63-40	171301	205,500	
Grant Revenue	334- new acct.	171301		205,500
<i>Budget for additional project and grant funds, to apply for grant.</i>			<u>315,500</u>	<u>315,500</u>
STORMWATER FUND-443				
Orangewood Outfall	443-5385-538.63-53	531101	142,752	
Fund Balance				142,752
<i>Correct prior budget entry to reduce project, item is encumbered.</i>			<u>142,752</u>	<u>142,752</u>
FACILITY MAINTENANCE FUND-554				
Library Carpet (remove)	554-4140-571.62-01	411301		110,000
Fund Balance			110,000	
<i>Correct prior budget entry, s/b Penny Fund-334, not Facility Capital Fund-554.</i>			<u>110,000</u>	<u>110,000</u>

RESOLUTION 13-18

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

Section 1. Transfer \$45,000.00 from Project No. 520601, account number 441-5281-535-6350 to Project No. 529502, account number 441-5281-534-4610.

Section 2. Necessary accounting entries to affect these changes are directed.

Section 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of March, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

Fund/Account	Account Number	Project Number	Debit	Credit
<u>WATER / WASTEWATER FUND-441</u>				
Improve. Other Than Bldgs. - Wastewater	441-5281-535.63-50	520601		45,000
Repair & Maintenance - Wastewater	441-5281-534.46-10	529502	45,000	
<i>Budget transfer between projects per department request.</i>			<u>45,000</u>	<u>45,000</u>

RESOLUTION 13-19

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, NAMING THE SOUTHERN MAGNOLIA AS THE OFFICIAL CITY TREE, THE MAGNOLIA FLOWER AS THE OFFICIAL CITY FLOWER AND THE OSPREY AS THE OFFICIAL CITY BIRD; REPEALING RESOLUTION 68-55; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, in 1968, the City of Dunedin adopted Resolution 68-55, naming the flowering tree of Dunedin as the Bauhinia tree; and

WHEREAS, the Bauhinia tree is not native to Florida and one of the species, *Bauhinia Variegata*, is listed as a Class I exotic invasive species; and

WHEREAS, starting in 2009, the Environmental Quality Committee began questioning the designation of the Bauhinia tree as Dunedin's official tree; and

WHEREAS, a recommendation was made to change the designation of the official City tree to the Southern Magnolia; and

WHEREAS, the Southern Magnolia is a large, stately evergreen tree and native to North America. Its natural habitat is the coastal plains of the Southern United States. It can reach 60 to 80 feet in height and 50 to 30 feet in spread; and

WHEREAS, the Southern Magnolia produces a large (average 8") white, fragrant flower that blooms in April in the Dunedin area, with sporadic blooms throughout the summer; and

WHEREAS, the Southern Magnolia tree is a recommended species by the University of Florida because of its high wind resistance as well as its salt and drought tolerance; and

WHEREAS, because of its beauty and durability in the Dunedin landscape, the Southern Magnolia is an excellent candidate for an official City tree; and

WHEREAS, subsequent discussions suggested that perhaps a City flower and a City bird should be considered as well. The Magnolia flower and the Osprey were suggested; and

WHEREAS, the Southern Magnolia tree, the Magnolia flower and the Osprey are all native to Florida and found abundantly in the City of Dunedin; and

WHEREAS, the Parks and Recreation staff presented their suggestions to a wide variety of interested community groups and advisory committees including the Environmental Quality Committee, the Parks and Recreation Advisory Committee, the Clearwater Audubon Society, the Bay Bouquet Garden Club and the Dunedin Garden Club, all of which expressed their support for each of these recommendations; and

WHEREAS, City staff recommends naming the Southern Magnolia as the official tree, the Magnolia flower as the official City flower and the Osprey as the official City bird; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the Southern Magnolia is hereby designated as the City of Dunedin official City tree.

Section 2. That the Magnolia Flower is hereby designated as the City of Dunedin official City flower.

Section 3. That the Osprey is hereby designated as the City of Dunedin official City bird.

Section 4. That Resolution 68-55 is hereby repealed.

Section 5. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 18th day of April, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-20

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget; now therefore

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

1. Appropriate \$153,000 of the Water/Sewer Utility Fund Unobligated Reserves balance to Project No. 511201, Bulk Chemical Storage Tanks.
2. Transfer \$60,000 from Project No. 511201, Account No. 441-5281-535-4610 to Project No. 511201, Account No. 441-5185-533-6340.
3. Necessary accounting entries to affect these changes are directed.
4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, this 2nd day of May, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-21

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, REPLACING THE DEDICATED PARKLAND IMMEDIATELY ADJACENT TO FIRE STATION 62 ON BELCHER ROAD AND A PORTION OF DEDICATED PARKLAND IN HIGHLANDER PARK WHICH IS TO BE USED FOR THE CONSTRUCTION OF FIRE STATION 61 WITH LAND NEAR FISHER FIELD THAT WAS PURCHASED BY THE CITY AND CURRENTLY USED FOR MUNICIPAL PURPOSES; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Dunedin has required, as a condition of approval of a final plat of the subdivision for the final site plat of a planned residential development, that subdividers or developers dedicate land for neighborhood and community parks to serve the immediate and future needs of the residents of the development; and

WHEREAS, in 1982, Lark Investments, N.V., while developing Countryside Heights, conveyed to the City of Dunedin a 2.84 acre parcel (hereinafter referred to as Belcher Road Park); and

WHEREAS, the Belcher Road Park was never developed and has been used as a storage site by the City's Public Works Department for the past 30 years; and

WHEREAS, the Fire Department wishes to use a portion of the Belcher Road Park for the same training exercises that are currently being performed at a location in Highlander Park, immediately west of Ed Eckert Drive; and

WHEREAS, the City's Public Works Department wishes to continue to use the remainder portion of the Belcher Road Park for the storage of materials; and

WHEREAS, the City has determined that the current location of Fire Station 61 is not adequate to serve the purposes of a Fire Station; and

WHEREAS, the Fire Chief and City Staff have recommended that Fire Station 61 be located directly on Michigan Boulevard in order to promote public safety and faster response times; and

WHEREAS, the City wishes to replace or otherwise swap the Belcher Road Park and the proposed site of the new Fire Station 61 with fee simple owned land that is not otherwise currently dedicated as parkland, but located in Highlander Park. Now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the parkland dedicated to the City of Dunedin and immediately adjacent to Fire Station 62 on Belcher Road and more particularly described in Exhibit "A" hereto is hereby swapped or otherwise replaced with the fee simple owned land which is currently being used for municipal purposes and legally described in Section 3 and Exhibit "B" below.

Section 2. That the proposed site of the new Fire Station 61, which is depicted in Exhibit "B" is hereby swapped or otherwise replaced with the fee simple owned land which is currently being used for municipal purposes and legally described in Section 3 and Exhibit "B" below.

Section 3. That the fee simple owned land which is currently being used for municipal purposes and legally described in Exhibit "B" hereto shall replace the Belcher Road Park and the site of the proposed Fire Station 61 and shall be hereafter dedicated as parkland and shall only be used as either a neighborhood or community park and for recreational purposes to serve the immediate and future needs of the residents of the City of Dunedin.

Section 4. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 6th day of June, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-21

Exhibit A

D.R. 5420 PAGE 2199

EXHIBIT "A"

A parcel of land lying in the northwest 14 of section 30, Township 28 south, range 16 east, City of Dunedin Pinellas County, Florida, Said parcel being a portion of lots 34 and 35 of the plat of "Belle Haven Unit B" as recorded in plat book 25, page 60 of the Public Records of Pinellas County, Florida and being more particularly described as follows:

Commence at the northwest corner of said Section 30; thence south 0 degrees 15'31" east along the west line of said Section 30, said west line also being the centerline of the County Road No. 70, for 778.55 feet; thence north 89 degrees 44'29" east, for 50.00 feet to the point of beginning. Said point being on the easterly right-of-way line of said County Road No. 70 said point also being on the south line of said lot 35; thence south 89 degrees 54'13" east, along said south line, for 643.01 feet; thence south 0 degrees 15'31" east, for 260.00 feet to the southeast corner of said lot 34; thence north 89 degrees 54'13" west along the south line of said lot 34 for 370.75 feet; thence north 0 degrees 15'31" west, for 160.00 feet; thence north 89 degrees 54'13" west, for 272.26 feet to the easterly right-of-way line of said county Road No. 70; thence north 0 degrees 15'31" west, along said right-of-way line, for 100.00 feet to the point of beginning the above described parcel contains 2.84 acres, more or less.

82163927

O.R. 5420 PAGE 2198

WARRANTY DEED FROM CORPORATION

RAMCO FORM A-3 (PHOTOSTAT)

This Warranty Deed Made and executed the 18 day of February, A. D. 1982 by LARK INVESTMENTS N.V., a corporation organized under the laws of the Netherland Antilles, licensed to do business in the State of Florida hereinafter called the grantor, to CITY OF DUNEDIN, a Municipal Corporation

whose postoffice address is 750 Milwaukee Avenue, Dunedin, Fla. 33528

hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees, all that certain land situate in County, Florida, viz:

Cash 11 Chg

9.00 / 45

See Exhibit "A" attached

CLEAR CIRCUIT COURT OCT 21 2 37 PM '82

945

County Tax No. 3

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantees that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances

(CORPORATE SEAL)

In Witness Whereof the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of:

Handwritten signatures of witnesses

Pittagore Hattoum LARK INVESTMENTS N.V. Attorney in fact

STATE OF Pennsylvania COUNTY OF Pinellas

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Pittagore Hattoum

well known to me to be the Attorney in fact respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation, by*

WITNESS my hand and official seal in the County and State last aforesaid this 18 day of February, A. D. 1982

*virtue of Power of Attorney filed in O.R. 5271 Page 891, Pinellas County, Florida.

This instrument prepared by:

Address

This instrument prepared by FRANK L. BUSHNORTH, JR. ATTORNEY AT LAW 1518 WINFIELD ROAD WEST

Return To: W. E. BERNHARD, CITY CLERK 750 Milwaukee Dunedin, FL 33528

RESOLUTION 13-21

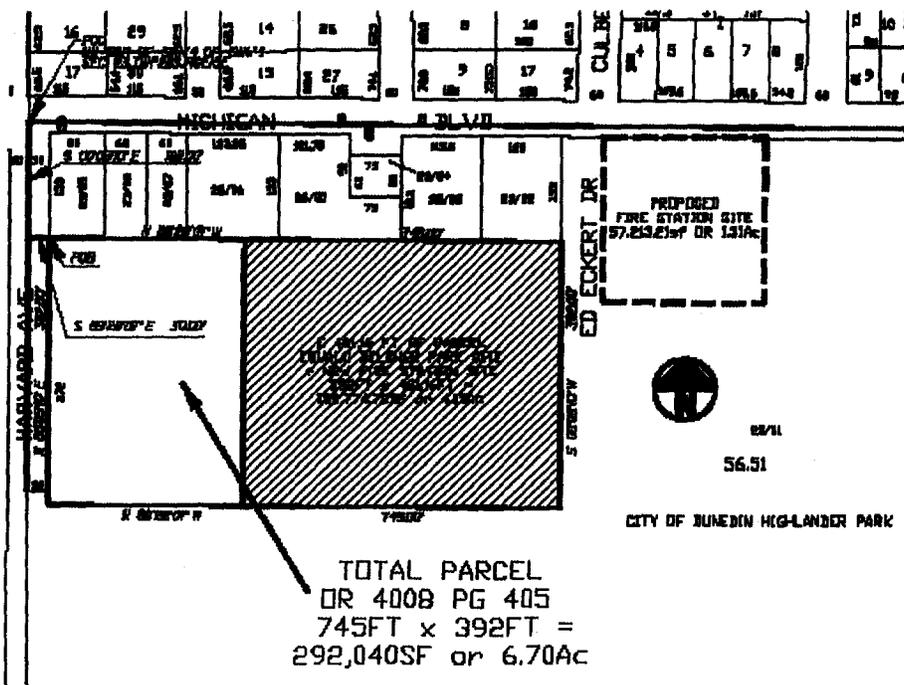
Exhibit B

THE EAST 461.16 FEET OF THE FOLLOWING DESCRIBED PARCEL:

START AT THE NORTHWEST CORNER OF THE SW ¼ OF THE NW ¼ OF SECTION 23, TOWNSHIP 28 SOUTH, RANGE 15 EAST, THENCE SOUTH 00°05'10" WEST, 168.00 FEET ALONG THE WEST LINE OF SAID SECTION 23; THENCE SOUTH 89°28'07" EAST, 30.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTH 89°28'07" EAST, 745.00 FEET; THENCE SOUTH 00°05'10" WEST, 392.00 FEET; THENCE NORTH 89°28'07" WEST, 745.00 FEET; THENCE NORTH 00°05'10" EAST, 392.00 FEET ALONG A LINE 30.00 EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 23 TO THE **POINT OF BEGINNING**.

CONTAINING 4.15 ACRES MORE OR LESS.

DESCRIPTION BASED ON A WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 4008, PAGE 405, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. BEING A PORTION OF PROPERTY APPRAISER'S PARCEL 23-28-15-00000-230-0100, CITY OF DUNEDIN, PINELLAS COUNTY, FLORIDA, USA.



RESOLUTION 13-23

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

This Budget Amendment Resolution provides for budget transfers between funds and projects, budgeting additional revenues, and for various adjusting entries, as follows:

1. Transfers in from the Risk Safety Fund and expense increases in the General Fund of \$118,815, transfers from General Fund/County fire station proceeds of \$282,017 to Facilities Capital Fund, and an increase in the General Fund auditing expense of \$10,000.
2. Transfer out to the Facilities Capital Fund and reduction in fund balance of the Fire Impact Fee Fund of \$204,000.
3. Recognition of Grant Revenues, a transfer out to the Community Redevelopment Authority (CRA) Fund, and an increase in fund balance in the Parks & Recreation Capital Fund of \$233,245.
4. Transfer into the Penny Fund from the Facility Capital Fund of \$28,245 for the Patricia Corridor Project.
5. Transfer out from the Solid Waste Fund to the Vehicle Maintenance Fund for expenses associated with a truck conversion in the amount of \$46,800, and a transfer from one account to another in the Solid Waste Fund.
6. Carry over capital project budgets from Fiscal Year 2012 to Fiscal Year 2013 in the Marina Fund in the amount of \$944,324; and a transfer use of \$45,000 from the CRA Fund for day docks.

7. Adjust the budgets for various vehicle purchases, and gas and diesel expense, in the Vehicle Maintenance Fund for a net fund balance decrease of \$53,553.
8. Removal of Replacement Municipal Building Annex and Technical Services Renovation projects, removal of sale of land income, increase in the Fire Station #61 project along with transfers and an interfund loan from Water/Sewer Fund, netting an increase to fund balance of \$3,706,016 in the Facilities Capital Fund.
9. Transfer out of \$15,000 from the CRA Fund to the General Fund for the sound system in "The John R. Lawrence Pioneer Park."
10. Necessary accounting entries to affect these changes are directed.
11. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 16TH DAY OF MAY, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

I DO HEREBY CERTIFY THIS TO BE A TRUE
AND CORRECT COPY
CERTIFIED THIS

DATE 6-7-13

[Signature]
CITY CLERK



RESOLUTION 13-24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, VACATING THE WESTERLY 109.5 FEET OF A 113.5 FOOT LONG, 8 FOOT WIDE UTILITY EASEMENT RUNNING THROUGH THE PROPERTY LOCATED AT 61 CITRUS AVENUE; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the owner of the property located at 61 Citrus Avenue has requested that an approximate 8' wide utility easement be vacated; and

WHEREAS, the City Commission finds and determines that the vacation of such utility easement is consistent with the Charter of the City of Dunedin and with the Comprehensive Plan of the City of Dunedin; and

WHEREAS, there is no public need for the 8' wide utility easement described on Exhibit "A" attached hereto and Progress Energy, Bright House Networks, Clearwater Gas System and Knology Broadband of Florida, Inc. have made no objection to the vacation of said utility easement. Now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That it is found that there is no public need for the 8' utility easement described in Exhibit "A" attached hereto and the said utility easement is vacated. It is further found that there is no public referendum required pursuant to the City Charter.

Section 2. That the City Clerk is directed to record a certified copy of this resolution in the Public Records of Pinellas County, Florida, and send a certified copy thereof to the Property Appraiser of Pinellas County, Florida.

DO NOT WRITE IN THESE SPACES
THIS IS A COPY OF THE ORIGINAL
RESOLUTION

~~Section 3.~~ That this Resolution shall become effective upon its passage

~~and adoption.~~



PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DUNEEDIN, FLORIDA, THIS 6th day of June, 2013.

Dave Eggers
Mayor

ATTEST:

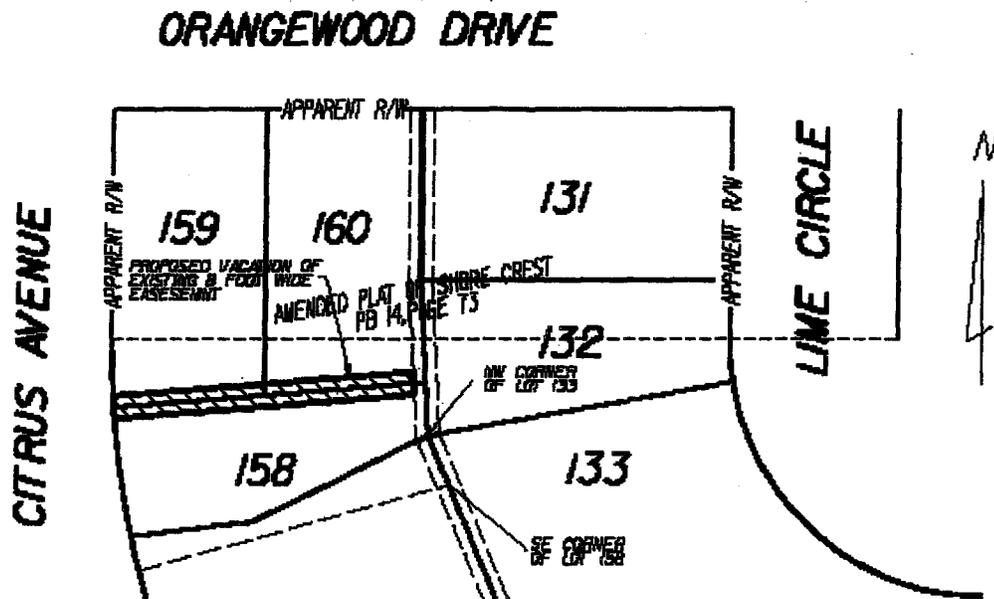
Denise M. Schlegel
City Clerk

RESOLUTION 13-24

Exhibit A

THE NORTHERLY FOUR FEET OF LOT 158 LESS THE EAST FOUR FEET THEREOF; THE SOUTHERLY FOUR FEET OF LOT 159 AND THE SOUTHERLY FOUR FEET OF LOT 160 LESS THE EAST FOUR FEET THEREOF, AS SHOWN ON THE AMENDED PLAT OF SHORE CREST SUBDIVISION AS RECORDED IN PLAT BOOK 14, PAGE 73, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, USA.

BEING A PORTION OF PROPERTY APPRIASER'S PARCEL NUMBER 34/28/15/ 81774/000/1590.



RESOLUTION 13-25

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF MODIFICATION #5 TO A HIGHWAY BEAUTIFICATION MAINTENANCE MEMORANDUM OF AGREEMENT WITH DISTRICT SEVEN OF THE FLORIDA DEPARTMENT OF TRANSPORTATION; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Dunedin on May 2, 2006 entered into a District Seven Highway Beautification Maintenance Memorandum of Agreement for landscape improvements with the State of Florida, Department of Transportation (M.O.A. # 08-06); and

WHEREAS, the City of Dunedin desires to modify the Beautification Agreement by entering into Modification #5 to District Seven Highway Beautification Maintenance Memorandum of Agreement with the Florida Department of Transportation to provide for maintenance of the arboretum at the Trailside Oasis between Curlew Road and Orange Street; and

WHEREAS, the City Commission wishes to authorize the Mayor of the City to enter into the said Modification to District Seven Highway Beautification Maintenance Memorandum of Agreement with the Florida Department of Transportation. Now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the Mayor is authorized to execute Modification #5 to District Seven Highway Beautification Maintenance Memorandum of Agreement with the State of Florida Department of Transportation as attached hereto and incorporated herein.



**MODIFICATION #5 TO DISTRICT SEVEN HIGHWAY
BEAUTIFICATION MAINTENANCE MEMORANDUM OF
AGREEMENT**

THIS MODIFICATION, made and entered into as of the ____ day of _____, 2013, between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (the “Department”) and the CITY OF DUNEDIN (the “City”).

WITNESSETH

WHEREAS, the Department and the City entered into a Highway Beautification Maintenance Memorandum of Agreement dated May 2, 2006 (the Agreement) whereby the City agreed to maintain landscape improvements within the rights-of-way of State Road 595 located between Union Street (M.P. 2.080) and State Road 586 (Curlew Road, M.P. 5.909); and State Road 580 (Skinner Boulevard) located between Broadway/Bayshore Boulevard (M.P. 0.000) and Main Street (M.P. 0.479) in Pinellas County, Florida (the “Project Highways”); and

WHEREAS, the City has requested and the Department has agreed to modify the terms of the Agreement, which are agreeable to the parties hereto; and

WHEREAS, the City has authorized its officers to execute this Agreement on its behalf;

NOW THEREFORE, for and in consideration of the premises, mutual benefits, and covenants contained herein, the parties agree as follows:

Modify the description of the Project Highways in order to expand their limits as follows:

“... within that portion of the “Project Highway”, more particularly described in the Agreement as State Road 595, Section 15020-000 (Bayshore Boulevard/Alt. U.S. Highway 19) located between the Eastern Project Boundary and Western Project Boundary of the Trailside Oasis located between Curlew Road (State Road 586, M.P. 5.909) and hereby extended north to the south beginning of the pedestrian crossing bridge south of Orange Street (M.P. 6.340) in Pinellas County, Florida as shown in Exhibit “A”-13 attached.”

1. Paragraph 3 of the Agreement is deleted and replaced with the following:

The City covenants to appropriate in its annual budget, for each Fiscal Year, non ad valorem funds lawfully available to satisfy its maintenance responsibilities under this Agreement. This covenant does not create any lien upon, or pledge of, such non-ad valorem funds, nor does it preclude the City from pledging such funds in the future, or from levying and collecting any particular non-ad valorem funds.

2. Paragraph 10. (a) – (c) is deleted and replaced with the following:

The Agreement may be terminated by the Department if the City, following fifteen working days written notice, fails to perform its maintenance responsibilities under this Agreement.

3. The Agreement shall have a term of ten (10) years with an option to renew upon consent of the parties.

4. Except as specifically amended by provisions herein stated, all terms and provisions of the Agreement shall remain in full force and effect, and are hereby ratified and confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Modification to Highway Landscape Maintenance Memorandum of Agreement be executed the day and year first above written.

CITY OF DUNEDIN
a municipal corporation
of the State of Florida

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: 
Dave Eggers
Mayor

By: _____
James V. Moulton, Jr., P.E.
Director of Transportation Operations
District Seven

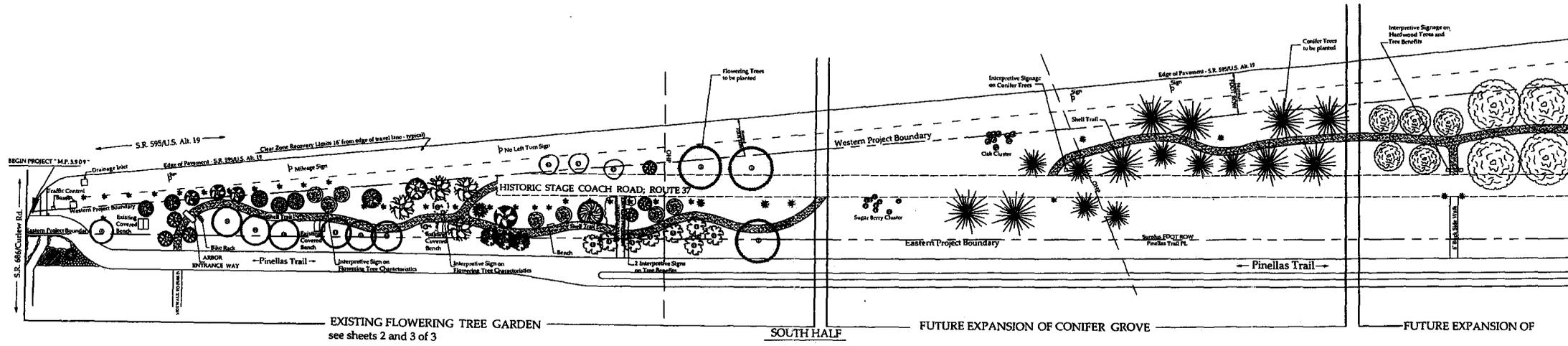
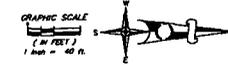
Attest: 
City Clerk (SEAL)

Attest: _____
Executive Secretary (SEAL)

Reviewed and Approved by:


Legal Review:

Exhibit "A"-13
 Approved 4/29/2013
 WLD



LEGEND

EXISTING TREES

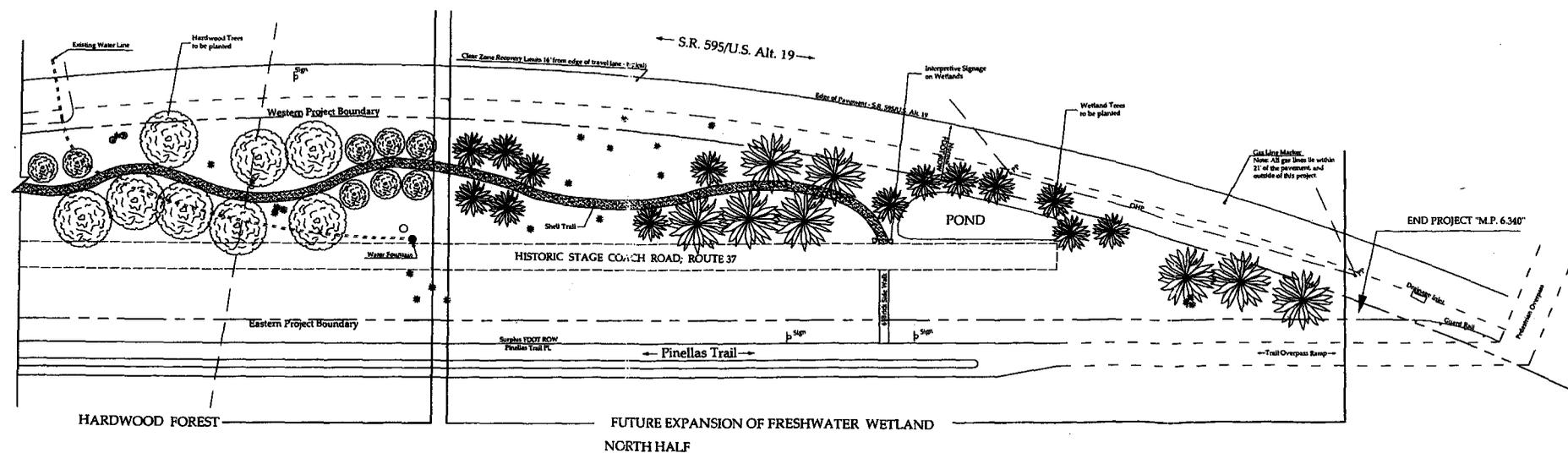
- ★ Longleaf Pine
- ✱ Cabbage Palm
- Oak
- Sugar Berry

OTHER

- OHP Overhead Power Line/Cable Vision

NEW LANDSCAPE TREES

- ✱ Conifer tree species
- Hardwood tree species
- ✱ Wetland tree species



 CITY OF DUNEDIN
 DEPARTMENT OF
 PARKS & RECREATION

(727) 298-3279
 P.O. BOX 1348
 DUNEDIN, FL
 34697-1348

DRAWN BY:
 MWK
 DESIGNED BY:
 ASF
 CHECKED BY:
 SCALE:
 1" = 40'
 DATE:
 5-6-11

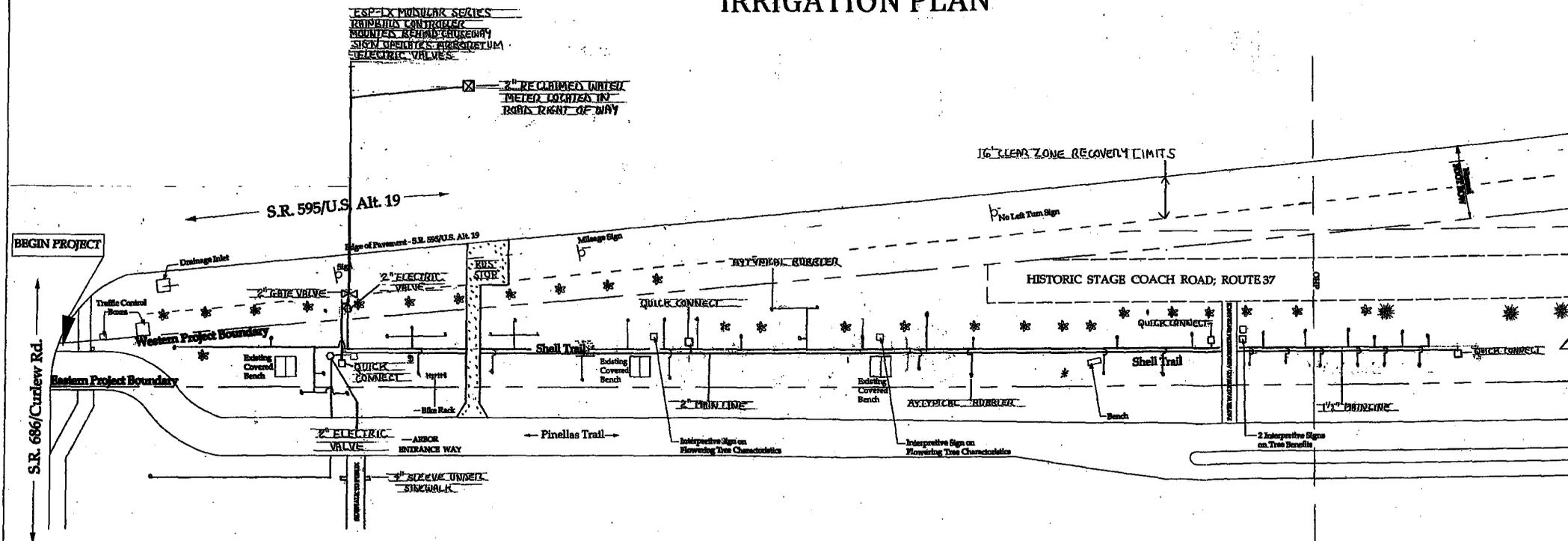
DUNEDIN TREE ARBORETUM TRAILSIDE OASIS MASTER PLAN

NO.	DATE	REVISIONS	APP'D. BY	ENGINEER: DATE, PE NO.

SHEET: 1 of 3



FLOWERING TREE GARDEN SECTION IRRIGATION PLAN



CITY OF DUNEDIN
DEPARTMENT OF
PARKS & RECREATION

(727) 298-3279
P.O. BOX 1348
DUNEDIN, FL
34697-1348

DESIGN BY:
AF
CHECKED BY:
AF
SCALE:
1" = 20'
DATE:
2/4/13

DUNEDIN TREE ARBORETUM TRAILSIDE OASIS PARK

NO.	DATE	REVISIONS	APP'D. BY	ENGINEER DATE	PF. NO.
1	4/22/13	ADD RECOVERY ZONE			

3 of 3

EXHIBIT “B1” - MAINTENANCE PLAN
Highway Beautification Maintenance Memorandum of Agreement
**Pedestrian Pavement and Hardscape Improvements, City of Dunedin Trailside
Oasis-Arboretum**

The City shall at all times maintain the Project Highway in a reasonable manner and with due care in accordance with Project standards. Specifically, the City agrees to:

- (a) Maintain all pedestrian pavement systems, water fountains and interpretive signing as illustrated in Exhibit “A”-13;
- (b) remove graffiti from water fountains and interpretive signing;
- (c) repair cosmetic or structural damage to any water fountains and interpretive signing;
- (d) replace any water fountains and interpretive signing requiring removal for implementation of local roadway or utility projects;
- (e) maintain all water fountains and interpretive signing free from residue accumulation and algae;
- (f) perform other maintenance as required to maintain the Project Highway in a reasonable manner and with due care in accordance with Department guidelines and standards;
- (g) maintain flush transition between shell pathways and hard surface pedestrian areas;
- (h) maintain irrigation valve boxes and other irrigation delivery equipment flush with existing grade.

RESOLUTION 13-26

A RESOLUTION OF CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, SUPPORTING THE CITY OF DUNEDIN'S COMMITMENT TO PUBLIC SAFETY EDUCATION; NAMING THE PUBLIC SAFETY EDUCATION SERIES THE "CHIEF DON STORY PUBLIC SAFETY SERIES"; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, public safety is a governmental responsibility concerning the welfare and protection of the public, and;

WHEREAS, public safety involves prevention, education, and response to events that can endanger the safety of Dunedin residents and visitors such as crime, fire, disasters and other emergencies; and

WHEREAS, public safety in Dunedin is comprised of dedicated individuals providing law enforcement, fire prevention and suppression, emergency medical services, and life safety education; and

WHEREAS, the City Commission has established a citizens committee named the Public Safety Committee to make recommendations on relevant public safety issues; and

WHEREAS, the Public Safety Committee wishes to facilitate more communication, more education, and more citizen involvement in public safety to expand the already overall excellent quality of life in Dunedin and inspire safer living for all; and

WHEREAS, Don Story, a valued member of the Public Safety Committee and resident since 2002, spent 32 years in law enforcement including patrolman in St. Petersburg, Chief of Police for two Illinois towns, and college educator in law enforcement; and

WHEREAS, Don Story promoted the idea of an ongoing series of informative sessions as a way to further improve upon public safety education provided for Dunedin residents; and

WHEREAS, Don passed away suddenly in February of 2013 - before the actual informative sessions began; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. The City Commission hereby confirms its commitment to the welfare and protection of the public, and to public safety education.

Section 2. In honor of Don Story and his many years of commitment to public safety and community service, the City Commission does hereby name the City-sponsored, community-wide, public safety committee-driven, ongoing educational series the *Chief Don Story Public Safety Series*.

The City Commission urges all residents and visitors to support the City of Dunedin in its commitment to public safety education.

Section 3. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 20th day of June, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-27

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

This Budget Amendment Resolution provides for budget transfers between funds and projects, budgeting additional revenues, and for various adjusting entries, as follows:

1. Transfers in and out of the following Stadium Fund capital projects:
 - a. "Stadium Seat Replacement – South", Project 481203, reduce by \$7,300.
 - b. "Englebert Building Sealing", Project 481303, reduce by \$300.
 - c. "Stadium Handrails", Project 481201, reduce by \$24,800.
 - d. "Englebert Building Renovation", Project 481304, reduce by \$23,000.
 - e. "Stadium Englebert Lighting Replacement", Project 481204, increase by \$7,300.
 - f. "Gas Water Heater Replacement", Project 481302, increase by \$300.
 - g. "Grandstand Improvements", Project 480901, increase by \$47,800.
 - h. Add new "Elevator Repair" Project in the amount of \$5,000.
2. Reduce budget for stadium debt interest payments by \$60,378.
3. Transfer of \$340,000 for "Aeration Basin", Project 511305, from account number 441-5185-533.63-50, to account number 441-5285-535.63-50.

4. Increase Water/Sewer fund balance by \$39,140 due to recognition of a State Department of Health Fluoridation Grant.
5. Increase Vehicle Maintenance fund balance by \$17,574 due to gain on sale of fixed assets.
6. Reduce "Retro-fit Energy Savings", Project 641002, by \$38,000, and increase Facilities Capital Fund balance.
7. Recognize offsetting revenue and expense of \$12,000, in the Parks & Recreation Capital Fund, for a landscaping project – Downtown Promenade Project.
8. Necessary accounting entries to affect these changes are directed.
9. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 20th day of June, 2013.

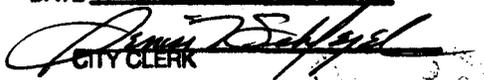


Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

I DO HERE-BY CERTIFY THIS TO BE A TRUE
AND CORRECT COPY
CERTIFIED THIS
DATE 7-26-13


CITY CLERK



RESOLUTION 13-28

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, VACATING THE SOUTHWEST PORTION OF BUNKER HILL DRIVE RIGHT-OF-WAY LOCATED ON THE NORTHWEST CORNER OF CAUSEWAY BOULEVARD AND WOODETTE DRIVE (LOT 6, BLOCK G, DUNEDIN CAUSEWAY CENTER SUBDIVISION; REPEALING RESOLUTION 02-40; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the owners of all properties abutting a portion of the right-of-way sought to be vacated have requested that said right-of-way, as hereinafter described, be vacated; and

WHEREAS, there is no public need for said right-of-way, and the private entities enjoying a franchise right to use the right-of-way have not made any objections to the vacation of said right-of-way; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That it is found that there is no public need for the below described right-of-way lying within the City of Dunedin, and the said right-of-way as hereinafter described is hereby vacated, to wit:

See Exhibit "A" attached hereto and made a part hereof.

Section 2. That the City Clerk is directed to record a certified copy of this Resolution in the public records of Pinellas County, Florida, and send a certified copy thereof to the Property Appraiser of Pinellas County, Florida.

Section 3. That Resolution 02-40 is hereby repealed in its entirety.

Section 4. That this Resolution shall become effective upon its passage and adoption.

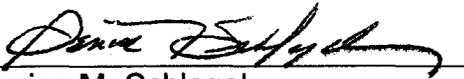
KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2013251598 08/01/2013 at 03:55 PM
OFF REC BK: 18107 PG: 1804-1807
DocType:GOV RECORDING: \$35.50

~~PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY
OF DUNEDIN, FLORIDA, THIS 11th day of July, 2013.~~



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 02-40

A RESOLUTION VACATING THE SOUTHWEST PORTION OF BUNKER HILL DRIVE RIGHT-OF-WAY LOCATED ON THE NORTHWEST CORNER OF CAUSEWAY BOULEVARD AND WOODETTE DRIVE (LOT 6, BLOCK G, DUNEDIN CAUSEWAY CENTER SUBDIVISION CONTINGENT UPON A CERTAIN REPLACEMENT RIGHT-OF-WAY BEING DEEDED TO THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the owners of all properties abutting a portion of the right-of-way sought to be vacated have requested that said right-of-way, as hereinafter described, be vacated; and

WHEREAS, there is no public need for said right-of-way, and the private entities enjoying a franchise right to use the right-of-way have not made any objections to the vacation of said right-of-way; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That it is found that there is no public need for the below described right-of-way lying within the City of Dunedin, and the said right-of-way as hereinafter described is hereby vacated, to wit:

See Exhibit "A" attached hereto and made a part hereof.

Section 2. That the said vacation is contingent upon a replacement right-of-way being deeded to the City acceptable to the City by warranty deed with title insurance acceptable to the City Attorney.

Section 3. That the City Clerk is directed to record a certified copy of this Resolution in the public records of Pinellas County, Florida, and send a certified copy thereof to the Property Appraiser of Pinellas County, Florida, upon a turnaround acceptable to the City being deeded by easement acceptable to the City Attorney, as defined by the City Staff, to the City to allow for appropriate traffic movement.

Section 4. That this Resolution shall become effective immediately upon its passage and adoption and upon the requirements of Section 3 being met.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 2nd DAY OF OCTOBER, 2003.


Mayor

ATTEST:


City Clerk



KEN BURKE, CLERK OF COURT
PINELLAS COUNTY, FLORIDA
INST# 2006227072 06/10/2006 at 03:18 PM
OFF REC BK: 14376 PG: 440-441
DocType:GOV RECORDING: \$18.50

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2013261169 08/09/2013 at 10:09 AM
OFF REC BK: 18118 PG: 1067-1069
DocType:GOV RECORDING: \$27.00

I DO HERE-BY CERTIFY THAT THIS IS A TRUE
AND CORRECT COPY OF RESOLUTION 13-29
PASSED AND ADOPTED BY THE CITY
COMMISSION OF THE CITY OF DUNEDIN
AUGUST 4, 2013
[Signature]
CITY CLERK



RESOLUTION 13-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, VACATING THE EASTERLY EASEMENT AND THE EAST 20' OF THE SOUTHERLY EASEMENT LOCATED AT 1905 INDIAN CREEK COURT CONTAINING 1,367.05 SQUARE FEET, OR 0.031 ACRES; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the owner of the property located at 1905 Indian Creek Court has requested that an approximate 1,367.05 square foot easement be vacated; and

WHEREAS, the City Commission finds and determines that the vacation of such utility easement is consistent with the Charter of the City of Dunedin and with the Comprehensive Plan of the City of Dunedin; and

WHEREAS, there is no public need for the 1,367.05 square foot easement described on Exhibit "A" attached hereto and Duke Energy, Bright House Networks, Clearwater Gas System and Knology Broadband of Florida, Inc. have made no objection to the vacation of said utility easement; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That it is found that there is no public need for the 1,367.05 square foot easement described in Exhibit "A" attached hereto and the said utility easement is vacated. It is further found that there is no public referendum required pursuant to the City Charter.

Section 2. That the City Clerk is directed to record a certified copy of this resolution in the Public Records of Pinellas County, Florida, and send a certified copy thereof to the Property Appraiser of Pinellas County, Florida.

Section 3

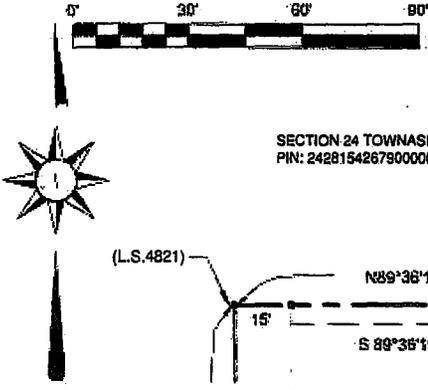
That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 1st day of August 2013.

Dave Eggers
Mayor

ATTEST:

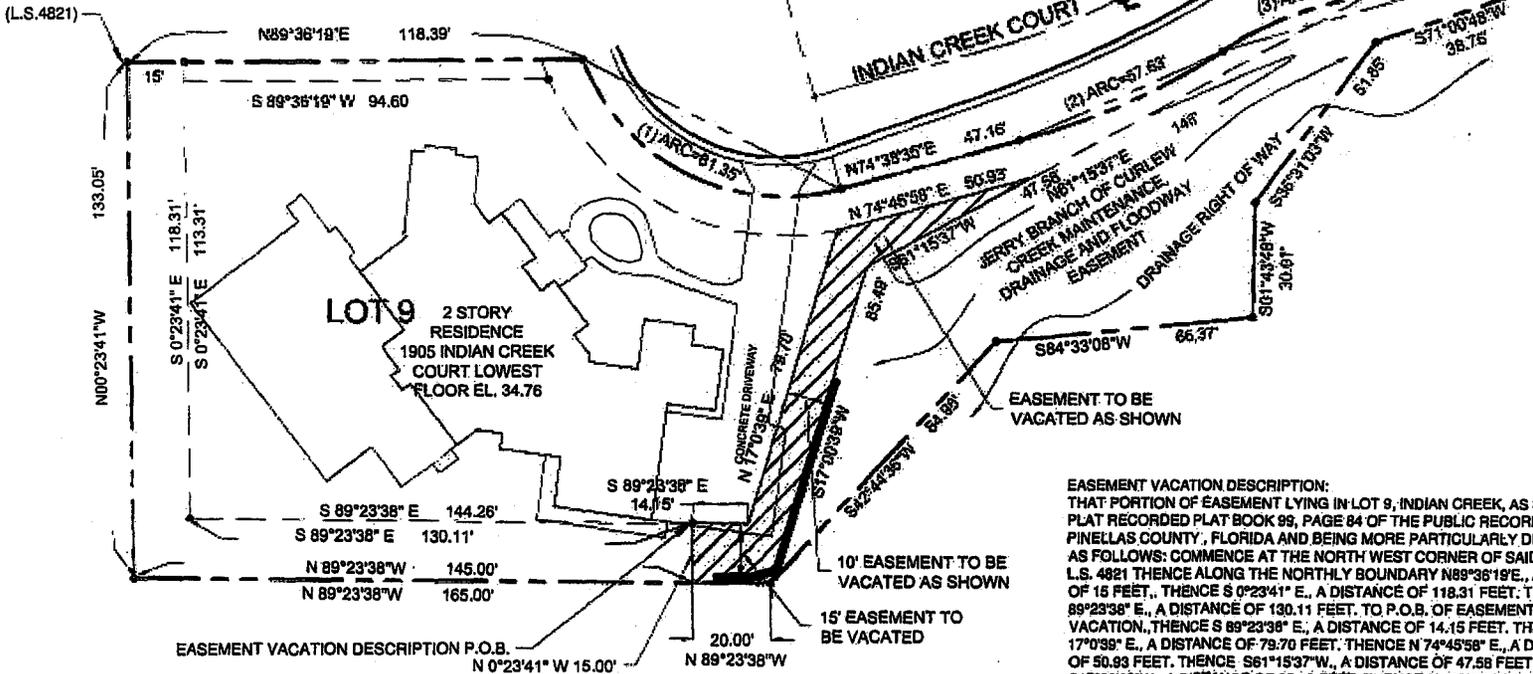
Denise M. Schlegel
City Clerk



SECTION 24 TOWNSHIP 28S RANGE 15E
PIN: 242815426790000090

BOUNDARY CURVE DATA:

NO.	RADIUS	ARC	CHORD	CHORD BEARING
(1)	55.00	31.55	74.14	S 62°58'57" E
(2)	188.26	57.63	57.40	N 65°48'46" E
(3)	94.12	55.34	54.55	N 69°03'53" E



EASEMENT VACATION DESCRIPTION P.O.B.
N 0°23'41" W 15.00'

10' EASEMENT TO BE VACATED AS SHOWN

15' EASEMENT TO BE VACATED

EASEMENT TO BE VACATED AS SHOWN

EASEMENT VACATION DESCRIPTION:
THAT PORTION OF EASEMENT LYING IN LOT 9, INDIAN CREEK, AS SHOWN ON PLAT RECORDED PLAT BOOK 95, PAGE 84 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH WEST CORNER OF SAID LOT 9 AT L.S. 4821 THENCE ALONG THE NORTHLY BOUNDARY N89°36'19"E, A DISTANCE OF 15 FEET, THENCE S 0°23'41" E, A DISTANCE OF 118.31 FEET; THENCE S 89°23'38" E, A DISTANCE OF 130.11 FEET, TO P.O.B. OF EASEMENT VACATION, THENCE S 89°23'38" E, A DISTANCE OF 14.15 FEET, THENCE N 17°0'39" E, A DISTANCE OF 79.70 FEET, THENCE N 74°45'58" E, A DISTANCE OF 50.93 FEET, THENCE S61°15'37"W, A DISTANCE OF 47.58 FEET, THENCE S17°00'39"W, A DISTANCE OF 85.49 FEET, THENCE N 89°23'38"W, A DISTANCE OF 20.00 FEET, THENCE N00°23'41"W, A DISTANCE OF 15 FEET TO P.O.B. 1867.85 SF OR 0.031 AC MOL

NOTE:
THIS DRAWING IS NOT A LEGAL SURVEY OF THE AREA IN QUESTION HOWEVER IT IS AN ACCURATE REPRESENTATION OF THAT AREA THAT IS BEING REQUESTED VACATION AND WHICH WILL BE LEGALLY DOCUMENTED UPON APPROVAL

RESOLUTION 13-29
EXHIBIT A

<table border="1"> <tr> <td>3</td> <td>REVISED LEGAL DESCRIPTION</td> <td>8-1-13</td> </tr> <tr> <td>2</td> <td>REVISED AREA OF VACATION ON SOUTH SIDE OF PROP.</td> <td>7-31-13</td> </tr> <tr> <td>1</td> <td>REVISED AREA OF VACATION ON NORTH SIDE OF PROP.</td> <td>7-22-13</td> </tr> </table>		3	REVISED LEGAL DESCRIPTION	8-1-13	2	REVISED AREA OF VACATION ON SOUTH SIDE OF PROP.	7-31-13	1	REVISED AREA OF VACATION ON NORTH SIDE OF PROP.	7-22-13	<p>PROJECT: MAZAS RESIDENCE</p> <p>DRAWN BY: LAB DATE: 5-11-13 CHECKED BY: MJG DATE:</p> <p>APPROD BY: DATE: SCALE: 1"=30' when plotted at 11"x17"</p>		<p><i>Gaylor Engineering</i> CORREY OZZIE PROFESSIONAL OFFICE PARK 21784 STATE ROAD 64, LUTZ, FL 33549</p> <p>DATE: 03/11/13 SHEET: SK-1 PROJECT No: 13013</p>		<p>MICHAEL J. GAYLOR CERTIFIED PROFESSIONAL ENGINEER STATE OF FLORIDA NO. 13059</p>	
3	REVISED LEGAL DESCRIPTION	8-1-13														
2	REVISED AREA OF VACATION ON SOUTH SIDE OF PROP.	7-31-13														
1	REVISED AREA OF VACATION ON NORTH SIDE OF PROP.	7-22-13														
<table border="1"> <thead> <tr> <th>REV. NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: center;">REVISIONS</td> </tr> </tbody> </table>			REV. NO.	DESCRIPTION	DATE	REVISIONS			<p>PH. (813) 949-5599 FAX (813) 949-0818</p> <p>MICHAEL J. GAYLOR P.E. CERTIFICATE OF AUTHORIZATION NO. 29126</p>		<p>TITLE: EASEMENT VACATION SKETCH AND LEGAL</p> <p>3</p>					
REV. NO.	DESCRIPTION	DATE														
REVISIONS																

RESOLUTION 13-30

A RESOLUTION ESTABLISHING RENTAL RATES FOR BOAT SLIPS IN THE CITY OF DUNEDIN MARINA PURSUANT TO THE PROVISIONS OF SECTION 86-76 OF THE CODE OF ORDINANCES OF THE CITY OF DUNEDIN; PROVIDING FOR THE REPEAL OF RESOLUTION 10-18; PROVIDING FOR AN EFFECTIVE DATE OF SUCH RATES; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission in session duly and regularly assembled has considered market conditions and slip rental data for other municipal marinas; and

WHEREAS, the City Commission has considered estimated revenues, expenditures, long-term capital outlay programs and other pertinent facts relative to the operation of the Dunedin Marina; and

WHEREAS, the City Commission recognizes the benefits of developing and implementing a comprehensive and reasonable slip rental system which will be fair to all marina occupants and achieve the goal of insuring the long-term viability of this Enterprise Program; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. Pursuant to section 86-76 of the Code of Ordinances of the City of Dunedin, the City Commission does hereby establish rental rates for boat slips, monthly surcharge rates for live-aboard and commercial renters, transient fees, late payment penalty and non-resident surcharge rates at the City of Dunedin Marina in accordance with Exhibit A attached hereto and incorporated herein by reference.

Section 2. The rental rates established herein shall become effective as of October 1, 2013.

Section 3. The rates and charges shown on Exhibit A attached will be in effect until amended by the City Commission as part of its long-term program to keep the Dunedin Marina a self-supporting entity.

Section 4. The revenues generated from the Capital Improvement portion of the slip rental fee, exclusive of surcharges and discounts, shall be placed in a Renewal and Replacement Account, along with all related passive

earnings, with said funds to be utilized solely for Marina Fund capital outlay programs.

Section 5. All remaining funds generated by the Marina Fund shall be used solely for marina-related activities until such time as the capital outlay program is sufficiently funded.

Section 6. That Resolution 10-18 shall be repealed as of midnight on September 30, 2013.

Section 7. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 1st day of August, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-30

Exhibit A					
City of Dunedin Municipal Marina					
F/Y 2013-2014 Proposed Slip Rental Rates					
Effective October 1, 2013					
Slip No.	Slip Size	Square Feet	Monthly Rate	W/Surcharge	Monthly Rate W/Tax
<u>COMMERCIAL</u>					
3	35'x13'	455	\$224.05	\$313.67	\$335.63
4-12	43'x17'	731	\$282.01	\$394.81	\$422.45
<u>RECREATIONAL</u>					
1	45'x17'	765	\$289.15	N/A	\$309.39
2	40'x16'	640	\$262.90	N/A	\$281.30
15	50'x19'	950	\$328.00	N/A	\$350.96
16-17	50'x17'	850	\$307.00	N/A	\$328.49
18-21	50'x14'	700	\$275.50	N/A	\$294.79
22-25	60'x20'	1200	\$380.50	N/A	\$407.14
270	33'x11'	363	\$204.73	N/A	\$219.06
271-273	30'x11'	330	\$197.80	N/A	\$211.65
274	30'x10'	300	\$191.50	N/A	\$204.91
275	30'x12'	360	\$204.10	N/A	\$218.39
276	30'x11'	330	\$197.80	N/A	\$211.65
277	33'x11'	363	\$204.73	N/A	\$219.06
28-40	35'x14'	490	\$231.40	N/A	\$247.60
41-55	50'x14'	700	\$275.50	N/A	\$294.79
550	50' S/T	590	\$252.40	N/A	\$270.07
560	35' S/T	399	\$212.29	N/A	\$227.15
56-70	35'x14'	490	\$231.40	N/A	\$247.60
72-94	25'x9'	225	\$175.75	N/A	\$188.05
903-904	25' S/T	163	\$162.73	N/A	\$174.12
95-113	25'x9'	225	\$175.75	N/A	\$188.05
118-138	25'x9'	225	\$175.75	N/A	\$188.05
139	18' S/T	144	\$158.74	N/A	\$169.85
142-179	30'x11'	330	\$197.80	N/A	\$211.65
180	60' S/T	1044	\$347.74	N/A	\$372.08

S/T = Side Tide

RESOLUTION 13-31

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, AMENDING RESOLUTION 13-08 WHICH ESTABLISHED THE ORDINANCE REVIEW COMMITTEE TO EXTEND THE DATE IN WHICH THE COMMITTEE IS TO ISSUE ITS REPORT TO THE CITY COMMISSION; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission appointed the Ordinance Review Committee to review the City of Dunedin Code of Ordinances when it adopted Resolution 13-08; and

WHEREAS, Resolution 13-08 provided that the Ordinance Review Committee would continue in its existence and submit its recommendation to the City Commission within 180 days of the appointment of the Committee; and

WHEREAS, the Ordinance Review Committee has requested additional time in order to complete its review of the Code of Ordinance; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That Section 3 of Resolution 13-08 shall be amended to read as follows:

Section 3. The committee shall continue in existence until such time as it submits its recommendations to the City Commission, following its review of the City Ordinances. Such report shall be submitted to the City Commission not later than ~~one hundred and eighty (180)~~ 270 days from the date that such members have been appointed by motion of the City Commission.

Section 2. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY
OF DUNEDIN, FLORIDA, THIS 15th day of August, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-32

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

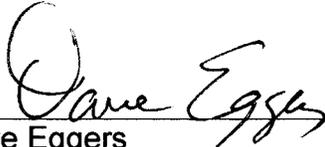
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

This Budget Amendment Resolution provides for budget transfers between funds and projects, budgeting additional revenues, and for various adjusting entries, as follows:

1. Recognition of two grants and offsetting expenses for arboretum signage of \$15,623 in the General Fund:
 - a. SWFWMD Grant for \$5,623
 - b. Urban and Community Forestry Grant for \$10,000
2. Increase Parks & Recreation Professional Services (001-4647-572.34-05) by \$32,000 for cemetery sod and tree work, and reduce the Cemetery Maintenance balance by \$32,000.
3. Recognition of revenue of \$13,215 in the General Fund for a portion of proceeds from the sale of the Wood Street and Catherine Drive surplus properties, and related
 - a. demolition expenses totaling \$12,315 for 1813 Bayshore Boulevard property, and
 - b. a transfer of \$900 from the General Fund to the Stormwater Fund for mowing expenses for the Wood Street and Catherine Drive properties.
4. Transfer of \$250,000 for "WWTP Reclaimed Modification", Project 511304, from account number 441-5185-533.63-50, to account number 441-5285-535.63-50.

5. Transfer of \$50,000 for "Scotsdale Sewer Main", Project 511307, from account number 441-5185-533.63-50, to account number 441-5285-535.63-50.
6. Reduce "Seawall Repairs (North, East & South)", Project 490701, by \$428,590 and
 - a. Appropriate \$20,000 for new Project 491302 "Marina Security Lights", and
 - b. Increase Marina "Day Docks", Project 491301, by \$23,000, and
 - c. Increase Marina Fund balance by \$385,590.
7. Appropriate \$20,000 of Stormwater Fund balance for NPDES Testing.
8. Necessary accounting entries to affect these changes are directed.
9. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, this 1st day of August, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-32

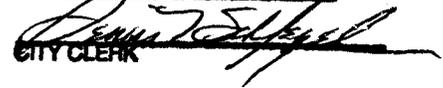
City of Dunedin, FL
Proposed Budget Amendment FY2013 BA 13-32

APPENDIX A

Fund/Account	Account Number	Project Number	Debit	Credit
<u>GENERAL FUND-001</u>				
SWFWMD Grant - Parks & Recreation	001-0000-334.70-12		\$	5,623
Urban and Community Forestry Grant - Parks & Rec.	001-0000-334.70-12			10,000
Arboretum signage	001-4647-572.52-10		13,735	
Arboretum signage	001-4647-572.63-01		1,888	
Cemetery fund balance	001-0000-281.03-06			32,000
Cemetery tree and sod work	001-4647-572.34-05		32,000	
Sale of Wood St & Catherine Dr properties	001-0000-364.31-30			13,215
Demolition expenses for 1813 Bayshore Blvd	001-1701-515.34-05		12,315	
Transfers Out / Trf to Stormwtr (443)	001-8802-581.91-43		900	
			\$ 60,838	60,838
 <u>WATER & WASTEWATER - 441</u>				
WWTP Reclaimed Modification	441-5185-533.63-50	511304	\$	250,000
WWTP Reclaimed Modification	441-5285-535.63-50	511304	250,000	
Scotsdale Sewer Main	441-5185-533.63-50	511307		50,000
Scotsdale Sewer Main	441-5285-535.63-50	511307	50,000	
<i>To correct project account numbers</i>				
			\$ 300,000	300,000
 <u>MARINA FUND - 442</u>				
Seawall Repairs (North, East & South)	442-4985-575.63-25	490701	\$	428,590
Day Docks	442-4985-575.63-25	491301	23,000	
Marina Security Lights	442-4985-575.63-25	491302	20,000	
Reserves/Resv-Unobligated (for Carryover)	442-4900-575.98-99		385,590	
<i>Adjust projects for FY13 and show amount to carryover to FY14.</i>				
			\$ 428,590	428,590
 <u>STORMWATER-443</u>				
Reserves/Resv-Unobligated	443-5300-581.98-99		\$	20,000
NPDES Testing	443-5300-538.31-10		20,000	
Interfund Transfer / Trans From Fund 001 Gen Fund	443-0000-381.01-01			900
Wood St & Catherine Dr mowing	443-5300-538.12-01		765	
Wood St & Catherine Dr mowing	443-5300-538.44-10		135	
			\$ 20,900	20,900
Total Change to Fund Balance: \$			365,590	
			\$	Increase 385,590
				Decrease 20,000

I DO HEREBY CERTIFY THIS TO BE A TRUE
AND CORRECT COPY
CERTIFIED THIS

DATE 8-16-13


CITY CLERK

RESOLUTION 13-33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, VACATING A PORTION OF THE CURLEW CREEK MAINTENANCE, DRAINAGE AND FLOODWAY EASEMENT LOCATED ON THE SOUTHWEST CORNER OF THE DRAINAGE AND FLOODWAY EASEMENT LOCATED AT 1226 WEYBRIDGE LANE CONSISTING OF APPROXIMATELY 389 SQUARE FEET; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the owner of the property located at 1226 Weybridge Lane has requested that an approximate 389 square foot portion of a drainage and floodway easement be vacated; and

WHEREAS, the City Commission finds and determines that the vacation of such portion of the Curlew Creek Maintenance, Drainage and Floodway Easement is consistent with the Charter of the City of Dunedin and with the Comprehensive Plan of the City of Dunedin; and

WHEREAS, there is no public need for the 389 square foot portion of the easement described on Exhibit "A" attached hereto and Duke Energy, Bright House Networks, Clearwater Gas System and Knology Broadband of Florida, Inc. have made no objection to the vacation of said utility easement; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That it is found that there is no public need for the 389 square foot portion of the easement described in Exhibit "A" attached hereto and the said 389 square foot portion of the Curlew Creek Maintenance, Drainage and Floodway Easement is vacated. It is further found that there is no public referendum required pursuant to the City Charter.

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2013273941 08/21/2013 at 03:33 PM
OFF REC BK: 18131 PG: 2461-2463
DocType:GOV RECORDING: \$27.00

30RTALG OT BHTY 47000 V07 7001001

Section 2. That the City Clerk is directed to record a certified copy of this resolution in the Public Records of Pinellas County, Florida, and send a certified copy thereof to the Property Appraiser of Pinellas County, Florida.

Section 3. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 15th day of August, 2013.



Dave Eggers
Mayor

ATTEST:

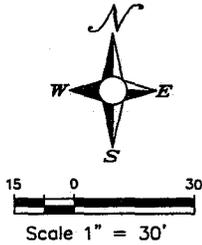

Denise M. Schlegel
City Clerk

LEGAL DESCRIPTION PARENT TRACT:
 LOT 9, WEYBRIDGE WOODS - UNIT B, AS RECORDED IN
 PLAT BOOK 81, PAGES 82-84 OF THE PUBLIC RECORDS OF
 PINELLAS COUNTY, FLORIDA.

LEGEND
 ⊕ CENTERLINE
 — ROW RIGHT-OF-WAY
 499.85 AS-BUILT ELEVATION

NOTES:

1. SKETCH OF SURVEY FOR OUT-PARCEL ONLY.
2. LEGAL DESCRIPTION PROVIDED BY CLIENT.
3. BEARINGS BASED ON PLAT
4. BOUNDARY SHOWN HERON NOT FIELD VERIFIED.
5. THIS SURVEYOR IS NOT RESPONSIBLE FOR EASEMENTS, RIGHT-OF-WAYS, OR ENCUMBRANCES OF RECORD NOT SHOWN HEREON THAT HAVE NOT BEEN FURNISHED TO THIS OFFICE OF THAT HE HAS NO KNOWLEDGE THEREOF.



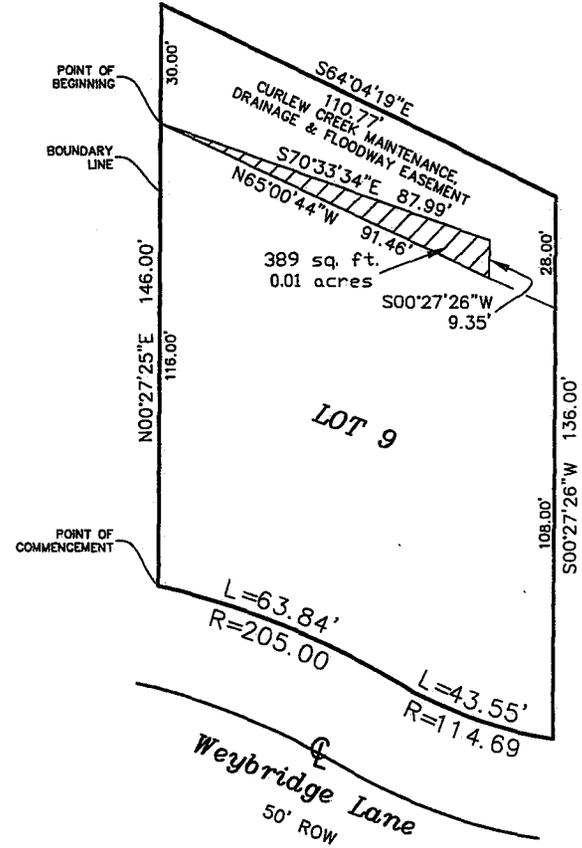
LEGAL DESCRIPTION OUT-PARCEL:

A PORTION OF LOT 9, WEYBRIDGE WOODS - UNIT B, AS RECORDED IN PLAT BOOK 81, PAGES 82-84 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 9, THENCE, BEARING NORTH 00°27'25" EAST, A DISTANCE OF 116.00 FEET TO THE POINT OF BEGINNING.

THENCE, BEARING SOUTH 70°33'34" EAST, A DISTANCE OF 87.99 FEET TO A POINT;
 THENCE, BEARING SOUTH 00°27'26" WEST, A DISTANCE OF 9.35 FEET TO A POINT;
 THENCE, BEARING NORTH 65°00'44" WEST, A DISTANCE OF 91.46 FEET TO THE POINT OF BEGINNING.

THIS PARCEL: Perimeter: 188.80 Area: 389 sq. ft. 0.01 acres, MORE OR LESS.



I HEREBY CERTIFY THAT THIS SPECIAL PURPOSE SURVEY HAS BEEN MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

David P. Graves PLS Date
 AFN Consulting, Inc. LB 7256
 Florida Registered Land Surveyor
 No. 5392

AFN CONSULTING, INC.
 9926 Freshness Stakes Way
 Dade City, FL 33525
 (813) 503-3228 Office
 (852)-437-4078 Fax
 afni@tampabay.rr.com

JOB NAME: Ron and Becca Williams	DRAWN BY: DPG	CHECKED BY: DPG
LOCATION:	SCALE: 1" = 30'	
	DATE: 6/24/2013	
	JOB NUMBER	SHEET
DESCRIPTION: Sketch of Survey	Williams	1 of 1

App. 13-4 V

RESOLUTION 13-34

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

This Budget Amendment Resolution provides for budget transfers between funds and projects, budgeting additional revenues, and for various adjusting entries, as follows:

1. Recognition of a donation in the General Fund of \$2,875 from Friends of the Hammock and offsetting expenses for the Hammock Park management plan.
2. Recognition of donations in the General Fund of \$5,500 and related expenses for the Library.
3. Increase Water/Wastewater Interest Expense (441-5201-517.72-01) \$536,608 for the FY 2013 Water/Wastewater Series 2012 debt service payment and decrease Water/Wastewater fund balance by the same amount.
4. Necessary accounting entries to affect these changes are directed.

5. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 15th day of August, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-35

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, ADOPTING A TENTATIVE AD VALOREM PROPERTY TAX MILLAGE REQUIRED FOR THE ANNUAL BUDGET FOR FISCAL YEAR COMMENCING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That a tentative property tax millage of 3.7345 is hereby levied.

Section 2. That this rate is 12.8% more than the FY 2013 "rolled back rate" of 3.3096.

Section 3. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 12th day of September, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-36

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, ADOPTING THE TENTATIVE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Whereas, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

Whereas, the citizen's Board of Finances' Budget Review Committee has completed an analysis of the proposed budget and has presented their findings and comments to the City Commission; and

Whereas, the City Commission has reviewed and modified estimated revenue and proposed expenditures; and

Whereas, in compliance with Florida State "Truth-in-Millage" (TRIM) requirements, the City Commission will hold two public hearings to receive citizen comments on the proposed budget; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That a tentative operating/capital expenditures totaling \$64,308,576 as set forth in Attachment A for the various Departments and Funds of the City is hereby adopted and approved. The respective amounts set forth in Attachment A are to be appropriated from taxes or other revenues as needed for Fiscal Year commencing October 1, 2013 and ending September 30, 2014, property tax millage of 3.7345 is hereby levied.

This budget is based on a 3.7345 ad valorem tax millage, which is 12.8% more than the FY 2013 "rolled back rate" of 3.3096.

Section 2. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 12th day of September, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-36

ATTACHMENT A

PROPOSED BUDGET SUMMARY - FY 2014 CITY OF DUNEDIN, FLORIDA

	General Fund FY2014	Special Revenue Funds FY2014	Enterprise Funds FY2014	Capital Project Funds FY 2014	FY2014 Totals (w/o Internal Service Funds)
Mill Levy: 3.7345					
Beginning Reserves 10/1/2013*	\$ 3,892,976	\$ 480,502	\$ 13,821,949	\$ 1,169,032	\$ 19,364,459
ESTIMATED REVENUES:					
Ad Valorem Taxes	\$ 6,118,973	\$ 388,555	\$ -	\$ -	\$ 6,507,528
Local Govt. 1/2 Cent Sales Tax	1,922,800	-	-	-	1,922,800
Franchise Taxes	2,676,992	-	13,000	-	2,689,992
Utility Services Taxes	4,516,469	-	-	-	4,516,469
Other Taxes	138,247	-	540,526	-	678,773
Licenses and Permits	773,576	-	-	-	773,576
Intergovernmental Revenue	1,329,894	1,123,608	1,870,500	3,280,560	7,604,562
Charges for Services	3,702,116	291,000	23,659,875	-	27,652,991
Fines & Forfeitures	212,692	-	153,000	-	365,692
Admin. Service Charge	1,596,254	-	-	-	1,596,254
Miscellaneous Revenues	499,161	725,796	721,138	42,013	1,988,108
Transfers In **	1,605,332	605,839	520,000	940,812	3,671,983
Debt Proceeds/Other Non-operating	-	-	-	-	-
TOTAL REVENUES AND OTHER FINANCING SOURCES	\$ 25,092,506	\$ 3,134,798	\$ 27,478,039	\$ 4,263,385	\$ 59,968,728
TOTAL ESTIMATED REVENUES AND BEGINNING RESERVES	\$ 28,985,482	\$ 3,615,300	\$ 41,299,988	\$ 5,432,417	\$ 79,333,187
EXPENDITURES/EXPENSES:					
General Government	\$ 3,270,674	\$ -	\$ 560,826	\$ 309,000	\$ 4,140,500
Public Safety	10,113,731	20,000	-	0	10,133,731
Culture and Recreation	8,364,399	721,288	1,114,810	353,000	10,553,497
Planning & Econ. Development	1,365,579	827,137	-	0	2,192,716
Streets	1,650,803	31,250	-	1,479,625	3,161,678
Solid Waste, Water/WW, Stormwater	-	-	26,441,191	0	26,441,191
Debt Service	-	1,002,735	2,979,236	831,309	4,813,280
Transfers Out **	770,084	159,900	684,364	1,257,635	2,871,983
TOTAL EXPENDITURES/EXPENSES	\$ 25,535,270	\$ 2,762,310	\$ 31,780,427	\$ 4,230,569	\$ 64,308,576
Ending Reserves	3,450,212	852,990	9,519,561	1,201,848	15,024,611
TOTAL APPROPRIATED EXPENDITURES AND ENDING RESERVES	\$ 28,985,482	\$ 3,615,300	\$ 41,299,988	\$ 5,432,417	\$ 79,333,187

*Reserves here refer to Fund Balance, which is the total fund balance for governmental funds, and working capital for proprietary funds. Fund Balances are based on Current Budgets, and Proposed Budgets. It is likely that actual results, ending reserves, from FY 2013 will vary from the current amended budget.

**Note: Transfers from Internal Service Funds make up the difference between transfers in and out.

RESOLUTION 13-37

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, ADOPTING AN AD VALOREM PROPERTY TAX MILLAGE REQUIRED FOR THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

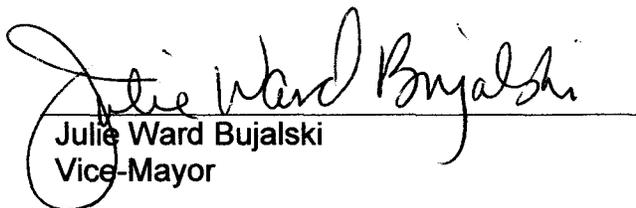
BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That a property tax millage of 3.7345 is hereby levied.

Section 2. That this rate is 12.8% more than the FY 2013 "rolled back rate" of 3.3096.

Section 3. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 26th day of September, 2013.


Julie Ward Bujalski
Vice-Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-38

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, ADOPTING OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the citizen's Board of Finances' Budget Review Committee has completed an analysis of the proposed budget and has presented their findings and comments to the City Commission; and

WHEREAS, the City Commission has reviewed and modified estimated revenue and proposed expenditures; and

WHEREAS, in compliance with Florida State "Truth-in-Millage" (TRIM) requirements, the City Commission has held two public hearings to receive citizen comments on the proposed budget; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. Operating/capital expenditures totaling \$64,308,576 as set forth in Attachment A for the various Departments and Funds of the City is hereby adopted and approved. The respective amounts set forth in Attachment A are to be appropriated from taxes or other revenues as needed for Fiscal Year commencing October 1, 2013 and ending September 30, 2014, property tax millage of 3.7345 is hereby levied.

This budget is based on a 3.7345 ad valorem tax millage, which is 12.8% more than the FY 2013 "rolled back rate" of 3.3096.

Section 2. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 26th day of September, 2013.


Julie Ward Bujalski
Vice-Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-38

EXHIBIT A

ADOPTED BUDGET SUMMARY - FY 2014 CITY OF DUNEDIN, FLORIDA

Mill Levy 3.7345	General Fund FY2014	Special Revenue Funds FY2014	Enterprise Funds FY2014	Capital Project Funds FY 2014	FY2014 Totals (w/o Internal Service Funds)
Beginning Reserves 10/1/2013*	\$ 3,892,976	\$ 480,502	\$ 13,821,949	\$ 1,169,032	\$ 19,364,459
ESTIMATED REVENUES:					
Ad Valorem Taxes	\$ 6,118,973	\$ 388,555	\$ -	\$ -	\$ 6,507,528
Local Govt. 1/2 Cent Sales Tax	1,922,800	-	-	-	1,922,800
Franchise Taxes	2,676,992	-	13,000	-	2,689,992
Utility Services Taxes	4,516,469	-	-	-	4,516,469
Other Taxes	138,247	-	540,526	-	678,773
Licenses and Permits	773,576	-	-	-	773,576
Intergovernmental Revenue	1,329,894	1,123,608	1,870,500	3,280,560	7,604,562
Charges for Services	3,702,116	291,000	23,659,875	-	27,652,991
Fines & Forfeitures	212,692	-	153,000	-	365,692
Admin. Service Charge	1,596,254	-	-	-	1,596,254
Miscellaneous Revenues	499,161	725,796	721,138	42,013	1,988,108
Transfers In	1,605,332	605,839	520,000	940,812	3,671,983
Debt Proceeds/Other Non-operating	-	-	-	-	-
TOTAL REVENUES AND OTHER FINANCING SOURCES	\$ 25,092,506	\$ 3,134,798	\$ 27,478,039	\$ 4,263,385	\$ 59,968,728
TOTAL ESTIMATED REVENUES AND BEGINNING RESERVES	\$ 28,985,482	\$ 3,615,300	\$ 41,299,988	\$ 5,432,417	\$ 79,333,187
EXPENDITURES/EXPENSES:					
General Government	\$ 3,270,674	\$ -	\$ 560,826	\$ 309,000	\$ 4,140,500
Public Safety	10,113,731	20,000	-	0	10,133,731
Culture and Recreation	8,364,399	721,288	1,114,810	353,000	10,553,497
Planning & Econ. Development	1,365,579	827,137	-	0	2,192,716
Streets	1,650,803	31,250	-	1,479,625	3,161,678
Solid Waste, Water/WW, Stormwater	-	-	26,441,191	0	26,441,191
Debt Service	-	1,002,735	2,979,236	831,309	4,813,280
Transfers Out	770,084	159,900	684,364	1,257,635	2,871,983
TOTAL EXPENDITURES/EXPENSES	\$ 25,535,270	\$ 2,762,310	\$ 31,780,427	\$ 4,230,569	\$ 64,308,576
Ending Reserves	3,450,212	852,990	9,519,561	1,201,848	15,024,611
TOTAL APPROPRIATED EXPENDITURES AND ENDING RESERVES	\$ 28,985,482	\$ 3,615,300	\$ 41,299,988	\$ 5,432,417	\$ 79,333,187

*Reserves here refer to Fund Balance, which is the total fund balance for governmental funds, and working capital for proprietary funds. Fund Balances are based on Current Budgets, and Proposed Budgets. It is likely that actual results, ending reserves, from FY 2013 will vary from the current amended budget.

**Note: Transfers from Internal Service Funds make up the difference between transfers in and out.

RESOLUTION 13-39

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

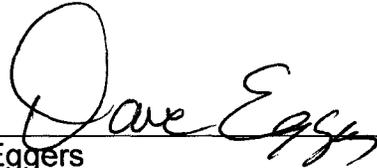
WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

This Budget Amendment Resolution provides for budget transfers between funds and projects, and for various adjusting entries, as follows:

1. Transfer \$43,000 from General Fund Project #881301 to County Gas Tax Fund and to Project #630002 for Streets Resurfacing.
2. Transfer \$7,500 from General Fund to Stadium Fund for Spring Training Economic Impact Study.
3. Reduce a one-sided Interfund Transfer of \$111,656 from General Fund to Debt Service Fund for Palm Blvd.
4. Transfers in the Penny Fund from Corridor Studies, to Lyndhurst Street, \$40,000, and to Skinner Boulevard Reconstruction, \$140,426.
5. Transfer \$183,989 from Stormwater Project #530203 (Amberlea) to Stormwater Project #531303 for Pipe Lining Rehab.
6. To correct a one-sided Fleet Services Fund Budget transfer of \$690,364.
7. Necessary accounting entries to affect these changes are directed.
8. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY
OF DUNEDIN, FLORIDA, THIS 12th day of September, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

I DO HERE-BY CERTIFY THIS TO BE A TRUE
AND CORRECT COPY
CERTIFIED THIS
DATE 9-17-13

[Signature]
CITY CLERK

RESOLUTION 13-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, VACATING A 25' x 400' UTILITY EASEMENT WITHIN A SOUTHWEST PORTION OF THE LOT LOCATED AT 1142 MARTIN LUTHER KING JR. AVENUE; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.



WHEREAS, the owners of the property located at 1142 Martin Luther King Jr. Avenue have requested that a 25' x 400' utility easement within a southwest portion of the lot be vacated; and

WHEREAS, the City Commission finds and determines that the vacation of such easement is consistent with the Charter of the City of Dunedin and with the Comprehensive Plan of the City of Dunedin; and

WHEREAS, there is no public need for the 25' x 400' utility easement described on Exhibit "A" attached hereto; and

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That it is found that there is no public need for the 25' x 400' utility easement described in Exhibit "A" attached hereto, and that said utility easement is vacated. It is further found that there is no public referendum required pursuant to the City Charter.

Section 2. That the City Clerk is directed to record a certified copy of this resolution in the Public Records of Pinellas County, Florida, and send a certified copy thereof to the Property Appraiser of Pinellas County, Florida.

Section 3. That this Resolution shall become effective upon its passage and adoption.

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2013309198 09/20/2013 at 02:35 PM
OFF REC BK: 18167 PG: 2657-2659
DocType:GOV RECORDING: \$27.00

RESOLUTION NO. 13-40

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY

OF DUNEDIN, FLORIDA, THIS 12th day of September, 2013.

CITY CLERK



Dave Eggers
Mayor

ATTEST:



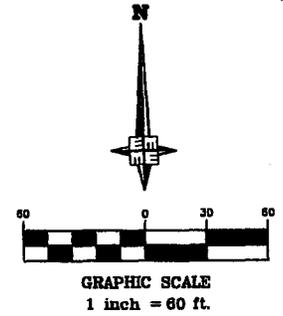
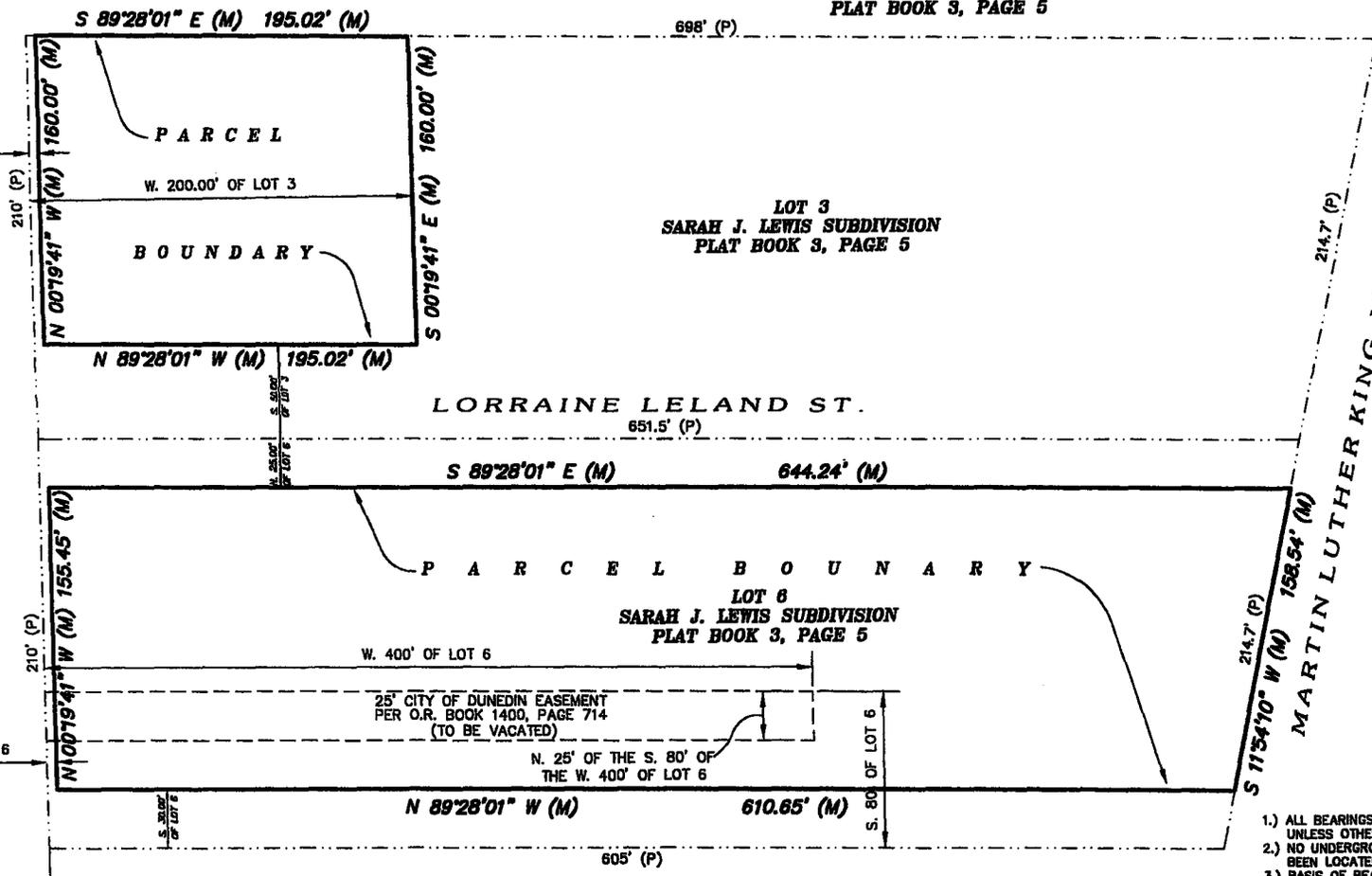
Denise M. Schlegel
City Clerk

LOT 2
SARAH J. LEWIS SUBDIVISION
PLAT BOOK 3, PAGE 5

LOT 3
SARAH J. LEWIS SUBDIVISION
PLAT BOOK 3, PAGE 5

LOT 6
SARAH J. LEWIS SUBDIVISION
PLAT BOOK 3, PAGE 5

LOT 7
SARAH J. LEWIS SUBDIVISION
PLAT BOOK 3, PAGE 5



- SURVEYORS NOTES:
- 1.) ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT AND/OR DEED UNLESS OTHERWISE NOTED.
 - 2.) NO UNDERGROUND ENCROACHMENTS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE NOTED.
 - 3.) BASIS OF BEARINGS: NORTH AND SOUTH RIGHT-OF-WAY LINES OF LORRAINE LELAND ST. BEING S 89°28'01" E PER THE DESCRIPTIONS RECORDED IN OFFICIAL RECORDS BOOK 2762, PAGE 692, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

LEGAL DESCRIPTION OF EASEMENT TO BE VACATED:
THE NORTH 25.00 FEET OF THE SOUTH 80.00 FEET OF THE WEST 400.00 FEET LOT 6, SARAH J. LEWIS SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

CERTIFIED AS A SKETCH & LEGAL DESCRIPTION
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING,
SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY
AND IS NOT VALID.


EDWARD C. ELLIOTT, P.S.M. # 3983
DATE: 8/13/2013

EMME Land Surveying, LLC.
1054 KAPP DRIVE, CLEARWATER, FLORIDA 33765
OFFICE (727) 474-3751, FAX (727) 474-3753
eml: emmelandsurvey@gmail.com
CERTIFICATE OF AUTHORIZATION LB NO. 7895

ABBREVIATION LEGEND:

F.I.R. = FOUND IRON ROD (SIZE INDICATED)	SEC. = SECTION
S.I.R. = SET IRON ROD 1/2" EMME LB 7895	TWP. = TOWNSHIP
F.I.P. = FOUND IRON PIPE (SIZE INDICATED)	RGE. = RANGE
F.N.D. = FOUND NAIL & DISK	(D) = DEED
S.N.D. = SET NAIL & DISK EMME LB 7895	(P) = PLAT
F.C.M. = FOUND CONCRETE MONUMENT	(M) = MEASURED
P.R.M. = PERMANENT REFERENCE MONUMENT	(C) = CALCULATED
P.C.P. = PERMANENT CONTROL POINT	(F) = FIELD
P.I. = POINT OF INTERSECTION	(R) = RADIAL
P.C. = POINT OF CURVE	P.B. = PLAT BOOK
P.O.B. = POINT OF BEGINNING	P.C. = PAGE
R/W = RIGHT-OF-WAY	CONC. = CONCRETE
TYP. = TYPICAL	COV. = COVERED
PP = POWER POLE	ASPH. = ASPHALT
WM = WATER METER	PVMT. = PAVEMENT
P.S.M. = PROFESSIONAL SURVEYOR & MAPPER	ELEV. = ELEVATION

RESOLUTION 13-41

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, RECOMMENDING ADOPTION OF THE ANNUAL FLOODPLAIN MANAGEMENT PLAN UPDATE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City of Dunedin is located in an area that is vulnerable to natural and man-made disaster; and

WHEREAS, the City of Dunedin supports efforts to make the community more disaster resistant, thereby reducing the costs of disasters; and

WHEREAS, the City of Dunedin is desirous of minimizing, alleviating and mitigating the effects of flooding to the greatest possible extent; and

WHEREAS, the City of Dunedin became a participant of the Community Rating System of the National Flood Insurance Program in 1991; and

WHEREAS, participation in this Community Rating System provides benefits to homeowners holding flood insurance policies; and

WHEREAS, a Repetitive Loss Property is one for which two or more claims of at least \$1,000 have been paid by the National Flood Insurance Program during a rolling ten year period; and

WHEREAS, a Category C Repetitive Loss Community is one with ten or more Repetitive Loss Properties; and

WHEREAS, as a Category C Community, the City must prepare and adopt a Floodplain Management Plan in order to remain active in the Community Rating System; and

WHEREAS, the City is allowed to utilize a countywide Local Mitigation Strategy as its Floodplain Management Plan however annual updates of the plan are required; now therefore,

BE IT RESOLVED BY THE CITY OF DUNEDIN, FLORIDA, IN SESSION AND DULY AND REGULARLY ASSEMBLED:

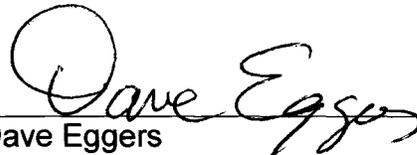
Section 1. That the City Commission approves of the Local Mitigation Strategy developed cooperatively by the workgroup at which a City representative was present, and recommends it be adopted by the Pinellas County Board of County Commissioners.

Section 2. The Annual Floodplain Management Plan Annual Update shown in Exhibit "A" attached is required under the Community Rating System.

Section 3. That the City Clerk is directed to distribute copies of this Resolution to the Federal Emergency Management Agency and to all other concerned governmental bodies, agencies and representatives as deemed appropriate by the City Commission of the City of Dunedin.

Section 4. That this Resolution shall take effect immediately upon passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 12th day of September, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

City of Dunedin

***FLOODPLAIN MANAGEMENT PLAN/
LOCAL MITIGATION STRATEGY
ANNUAL REPORT***

August, 2013

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INTRODUCTION

In August of 1997, the City of Dunedin adopted a Floodplain Management Plan. This plan detailed the existing Special Flood Hazard Area, defined six repetitive loss areas and examined the numerous ways the City could alleviate and mitigate the negative effects of flooding. The first Annual Report was issued in September of 1998. The conclusions of the initial Annual Report lead to a revised Floodplain Management Plan being adopted in December of 1998.

In early 1998, the State of Florida Department of Community Affairs requested that “Pinellas County and its municipalities develop a unified, community-wide local mitigation strategy [or LMS]...aimed at the skyrocketing costs of disaster.” This LMS is “intended to provide a unified and consistent course of action needed to eliminate or reduce the impact of disasters that threaten Pinellas County and its municipalities.” Dunedin staff worked with other cities and the County throughout 1998 and into 1999 developing an LMS that was acceptable to all local governments. The LMS was approved by Resolution 99-12 by the City Commission on May 6, 1999. Pursuant to revisions in the Community Rating System’s procedures, the Local Mitigation Strategy (LMS) was submitted as a replacement to the Floodplain Management Plan in August of 2000.

In 2004, Pinellas County began an update to the LMS. This update was designed not only to revise the information to reflect existing conditions but also to meet the changes in requirements for the LMS. When the City adopted the LMS by resolution not only in support of the countywide efforts but also as the Floodplain Management Plan, it added two sections: the first described the mitigation strategies available; the second listed the approaches the City should take in an action plan.

The 2009 LMS Update focuses on updating the data and risk analyses as well as addressing the requirements identified in the most recent FEMA guidance (*Local Multi-Hazard Mitigation Planning Guidance*, July 1, 2008) specified under 44 CFR §201. According to the guidance, the most successful of mitigation plans – where practical, meaningful mitigation actions resulted – have two common elements:

- Comprehensive risk and capability assessments that form a solid foundation for decision making; and
- Participation by a wide range of stakeholders who play a role in identifying and implementing mitigation actions.

A copy of the adopted Floodplain Management Plan may be obtained from the City of Dunedin Department of Planning & Development, 737 Loudon Avenue, Dunedin, FL, 34698. Or the reader may call 298-3210 to obtain a copy. We have also posted it on the City’s website at www.dunedingov.com.

EVALUATION OF THE ACTION PLAN

The most effective method of determining the success of the implementation of the Floodplain

Management Plan would be to list each task found in the Action Plan and present the manner in which each was addressed during the previous year.

► Preventive Activities

- Continue the extensive use of open space throughout the City and particularly within the floodplain. This includes Hammock Park, Fisher Field, the Dunedin Golf Club, St. Andrews Links, Weaver Park, and the Dunedin Youth Guild Park.

- ▷ Timetable: Ongoing

- ▷ Evaluation Criteria: Number of acres of open space within the floodplain.

- ▷ Budget: Staff time (operating funds): Parks & Recreation Department

- ▷ Evaluation: Approximately 1,365 acres of open space was estimated in 2006. While there have been land use changes to several parks, they were made to Recreation/Open Space in order to further constrain any development from occurring on the parcels. In late 2008, the City acquired a 7 acre parcel of open space and converted it into a public park, Weaver Park, which opened in 2011. In 2010, the City acquired another 4 acres of waterfront property. The Dunedin Youth Guild Park opened in July 2013 as passive open space. There are now approximately 1,376 acres of open space within the floodplain.

- Continue the enforcement of Chapter 78 of the *Dunedin Code of Ordinances* entitled “Stormwater Management,” particularly as it relates to the construction of systems regulating stormwater runoff.

- ▷ Timetable: Ongoing

- ▷ Evaluation Criteria: Most recent information on number of new developments (both residential and non-residential) installing stormwater control systems; amount of funds generated by the stormwater utility fee.

- ▷ Budget: Staff time (operating funds): Public Works Department

- ▷ Evaluation: Stormwater requirements are determined during the development review process and enforced through the City’s permitting process.

- Continue the maintenance of the City’s drainage system. This includes routine inspection, removal of debris, repairs, top and slope mowing, and aquatic maintenance.

- ▷ Timetable: Annually

- ▷ Evaluation Criteria: Most recent information on the total number of inspections and maintenance performed; most recent information on the total amount of funds expended on maintenance.

- ▷ Budget: Staff time (operating funds): Public Works Department

- ▷ Evaluation: The Division Director of the Public Works Department manages the following: debris collected, structures cleaned and repaired, ditches inspected, cleaned and mowed, and aquatic treatments.

► Property Protection Activities

- Continue the mail-out of flood proofing information to the residents of each repetitive loss area.

- ▷ Timetable: Annually

- ▷ Evaluation Criteria: Number of packages sent to repetitive loss area residents.

- ▷ Budget: Staff time (operating funds): Planning & Development Department

- ▷ Evaluation: In August 2013, every household in Dunedin received a flood and storm awareness insert, "*Preparing for Storms: City of Dunedin Flood Protection Awareness*", as part of the Dunedin Beacon monthly local newspaper.

- Encourage the elevation/retrofitting of structures to FEMA requirements through the enforcement of the 50% rule, through the distribution of information to repetitive loss areas, and through obtaining federal funds for such structural work.

- ▷ Timetable: Annually

- ▷ Evaluation Criteria: Number of structures elevated due to the 50% rule; number of packages sent to repetitive loss area residents; amount of federal assistance secured for structural work.

- ▷ Budget: Staff time (operating funds): Planning & Development Department

- ▷ Evaluation: In August 2013, every household in Dunedin received a flood and storm awareness insert as part of the Dunedin Beacon monthly local newspaper. Information included newsletters describing flood insurance, preparation for emergency situations and flood proofing data. Between the dates of July 1, 2012 and June 30, 2013, there were no improvements required to meet the 50% rule standard. Also, during this same period, no Flood Mitigation Assistance Program (FMAP) agreements were signed.

- Continue providing information on the "dry flood proofing barrier" for use in repetitive loss areas.

- ▷ Timetable: Annually

- ▷ Evaluation Criteria: Outreach project to the community as part of Activity 330 of the Community Rating System.

- ▷ Budget: Staff time (operating funds): Planning & Development Department

- ▷ Evaluation: In August 2013, every household in Dunedin received a flood and storm awareness insert as part of the Dunedin Beacon monthly local newspaper. These packages included information on the installation of a "dry flood proofing barrier."

- Continue to apply the Recreation/Open Space land use designation on all of Caladesi Island and on the vast majority of Honeymoon Island.

- ▷ Timetable: Ongoing

Evaluation Criteria: Number of acres on the barrier islands with the Recreation/Open Space land use designation.

▷Budget: Staff time (operating funds): Planning & Development Department

▷Evaluation: The combined acreage of the undeveloped portions of Caladesi Island and Honeymoon Island total 1,039.

►Emergency Services Measures

•Continue the cooperative implementation of the Comprehensive Emergency Plan with Pinellas County.

▷Timetable: Annually

▷Evaluation Criteria: The tasks performed to ensure that the City is consistent with county, state and federal guidelines.

▷Budget: Staff time (operating funds): Fire Department

▷Evaluation: The Fire Department has ensured that its disaster procedures are consistent with county, state and federal guidelines in the past year through updating of the City Disaster Preparedness Plan and attending Loss Mitigation Strategy Committee meetings.

•Send letters to owners of structures or facilities which produce, use or store highly volatile, flammable, explosive, toxic and/or water-reactive materials. These letters should encourage the owners or operators to follow proper procedures in the event of an impending disaster.

▷Timetable: Annually

▷Evaluation Criteria: The number of letters sent to owners of structures or facilities which produce, use or store highly volatile, flammable, explosive, toxic and/or water-reactive materials.

▷Budget: Staff time (operating funds): Planning & Development Department

▷Evaluation: 34 letters were sent in June 2013 to the identified critical facilities.

•Continue the annual distribution of the *All Hazards Guide* or *Hurricane Guide* for as long as it is produced and made available to residents and local governments.

▷Timetable: Annually

▷Evaluation Criteria: Locations in the City where the *All Hazards Guide* or *Hurricane Guide* is made available (e.g., City Hall, Library, Sheriff's Office).

▷Budget: Staff time (operating funds): Citywide

▷Evaluation: Copies of Pinellas County's 2013 *Surviving the Storm* were made available at City Hall, Planning & Development, Municipal Services, the Hale Senior Activity Center, and the Community Center as well as other prominent locations all over Pinellas County including the internet.

•Continue advising the Florida Department of Transportation of the critical nature of

the Alternate US 19/Curlew Road intersection. Request that some type of improvement to the elevation conditions at this location be made.

▷ Timetable: Ongoing

▷ Evaluation Criteria: Letters or other contacts with FDOT and their responses.

▷ Budget: Staff time (operating funds): Planning & Development Department

▷ Evaluation: Curlew Road has been resurfaced east of the Alternate US 19 intersection. The roadway was slated for a multi-lane improvement in the future; however, this project was removed from the FDOT's Five-Year Work Program.

▶ Structural Projects

• Continue the permitting of erosion protection projects as outlined in the City's Land Development Code.

▷ Timetable: Ongoing

▷ Evaluation Criteria: Linear feet of erosion protection permitted to be installed or repaired during the previous year.

▷ Budget: Staff time (operating funds): Public Works Department

▷ Evaluation: According to the Building Permit data, an estimated 418 linear feet of retaining walls on private or public property were installed or repaired during FY 2013. Since all of these were near water bodies, they could be considered as possibly related to flood protection.

• Continue the enforcement of Chapter 78 of the Dunedin Code of Ordinances entitled "Stormwater Management," particularly as it relates to the construction of systems regulating stormwater runoff.

▷ Timetable: Ongoing

▷ Evaluation Criteria: Number of new developments (both residential and non-residential) installing stormwater control systems, including storm sewers.

▷ Budget: Staff time (operating funds): Public Works Department

▷ Evaluation: The Division Director of Public Works monitors any developments which require stormwater retention.

▶ Public Information Activities

• Continue to provide the Map Determination Service, including the publicizing of the service.

▷ Timetable: Ongoing

▷ Evaluation Criteria: Number of announcements sent publicizing the service; number of map determinations provided.

▷ Budget: Staff time, postage (operating funds): Planning & Development Department

▷ Evaluation: In June 2013, 100 announcements were sent to insurance

companies, real estate firms and financial institutions. This included businesses in Dunedin and out of state. Between August 1, 2012 and July 30, 2013, 58 map determinations were provided.

- Continue to develop and send flyers and reproducible forms to real estate agencies regarding information relating to flood hazards of property.

- ▷Timetable: Annually

- ▷Evaluation Criteria: Flyers and reproducible forms developed

- ▷Budget: Staff time (operating funds): Planning & Development Department

- ▷Evaluation: In June 2013, 12 real estate offices within the City of Dunedin were each sent a reproducible hazard disclosure form for distribution to their clients. These forms included information on the hazards of locating within the floodplain and the availability of flood insurance.

- Continue to maintain and publicize the Flood Library documents available at the Dunedin Public Library.

- ▷Timetable: Ongoing

- ▷Evaluation Criteria: Number and type of documents available at the Dunedin Public Library.

- ▷Budget: Staff time (operating funds): Library

- ▷Evaluation: There are 21 documents available in the reference section at the library. Subjects covered include retrofitting, elevating, floodplain management, flood proofing, insurance, and reducing losses due to flooding.

- Continue to provide technical assistance where possible on flood issues.

- ▷Timetable: Ongoing

- ▷Evaluation Criteria: Estimated number of times some type of technical assistance was provided to Dunedin residents or businesses.

- ▷Budget: Staff time (operating funds): Public Works Department; Planning & Development Department

- ▷Evaluation: Both the Public Works and Planning & Development Departments estimate that technical assistance was provided on at least 250 separate occasions during the last year in matters relating to elevation requirements, breakaway walls, the substantial improvement (50%) rule and other drainage issues.

SUMMARY AND CONCLUSIONS

During Fiscal Year 2013, the City has implemented its Floodplain Management Plan and continues to support all the tasks in the Community Rating System.

The City of Dunedin is a Class 6 community, allowing for a twenty (20) percent premium discount on all National Flood Insurance Program (NFIP) policies.

RESOLUTION 13-42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN REQUESTING THE CONTINUED EFFORT OF OUR FLORIDA STATE CONGRESSIONAL DELEGATION IN AMENDING OR REVISING THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Since 1968 the historical purpose of the National Flood Insurance Program (NFIP) was to provide affordable flood insurance in exchange for using FEMA generated and specified Flood Insurance Rate Maps (FIRMS) for floodplain management by a participating community; and

WHEREAS, generations of Florida home and business owners have made lifelong plans and investments based on existence of affordable flood insurance as proposed by FEMA in the past 45 years; and

WHEREAS, most of the issues we face in the loss of our coast and the historical protection from flooding are by and large traceable to historic and current Federal Policy now with the Biggert-Waters Flood Insurance Reform Act (Public Law 112-141, aka BW12); and

WHEREAS, through the passage of the BW12 Act that was recently signed into law, the NFIP was revised such that the public's reliance on the program to provide subsidized flood insurance protection for prior investments in their homes and businesses were essentially dissolved which means some of these structures will receive a 25% increase in the flood insurance premium annually until the premium reflects full risk coverage and this passage substantially and immediately devalued the investments made in all properties receiving subsidized insurance premium rates through the drastic increase in the cost of flood insurance for entire neighborhoods and commercial corridors; and

WHEREAS, previously these structures were rated on Pre-FIRMs of the FIRMs in effect when the structure was constructed, and now, even though the structures were not substantially damaged, (over 50% of their fair market value) their owners will struggle to pay exorbitant amounts to keep flood insurance on these structures; and

WHEREAS, The Flood Disaster Act of 1973 required the purchase of flood insurance on and after March 2, 1974 as a condition of receiving any form of federal or federal-related financial assistance for acquisition or construction purposes with respect to insurance buildings; and

WHEREAS, under the NFIP regulations, Section 59.3, "this flood program still requires upon the effective date of the FIRM the charging of risk premium rates for all new constructions and substantial improvements". Homeowners and businessmen wanted to be in compliance and were following the latest information provided to them by their local government who had partnered with FEMA so that the economy could prosper; and

WHEREAS, the Flood Insurance Implementation Reform Act of 2013 received bipartisan support from the Florida Congressional Delegation which addresses many of the issues of the Biggert-Waters Flood Insurance Reform Act; and

WHEREAS, it is incumbent upon us all to have a long term, sustainable and viable NFIP with rates that are affordable.

BE IT RESOLVED BY THE CITY OF DUNEDIN, FLORIDA, IN SESSION AND DULY AND REGULARLY ASSEMBLED:

Section 1. That the City of Dunedin hereby requests our Florida State Congressional Delegation to amend or revise the flood insurance rate structure enacted by Biggert-Waters Flood Insurance Reform Act of 2012.

Section 2. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 12th day of September, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-43

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN ADOPTING THE CITY OF DUNEDIN DEFINED CONTRIBUTION PLAN (THE 'PLAN') THAT WAS SUBMITTED TO THE IRS IN PROPOSED FORM; ADOPTING THE IRS REQUIRED ADDITIONAL AMENDMENT; AND REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has previously adopted the Plan, which has been amended from time to time; and

WHEREAS, the IRS has issued a Favorable Determination Letter ("FDL") dated May 14, 2013, a copy of which is attached as exhibit A, which can be relied upon for compliance with all the required legislative changes through the 2009 Cumulative List of Plan Qualification Requirements; and

WHEREAS, the City is required to adopt the amended and restated Plan, attached as exhibit B, and the proposed Plan, attached as exhibit C, in order to rely upon the FDL; and

WHEREAS, the City is authorized under Article X to amend the Plan.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. The amended and restated Plan updates the Plan for all required legislative changes through the 2009 Cumulative List of Plan Qualification Requirements and is hereby approved and adopted in its entirety.

Section 2. The proposed Plan includes the approved provisions from the amended and restated Plan, reflects an IRS required change to the annual additions correction method as reflected in Section (f) of Article VI, is intended to be the controlling plan (over the amended and restated plan), and is hereby approved and adopted in its entirety.

Section 3. The amended and restated Plan and the proposed Plan shall be maintained in the office of the Plan Administrator at the Department of Human Resources, Post Office Box 1348, Dunedin, Florida 34697-1348.

Section 4. The Plan may be modified from time to time by further resolutions or motion of the City Commission.

Section 5. The appropriate officers of the City of Dunedin are authorized to execute the amended and restated Plan and the proposed Plan.

Section 6. This Resolution shall be effective as of the dates reflected in the Plan documents.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 3rd day of October, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAY 14 2013**

CITY OF DUNEDIN
C/O LOWELL WALTERS
201 N FRANKLIN ST STE 2200
TAMPA, FL 33602

Employer Identification Number:
59-6000310
DLN:
17007049131011
Person to Contact:
JENNIFER M THIMMADASIAH ID# 31316
Contact Telephone Number:
(513) 263-4613
Plan Name:
CITY OF DUNEDIN DEFINED
CONTRIBUTION PLAN
Plan Number: 002

Dear Applicant:

We have made a favorable determination on the plan identified above based on the information you have supplied. Please keep this letter, the application forms submitted to request this letter and all correspondence with the Internal Revenue Service regarding your application for a determination letter in your permanent records. You must retain this information to preserve your reliance on this letter.

Continued qualification of the plan under its present form will depend on its effect in operation. See section 1.401-1(b)(3) of the Income Tax Regulations. We will review the status of the plan in operation periodically.

The enclosed Publication 794 explains the significance and the scope of this favorable determination letter based on the determination requests selected on your application forms. Publication 794 describes the information that must be retained to have reliance on this favorable determination letter. The publication also provides examples of the effect of a plan's operation on its qualified status and discusses the reporting requirements for qualified plans. Please read Publication 794.

This letter relates only to the status of your plan under the Internal Revenue Code. It is not a determination regarding the effect of other federal or local statutes.

This determination letter gives no reliance for any qualification change that becomes effective, any guidance published, or any statutes enacted, after the issuance of the Cumulative List (unless the item has been identified in the Cumulative List) for the cycle under which this application was submitted.

This letter may not be relied on after the end of the plan's first five-year remedial amendment cycle that ends more than twelve months after the application was received. This letter expires on January 31, 2014. This letter considered the 2009 Cumulative List of Plan Qualification Requirements.

This determination letter is applicable for the amendment(s) executed on 11/20/09 & 9/30/09.

Letter 2002 (DO/CG)

Exhibit "A"

CITY OF DUNEDIN
DEFINED CONTRIBUTION PLAN
(As approved by the IRS on May 13, 2013)

Exhibit "B"

**CITY OF DUNEDIN
DEFINED CONTRIBUTION PLAN**

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**CITY OF DUNEDIN
DEFINED CONTRIBUTION PLAN**

This Plan document is intended to comply with the applicable provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA"), the Pension Protection Act of 2006 ("PPA"), the final Code Section 415 regulations, the Heroes Earnings Assistance and Relief Tax Act ("HEART") and the applicable provisions of various administrative pronouncements promulgated by the Internal Revenue Service. This Amendment One to the Plan document is effective ~~January~~October 1, 2010, except as otherwise indicated herein.

W I T N E S S E T H:

WHEREAS, the City of Dunedin ("Employer") previously adopted the Plan which has been amended from time to time; and

WHEREAS, the Employer is authorized to amend the Plan; and

WHEREAS, the Employer desires to ~~amend~~update the Plan to ~~change the Employer contribution from 10% of Compensation to 8% of Compensation for all Employees who are hired on and after January 1, 2010~~for legislative changes; and

WHEREAS, the Employer deems it advisable and in the best interests of the Participants to amend the Plan to comply with the tax qualification provisions of the Internal Revenue Code and make other desired changes.

NOW, THEREFORE, in consideration of the premises, it is agreed as follows:

ARTICLE I

Definitions

- (a) "**Account**" or "**Accounts**" shall mean a Participant's Employer Contribution Account and/or such other accounts as may be established by the Plan Administrator.
- (b) "**Administrator**" shall mean the Plan Administrator.
- (c) "**Advisory Committee**" shall mean the Advisory Committee described in Article III.
- (d) "**Annual Additions**" shall mean, for any Limitation Year, the sum of:
 - (1) the amount of Employer contributions allocated to the Participant

during any Limitation Year under any defined contribution plan maintained by the Employer;

(2) the amount of the Employee's contributions (other than rollover contributions, if any) to any contributory defined contribution plan maintained by the Employer;

(3) any forfeitures allocated to the Participant under any defined contribution plan maintained by the Employer; or

(4) amounts allocated to an individual medical account, as defined in Section 415(l)(2) of the Code that is part of a pension or annuity plan maintained by the Employer, and amounts derived from contributions that are attributable to post-retirement medical benefits allocated to the separate account of a key employee (as defined in Section 419A(d)(3) of the Code) under a welfare benefit plan (as defined in Section 419(e) of the Code) maintained by the Employer; provided, however, the percentage limitation set forth in Section 415 (c)(1)(B) of the Code shall not apply to: (A) any contribution for medical benefits (within the meaning of Section 419A(f)(2) of the Code) after separation from service which is otherwise treated as an "Annual Addition," or (2) any amount otherwise treated as an "Annual Addition" under Section 415(l)(1) of the Code.

(e) "**Beneficiary**" means the person or persons entitled under Section (d) of Article VII to receive benefits under the Plan upon the death of a Participant; provided, however, that for purposes of Section (b) of Article VIII such term shall be applied in accordance with Code Section 401(a)(9) and the regulations thereunder.

(f) "**Code**" shall mean the Internal Revenue Code of 1986, as amended, or any successor statute. Reference to a specific section of the Code shall include a reference to any successor provision.

(g) "**Compensation**" shall mean compensation as defined under Section 121.021(22) of the Florida Statutes for purposes of the Florida Retirement System. Compensation shall also include payments to an individual who does not currently perform services for the Employer by reason of qualified military service (as defined in Code Section 414(u)) up to 17 days pay. In addition, compensation shall not include a Participant's sick leave when such Participant terminates employment with the Employer.

Compensation shall generally be based on the amount actually paid or made available to the Eligible Employee during the Limitation Year, including overtime pay. The annual Compensation of each Active Participant taken into account for determining benefits provided under the Plan for any determination period shall not exceed the annual Compensation limit under Code Section 401(a)(17) as in effect on the first day of the determination period. This limit shall be adjusted by the Secretary of the Treasury to reflect increases in the cost of living, as provided in Code Section 401(a)(17)(B);

provided, however, that the dollar increase in effect on January 1 of any calendar year is effective for determination periods beginning in such calendar year. If a Plan determines Compensation over a determination period that contains fewer than 12 calendar months (a "short determination period"), then the Compensation limit for such "short determination period" is equal to the Compensation limit for the calendar year in which the "short determination period" begins multiplied by the ratio obtained by dividing the number of full months in the "short determination period". Compensation paid in the first few weeks of the next Limitation Year for services performed in the prior Limitation Year shall not be taken into account in determining the current Limitation Year's Compensation.

(h) "**Early Retirement Date**" shall mean the date on which a Participant has reached age 50 and has completed 10 Years of Credited Service.

(i) "**Effective Date**" of this Plan amendment shall mean ~~January~~October 1, 2010, except as may otherwise be noted herein. The original effective date of the Plan is January 1, 1996.

(j) "**Eligibility Date**" shall mean the date an individual becomes an Employee.

(k) "**Employee**" shall mean any person employed by the Employer on a regular, full-time or part-time basis. However, the following individuals are not eligible to participate in the Plan:

(1) individuals who are employed by the Employer as a certified firefighter;

(2) individuals who are employed by the Employer as temporary employees as reflected on the books and records of the Employer;

(3) independent contractors; and

(4) individuals who perform services for the Employer who were previously not treated as employees of the Employer but who are reclassified as being Employees by a court of law or other tribunal, the IRS, or other governmental agency.

(2) The Plan Administrator shall have the right to determine from time to time which persons are employed on a regular full-time or part-time basis for purposes of this Plan.

(l) "**Employer**" shall mean the City of Dunedin.

(m) "**Employer Contribution Account**" shall mean an account established

pursuant to paragraph (b) of Article VI with respect to Employer contributions made pursuant to Article V.

(n) "**Limitation Year**" shall mean the Plan Year.

(o) "**Normal Retirement Date**" shall mean the date on which a Participant has reached age 62 and has completed six (6) Years of Credited Service, or the date on which a Participant has completed 30 Years of Credited Service.

(p) "**Participant**" shall mean any eligible Employee of the Employer who has become a Participant under the Plan and shall include any former Employee of the Employer who became a Participant under the Plan and who still has a balance in an Account under the Plan.

(q) "**Plan**" shall mean the defined contribution plan as herein set forth, as it may be amended from time to time. The Plan is a "governmental plan" within the meaning of Code Section 414(d), and as such, is exempt from the Employee Retirement Income Security Act of 1974, as amended.

(r) "**Plan Administrator**" shall mean the Employer. The Employer may designate one or more of its Employees to perform the duties required of the Plan Administrator.

(s) "**Plan Year**" shall mean the period beginning January 1, 1996 and ending September 30, 1996; thereafter, the 12-month period ending on September 30.

(t) "**Section 415 Compensation**" shall mean all compensation as described in Section 1.415-2(d)(2) and Section 1.415-2(d)(3) of the Income Tax Regulations.

Compensation for purposes of determining Code Section 415 shall include amounts that are not includible in the gross income of the Participant by reason of Code Sections 125, 132(f)(4), 402(e)(3), 402(h), 403(b) or 457(b) (i.e., cafeteria plan, qualified transportation fringe benefit, 457 plan or 403(b) contributions). A reference to elective contributions under Code Section 125 cafeteria plan includes any amounts that are not available to a Participant in cash in lieu of group health coverage because the Participant is unable to certify that he or she has other health coverage. Such "deemed Code Section 125 compensation" will be treated as an amount under Code Section 125 only if the Employer does not request or collect information regarding the Participant's other health coverage as part of the enrollment process for the health plan. Deemed Code Section 125 compensation shall be excluded from the definition of the Compensation.

Effective for Limitation Years beginning on or after July 1, 2007, the definition of Compensation under the Plan (as defined under Code Section 1.415(c)-2) is modified to include Compensation that is paid after an Employee severs employment with the Employer, provided the Compensation is paid by the later of: 2½ months after

severance from employment with the Employer; or the last day of the Limitation Year that includes the date of severance from employment with the Employer, provided those amounts would have been included as Compensation as if they were paid prior to the Employee's severance from employment. For this purpose, amounts that will be included in Compensation include:

(A) Compensation for services during the Employee's regular working hours; and

(B) Payment for unused accrued bona fide sick, vacation, but only if the Employee would have been able to use the leave if employment had continued.

(C) Payments received by the Employee pursuant to a nonqualified unfunded deferred compensation plan, but only if the payment would have been paid to the Employee at the same time if the Employee had continued employment and only to the extent the payment is included in gross income.

Other post-severance payments (such as severance pay, parachute payments within the meaning of Code Section 280G(b)(2), or post-severance payments under a deferred compensation plan are not included in the definition of Compensation (as defined in Code Section 1.415(c)-2), even if such amounts are paid within the time period described in the Section.

This Section does not apply to any payments to an Employee who;

(A) does not currently perform services for the Employer by reason of qualified military service as defined in Code Section 414(u)(1); or

(B) is permanently and totally disabled as defined in Code Section 22(e)(3).

(u) "**Trust**" shall mean the trust established by the Trust Agreement.

(v) "**Trust Agreement**" shall mean the agreement providing for the Trust Fund, as it may be amended from time to time.

(w) "**Trustee**" shall mean the individual, individuals or corporation designated as trustee under the Trust Agreement.

(x) "**Trust Fund**" shall mean the trust fund established under the Trust Agreement from which the amounts of supplementary compensation provided for by the Plan are to be paid or are to be funded.

(y) "**Valuation Date**" shall mean each day the applicable market is open for business and/or September 30 of each Plan Year.

(z) **"Year of Credited Service"** shall mean *only* the total number of years of service and fractional parts of years of service, if applicable, in which the Employee is a Participant in the Plan will be counted towards credited service (except as may otherwise be provided herein or in rules established by the Plan Administrator).

ARTICLE II

Establishment and Name of the Plan

(a) **Name of Plan.** A defined contribution plan is hereby amended and restated in accordance with the terms hereof and shall be known as the "**CITY OF DUNEDIN DEFINED CONTRIBUTION PLAN.**"

(b) **Exclusive Benefit.** This Plan is created for the sole purpose of providing benefits to the Participants. Except as otherwise permitted by law, in no event shall any part of the principal or income of the Trust be paid to or reinvested in the Employer or be used for or diverted to any purpose whatsoever other than for the exclusive benefit of the Participants and their beneficiaries.

(c) **Mistake of Fact.** Notwithstanding the foregoing provisions of paragraph (b), any contribution made by the Employer to this Plan by a mistake of fact may be returned to the Employer within one year after the payment of the contribution.

(d) **Participants' Rights.** The establishment of this Plan shall not be considered as giving any Employee, or any other person, any legal or equitable right against the Employer, the Trustee or the principal or the income of the Trust, except to the extent otherwise provided by law. The establishment of this Plan shall not be considered as giving any Employee, or any other person, the right to be retained in the employ of the Employer.

(e) **Qualified Plan.** This Plan and the Trust are intended to qualify under the Code as a tax-free employees' plan and trust, and the provisions of this Plan and the Trust should be interpreted accordingly.

ARTICLE III

Plan Administrator

(a) **Administration of the Plan.** The Plan Administrator shall control and manage the operation and administration of the Plan, except with respect to investments. The Plan Administrator shall have no duty with respect to the investments of the funds in the Trust except as may be expressly assigned to it by the terms of the Trust Agreement.

(b) **Advisory Committee.**

(1) There shall be an Advisory Committee consisting of five persons appointed by the Employer.

(2) The Advisory Committee may perform any and/or all of the duties hereunder that the Employer delegates to it.

(3) Advisory Committee members shall serve without compensation in addition to that earned in their respective capacities as Employees.

(4) The Advisory Committee shall review Plan investments and operations, and may make recommendations to Employees appointed by the Employer to carry out the daily administrative Plan functions. These Employees shall consider these recommendations and may submit them to the Plan Administrator for formal consideration.

(5) The individual members of the Advisory Committee shall be indemnified by the Employer and not from the Trust Fund against any and all liabilities arising by reason of any act or failure to act made in good faith pursuant to the provisions of the Plan, including expenses reasonably incurred in the defense of any claim relating thereto.

(c) **Powers and Duties of the Plan Administrator.**

(1) To review and render decisions regarding a claim for (denial of a claim for) a benefit under the Plan. To enable the Plan Administrator to perform its functions, the Trustee shall provide all pertinent information the Plan Administrator may require.

(2) The Plan Administrator may promulgate such policies and procedures for the proper administration of the Plan as it deems necessary.

(3) The Plan Administrator shall have the power and discretion to interpret or construe this Plan and to determine all questions that may arise as to the status and rights of the Participants and others hereunder.

(4) The Plan Administrator shall maintain all records necessary for Plan administration purposes.

(5) The Plan Administrator shall provide all appropriate notices, reports and other pertinent information to Participants, Beneficiaries, the Trustee and governmental agencies (as necessary).

(d) **Direction of Trustee.** It shall be the duty of the Plan Administrator, to direct the Trustee with regard to the allocation and the distribution of the benefits to the Participants and others hereunder.

(e) **Conflict in Terms.** The Plan Administrator shall notify each Employee, in writing, as to the existence of the Plan and Trust and the basic provisions thereof. In the event of any conflict between the terms of this Plan and the Trust Agreement and as set forth in any explanatory booklet, this Plan and the Trust Agreement shall control.

(f) **Nondiscrimination.** The Plan Administrator shall not take any action that would result in unfairly benefiting one Participant or group of Participants because of such ~~Participant~~(Participants(s) on the basis of race, national origin, color, religion, creed, sex or, age, disability, marital status, sexual orientation or political affiliation.

(g) **Final Authority.** Except to the extent otherwise required by law, the decision of the Employer in matters within its jurisdiction shall be final, binding and conclusive upon each Employee and Beneficiary and every other interested or concerned person or party.

(h) **Appointment of Advisors.** The Employer may appoint advisors such as accountants, counsel, specialists and other persons that it deems necessary and desirable in connection with the administration of this Plan or to assist it in the performance of its duties as Plan Administrator.

ARTICLE IV

Eligibility and Participation

(a) **Eligibility and Participation**. Any individual employed by the Employer as an Employee shall be eligible to become a Participant in the Plan on the Employee's Eligibility Date.

(b) **Former Employees**. An Employee who ceases to be a Participant, terminates employment and is reemployed by the Employer shall be eligible to participate in the Plan on the date of his reemployment.

ARTICLE V

Contributions to the Trust

(a) **Employer Contributions.**

(1) For all Employees hired on and after January 1, 2010, the Employer shall contribute to the Trust on behalf of each Participant an amount equal to 8% of such Participant's Compensation. For all Employees hired before January 1, 2010, the Employer shall contribute to the Trust on behalf of each Participant an amount equal to 10% of such Participant's Compensation.

(2) Any amount forfeited pursuant to the provisions of this Plan shall be used to pay the administrative expenses of the Plan, as determined by the Employer. Any remaining amounts shall be utilized to reduce the contributions of the Employer under this paragraph.

(b) **Form and Timing of Contributions.** Payments on account of the contributions due from the Employer for any Plan Year shall be made in cash. Such payments may be made by the Employer at any time.

(c) **No Rollover Contributions.** No rollover contributions (as defined in the applicable sections of the Code) shall be accepted.

(d) **No Duty to Inquire.** The Trustee shall have no right or duty to inquire into the amount of any contribution made by the Employer or the method used in determining the amount of any such contribution, or to collect the same, but the Trustee shall be accountable only for funds actually received by it.

(e) **No Voluntary Employee Contributions.** All contributions to this Plan shall be made by the Employer. Contributions by Employees shall not be permitted.

ARTICLE VI

Participants' Accounts and Allocation of Contributions

(a) **Common Fund.** The assets of the Trust shall constitute a common fund in which each Participant shall have an undivided interest.

(b) **Establishment of Accounts.** The Plan Administrator will maintain, or direct the Trustee to maintain an individual investment Account for each Participant, designated as the Employer Contribution Account, which shall reflect the Participant's interest in the Trust Fund with respect to contributions made by his Employer. The Plan Administrator may establish such additional Accounts as are necessary to reflect a Participant's interest in the Trust Fund.

(c) **Interests of Participants.** The interest of a Participant in the Trust Fund shall be the vested balance remaining from time to time in his Account after making the adjustments required in paragraph (e).

(d) **Participant Direction of Investment.** Each Participant shall have the sole responsibility for investing all monies in his Account. If any Participant does not complete and submit to the Trustee or Plan Administrator the appropriate documentation to self-direct his Account, the Trustee and/or the investment manager, if applicable, shall direct the investments of such Participant's Account in a prudent manor and in accordance with the following criteria:

(1) be managed by an investment manager or an investment company registered under the Investment Company Act of 1940;

(2) be diversified to minimize possible investment losses;

(3) be one of the following three types of investment products:

(A) A life-cycle or targeted-retirement-date fund. This option focuses on the Participant's age, target retirement date or life expectancy of an individual Participant. The fund might be a "stand-alone" or "fund-of-funds" comprised of various investment options available under the Plan for Participant investment. A "funds-of-funds" may include a money market, stable value or similar capital preservation vehicles among the equity and fixed-income exposures.

(B) An investment fund product or model portfolio designed to provide long-term appreciation and capital preservation through a mix of equity and fixed income exposures consistent with a target level of risk appropriate for Participants of the Plan as a whole. The approach is

based on the demographics of the Plan's Participants. This approach would not require the age of an individual Participant to be taken into account. An example would be a "balanced fund." As with the first option, this may be a "stand-alone" or "fund-of-funds." Demographic changes may require new or additional investment fund products.

(C) Professionally managed account. An investment management service for each Participant based on the Participant's age, target retirement date or life expectancy. Becoming more conservative with the age of the Participant, i.e. decreasing risk with increasing age. Note: this criteria does not require an investment manager to consider an individual's risk tolerance, other investments or other preferences of an individual Participant in the Plan.

A Participant has the right to direct the Trustee with respect to the investment or re-investment of the assets comprising the Participant's individual Account in the investment alternatives selected, from time to time, by the Plan Administrator and/or investment manager. The Trustee will accept direction from each Participant on a written election form (or other written agreement) containing such conditions, limitations and other provisions the parties deem appropriate. The Plan Administrator, may establish written procedures (via a written agreement or otherwise) relating to Participant direction of investment under this Section, including procedures or conditions for electronic transfers and changes in investments by Participants. For the purposes of this Section, a Participant shall also include a Beneficiary where the Beneficiary has succeeded to the Participant's Account.

No Plan fiduciary (including the Plan's investment manager, the Trustee, the Employer and the Plan Administrator) is liable for any loss or for any breach resulting from a Participant's (or Beneficiary's, if applicable) direction of the investment of any part of his directed Account to the extent the Participant's exercise of his right to direct the investment of his Account.

(e) **Adjustments to Accounts.** Subject to the provisions of paragraph (f), a Participant's self-directed Account shall be adjusted from time to time as follows:

(1) A Participant's Account shall receive all income it earns and bears all expenses or loss it incurs. The Plan may also charge each Participant's Account with its allocable share of administrative fees and expenses which are properly payable from the Trust.

(2) The Participant's Account shall be credited with his share of the contribution made by the Employer with respect to the Plan Year. A Participant's share of the amount of the contribution for the Plan Year shall be determined pursuant to the provisions of Article V.

(3) A Participant shall be charged with the amount of any distribution made to the Participant or his Beneficiary or ~~an~~ forfeiture, if applicable, from this Account.

(4) For purposes of all computations required by this Article VI, the accrual method of accounting shall be used, and the Trust Fund and the assets thereof shall be valued at their fair market value as of each Valuation Date.

(5) The Plan Administrator may adopt such additional accounting procedures as are necessary to accurately reflect each Participant's interest in the Trust Fund, which procedures shall be effective upon approval by the Employer. All such procedures shall be applied in a consistent, nondiscriminatory manner.

(f) **Limitation on Allocation of Contributions.**

(1) Notwithstanding anything contained in this Plan to the contrary, the aggregate Annual Additions to a Participant's Accounts under this Plan and under any other defined contribution plans maintained by the Employer or an Affiliate for any Limitation Year, shall not exceed the limits under Section 415(c) of the Code for such Plan Year.

~~(2) In the event that the Annual Additions, under the normal administration of the Plan, would otherwise exceed the limits set forth above for any Participant, or in the event that any Participant participates in both a defined benefit plan and a defined contribution plan maintained by the Employer or any Affiliate and the aggregate annual additions to and projected benefits under all of such plans, under the normal administration of such plans, would otherwise exceed the limits provided by law, then the Plan Administrator shall take such actions, applied in a uniform and nondiscriminatory manner, as will keep the annual additions and projected benefits for such Participant from exceeding the applicable limits provided by law. Excess Annual Additions shall be disposed of as provided in subparagraph (3). Adjustments shall be made to other plans, if necessary to comply with such limits, before any adjustments may be made to this Plan.~~

(2) Notwithstanding anything contained in this Plan to the contrary, effective for Limitation Years beginning on and after July 1, 2007, if Annual Additions made to this Plan, or any other defined contribution and defined benefit plan(s) maintained by the City, in a Limitation Year on behalf of any Participant exceeds the limitations set forth under Section 415 of the Code, such amounts shall be corrected in accordance with the Internal Revenue Service's Employee Plans Compliance Resolution System.

~~(3) If as a result of the allocation of forfeitures, a reasonable error in estimating a Participant's Section 415 Compensation or other circumstances~~

~~permitted under Section 415 of the Code, the Annual Additions attributable to Employer contributions for a particular Participant would cause the limitations set forth in this paragraph (f) to be exceeded, the excess amount shall be allocated and reallocated to other Participants in the Plan. However, if the allocation or reallocation of the excess amounts causes the limitations of this paragraph (f) to be exceeded with respect to each Participant for the Limitation Year, then these amounts must be held unallocated in a suspense account. If a suspense account is in existence at any time during a particular Limitation Year, other than the Limitation Year described in the preceding sentence, all amounts must be allocated and reallocated to the Participants (subject to the limitations of this paragraph (f)) before any contributions that constitute Annual Additions may be made to the Plan for that Limitation Year. The suspense account shall be credited or charged, as the case may be, with a share of the income, losses, appreciation and depreciation attributable thereto as if it were an Account of a Participant.~~

ARTICLE VII

Benefits Under the Plan

(a) **Retirement Benefit.**

(1) (A) A Participant shall be entitled to a normal retirement benefit upon such Participant's Normal Retirement Date.

(B) A Participant shall be entitled to an early retirement benefit upon such Participant's Early Retirement Date; provided, that if a Participant separates from service before satisfying the age requirement for early retirement, but has satisfied the service requirement, the Participant will be entitled to elect an early retirement benefit upon satisfaction of such age requirement.

(C) Until a Participant, for Plan Years beginning on or after October 1, 2000, actually retires from the employ of the Employer upon or after such Participant's Early or Normal Retirement Date, he shall not receive a distribution and he shall continue to be treated in all respects as a Participant.

(2) Upon the retirement of a Participant as provided in subparagraph (1) and subject to adjustment as provided in paragraph (b) of Article VIII, such Participant shall be entitled to receive, at the time and in the manner described in Article VIII, a retirement benefit in an amount equal to 100% of the balance in his Account as of the Valuation Date concurring with or preceding the date of his retirement, plus the amount of any contributions allocated subsequent to such Valuation Date.

(b) **Disability Benefit**

(1) In the event the employment of a Participant who is 0% vested with his Employer is terminated by reason of his total and permanent disability, incurred in the line of duty, and subject to adjustment as provided in paragraph (b) of Article VIII, such Participant shall be entitled to receive, at the time and in the manner describe in Article VIII, a disability benefit in an amount equal to 100% of the balance in his Account as of the Valuation Date concurring with or preceding the date of the termination of his employment, plus the amount of any contributions allocated subsequent to such Valuation Date.

(2) Total and permanent disability shall mean the total incapacity of a Participant to perform his duties, as defined in (A) through (C) below, and will be deemed to have occurred only when certified by a physician who is acceptable to the Plan Administrator and only if such proof is received by the Plan Administrator

within sixty (60) days after the date of the termination of such Participant's employment. The termination of employment must be a result of the occurrence of such disability. As used in this section, "Duties" shall mean:

- (A) The usual duties of his employment with his Employer;
- (B) The usual duties of another position with the Employer; or,
- (C) The usual full-time duties with another employer.

(3) A disability shall be in the line of duty if the accident report states and a supervisor certifies that the job-related illness or accident occurred while the member was in an employee/employer relationship with his or her employer, in a manner acceptable to the Plan Administrator.

(c) **Termination of Employment Benefit**

(1) In the event a Participant's employment with his Employer is terminated for reasons other than retirement, total and permanent disability or death, and subject to adjustment as provided in paragraph (b) of Article VIII, such Participant shall be entitled to receive, at the time and in the manner described in Article VIII, a termination of employment benefit in an amount equal to his vested interest in the balance in his Account as of the Valuation Date concurring with or preceding the date of the termination of his employment, plus his vested interest in the amount of any contributions allocated subsequent to such Valuation Date.

(2) (A) A Participant's vested interest in his Employer Contribution Account shall be a percentage of the balance of such Account as of the applicable Valuation Date, based upon his full Years of Credited Service as of the date of the termination of his employment, as follows, for Plan Years beginning on or after October 1, 2000:

<u>TOTAL NUMBER OF FULL YEARS OF CREDITED SERVICE</u>	<u>VESTED INTEREST</u>
Less than 6 Years of Credited Service	0%
6 years or more	100%

(B) Notwithstanding the foregoing, a Participant shall be 100% vested in his Employer Contribution Account upon attaining his Normal Retirement Date or his Early Retirement Date.

(3) If a Participant is not vested as to any portion of his Account, he will be deemed to have received a distribution immediately following his termination of employment. Upon the occurrence of such deemed distribution, the non-

vested interest in his Account shall be deemed to be permanently forfeited. If such Participant is reemployed, the Participant will be credited for all prior Years of Credited Service performed but his Account will not be reinstated with the previously forfeited monies.

(d) **Death Benefit**

(1) In the event of the death of a Participant and subject to adjustment as provided in paragraph (b) of Article VIII, his Beneficiary shall be entitled to receive, at the time and in the manner described in Article VIII, a death benefit in an amount equal to 100% of the balance in his Account as of the Valuation Date concurring with or preceding the date of his death, plus the amount of any contributions allocated subsequent to such Valuation Date.

(2) At any time and from time to time, each Participant shall have the unrestricted right to designate a Beneficiary to receive his death benefit and to revoke any such designation. Each designation or revocation shall be evidenced by written instrument filed with the Plan Administrator, signed by the Participant and bearing the signature of a witness to his signature. If more than one person is designated as the Beneficiary, the respective interests shall be as indicated on the designation form. If more than one person is designated as the Beneficiary and no respective interests are indicated on the Beneficiary form, then such Participant's Account shall be divided equally among the Beneficiaries named on the Beneficiary form. In the event that a Participant has not designated a Beneficiary or beneficiaries, or if for any reason such designation shall be legally ineffective, or if such Beneficiary or beneficiaries shall predecease the Participant, then the personal representative of the estate of such Participant shall be deemed to be the Beneficiary designated to receive such death benefit, or if no personal representative is appointed for the estate of such Participant, then his next of kin under the statute of descent and distribution of the state of such Participant's domicile at the date of his death shall be deemed to be the Beneficiary or beneficiaries to receive such death benefit.

ARTICLE VIII

Form and Payment of Benefits

(a) **Timing and Form.** Effective for distributions made on and after October 1, 2009.

(1) (A) The amount of the retirement, disability, or death benefit to which a Participant is entitled under paragraphs (a), (b), or (d) of Article VII shall be paid to him or, in the case of a death benefit, shall be paid to said Participant's Beneficiary or beneficiaries, in a lump sum, as soon as practicable following the Participant's actual retirement following his Early Retirement Date or Normal Retirement Date, disability, or death, as the case may be.

(B) The amount of the termination of employment benefit to which a Participant is entitled under paragraph (c) of Article VII shall be paid to him, in a lump sum, as soon as practicable following his termination of employment. Notwithstanding any other provision of the Plan to the contrary, if a Participant's vested benefit is \$1,000 or less, the balance of the Participant's vested benefit shall be distributed in a lump sum as soon as practicable following the Participant's termination of employment. If a Participant's vested benefit exceeds \$1,000, but does not exceed \$5,000, the vested benefit shall be distributed to the Participant in a lump sum as soon as administratively practicable following the Participant's termination of employment. If such Participant does not consent to distribution, the Plan Administrator will automatically roll over such vested benefit to an Individual Retirement Account ("IRA"), in accordance with Code Section 401(a)(31)(B) and all related guidance thereof. The IRA monies shall be invested in types of investments designed to preserve principal and to provide a reasonable rate of return and liquidity (e.g., an interest-bearing account, a certificate of deposit or a money market fund). The IRA provider will charge the Participant's account for any expenses associated with the establishment and maintenance of the IRA and with the IRA investments. Once the IRA account is established, the Employer shall have no further fiduciary responsibility with respect to such participant's benefits.

(C) If a Participant's vested interest in his or her Account exceeds, \$5,000, no distribution shall be made to the Participant before he or she reaches his or her Early Retirement Age or Normal Retirement Age whichever comes first, unless the written consent of the Participant has been obtained. The consent of the Participant shall not be required to the extent that a distribution is required to satisfy Code Section 401(a)(9). In addition, upon termination of the Plan, the Participant's entire Account shall,

without the Participant's consent, be distributed to the Participant.

(D) Participants shall be given a period of no less than 30 days and no more than 180 days after receipt of their notice of distribution in order to make a distribution election. Notwithstanding any provision of the Plan to the contrary, if the Participant fails to make a distribution election, the Plan shall distribute the account balance after the 180 days have expired.

(b) **Minimum Distributions** Distribution of a Participant's Account shall comply with Code Section 401(a)(9) and the Regulations thereunder, as prescribed by the Commissioner in Revenue Rulings, Notices, and other guidance published in the Internal Revenue Bulletin, to the extent that said provisions apply to governmental plans under Code Section 414(d), and shall be made in accordance with the following requirements:

(1) Any benefit paid to a Participant shall commence on the later of:

(A) April 1 of the year following the calendar in which the Participant retires; or

(B) April 1 of the year immediately following the calendar year in which the Participant reaches age 70½.

(2) Distributions of a Participant's benefits will be made in accordance with Code Regulation Sections 1.401(a)(9)-2 through 1.401(a)(9)-9, and such other rules thereunder as may be prescribed by the Secretary of the Treasury, to the extent that said provisions apply to governmental plans under Code Section 414(d).

(C) Notwithstanding anything contained herein to the contrary, payments under the Plan to a Beneficiary due to Participant's death shall satisfy the incidental death benefit requirements and all other applicable provisions of Code Section 401(a)(9)(G), the regulations issued thereunder, and such other rules thereunder as may be prescribed by the Secretary of the Treasury, including IRS Notice 2007-7, to the extent that said provisions apply to governmental plans under Code Section 414(d).

The distribution provisions of Code Section 401(a)(9) shall override any distribution options in the Plan inconsistent with Code Section 401(a)(9).

(c) **Periodic Adjustments**. To the extent the balance of a Participant's Account has not been distributed and remains in the Plan, and notwithstanding anything contained in the Plan to the contrary, the value of such remaining balance shall be subject to adjustment from time to time pursuant to the provisions of Article VI.

(d) **Location of Participant or Beneficiary Unknown.** In the event that all, or any portion of the distribution payable to a Participant or his Beneficiary, hereunder shall remain unpaid after five (5) Plan Years solely by reason of the inability of the Plan Administrator, after sending a registered letter, return receipt requested, to the last known address, and after further diligent effort, to ascertain the whereabouts of such Participant or his Beneficiary, the amount so distributable shall be treated as a forfeiture pursuant to the provisions of Article VII. In the event a Participant or Beneficiary of such Participant is located subsequent to his benefit being reallocated, such benefit shall be restored.

(e) **Transfer to Other Qualified Plans.** The Trustee, upon written direction by the Plan Administrator, shall transfer some or all of the assets held under the Trust to another plan or trust meeting the requirements of the Code relating to qualified plans and trust, whether such transfer is made pursuant to a merger or consolidation of this Plan with such other plan or trust or for any other allowable purpose.

(f) **Direct Rollovers.** Notwithstanding any provisions of the Plan to the contrary that would otherwise limit a distributee's (as defined below) election under this paragraph, a distributee or the distributee spouse may elect, at the time and in the manner prescribed by the Plan Administrator, to have any portion of an eligible rollover distribution (as defined below) paid directly to an eligible retirement plan (as defined below) specified by the distributee in a direct rollover (as defined below).

For purposes of this paragraph, the following terms shall have the following meanings:

(1) An "*eligible rollover distribution*" is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated Beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under Code Section 401(a)(9), any hardship withdrawal, and the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities) and any distribution made to satisfy Code Section 415 or Code Section 401(a)(9).

(2) An "*eligible retirement plan*" is an individual retirement account described in Code Section 408(a), an individual retirement annuity described in Code Section 408(b), an annuity plan described in Code Section 403(a), an annuity Contract described in Code Section 403(b), an eligible plan under Code Section 457 that agrees to separately account for such transferred amounts and

which is maintained by a state, political subdivision of a state or an agency or instrumentality of a state or political subdivision of a state or a qualified trust described in Code Section 401(a) that accepts the distributee's "eligible rollover distribution." For distributions made after December 31, 2007, an eligible retirement plan shall include a Roth IRA as defined under Code Section 408A.

(3) A "*Distributee*" means a Participant or the Participants' spouse. Effective for distributions made on or after January 1, 2009, a non-spouse Beneficiary may elect to directly rollover an eligible rollover distribution to an individual retirement account under Section 408(a) of the Code or an individual retirement annuity under Section 408(b) of the Code. A non-spouse rollover will not be subject to the direct rollover requirements of Section 401(a)(31) of the Code, the notice requirements of Section 402(f) of the Code or the mandatory withholding requirements of Section 3405(c) of the Code.

(4) A "*direct rollover*" is a payment made directly by the Plan to the eligible retirement plan specified by the distributee.

ARTICLE IX

Trust Fund and Expenses of Administration

(a) **Name of Trustee**. The Trust Fund shall be held by the Trustee, or by a successor trustee or trustees, for use in accordance with the Plan under the Trust Agreement. The Trust Agreement may from time to time be amended in the manner therein provided. Similarly, the Trustee may be changed from time to time in the manner provided in the Trust Agreement.

(b) **Expenses of Administration**.

(1) The assets of the Trust Fund may be used to pay all expenses of the administration of the Plan and the Trust Fund, including the Trustee's compensation, the compensation of any investment manager, the expense incurred by the Plan Administrator in discharging its duties, all income or other taxes of any kind whatsoever that may be levied or assessed under existing or future laws upon or in respect of the Trust Fund, and any interest that may be payable on money borrowed by the Trustee for the purpose of the Trust.

The Employer may pay the expenses of the Plan and the Trust Fund. Any such payment by the Employer shall not be deemed a contribution to this Plan.

(2) Notwithstanding anything contained herein to the contrary, no excise tax or other liability imposed upon the Trustee, the Plan Administrator or any other person for failure to comply with the provisions of any federal law shall be subject to payment or reimbursement from the assets of the Trust.

(3) For its services, any corporate trustee shall be entitled to receive reasonable compensation in accordance with its rate schedule in effect from time to time for the handling of a retirement trust. Any individual trustee shall be entitled to such compensation as shall be arranged between the Employer and the Trustee by separate instrument; provided, however, that no person who is already receiving full-time pay from the Employer shall receive compensation from the Trust Fund (except for the reimbursement of expenses properly and actually incurred).

ARTICLE X

Amendment and Termination

(a) **Restrictions on Amendment and Termination of Plan.** It is the present intention of the Employer to maintain the Plan set forth herein indefinitely. Nevertheless, the Employer specifically reserves to itself the right at any time, and from time to time, to amend or terminate this Plan in whole or in part; provided, however, that no such amendment:

(1) shall have the effect of vesting in the Employer, directly or indirectly, any interest, ownership or control in any of the present or subsequent funds held subject to the terms of the Trust Agreement;

(2) shall cause or permit any property held subject to the terms of the Trust Agreement to be diverted to purposes other than the exclusive benefit of the Participants and their beneficiaries or for the administrative expenses of the Plan Administrator and the Trust;

(3) shall reduce the then vested interest of a Participant;

(4) shall reduce the Account of any Participant; or

(5) shall increase the duties or liabilities of the Trustee without its written consent.

(b) **Amendment of Plan.** Subject to the limitations stated in paragraph (a), the Employer shall have the power to amend this Plan in any manner that it deems desirable, and, not in limitation but in amplification of the foregoing, it shall have the right to change or modify the method of allocation of contributions hereunder, to change any provision relating to the administration of this Plan and to change any provision relating to the distribution or payment, or both, of any of the assets of the Trust.

(c) **Termination of Plan.** The Employer, in its sole and absolute discretion, may terminate this Plan and the Trust, completely or partially, at any time without any liability whatsoever for such complete or partial termination. In any of such events, the affected Participants, notwithstanding any other provisions of this Plan, shall have fully vested interests in the amounts credited to their respective Accounts at the time of such complete or partial termination of this Plan and the Trust. All such vested interests shall be nonforfeitable.

(d) **Termination Procedure.** In the event the Employer decides to terminate this Plan and the Trust, after payment of all expenses and proportional adjustments of individual Accounts to reflect such expenses and other changes in the value of the Trust

Fund as of the date of termination, each affected Participant (or the Beneficiary of any such Participant) shall then be entitled to receive any amount then credited to his Account in accordance with the form of payment prescribed by Article VIII.

~~(e) **Initial Qualification of Plan.** Notwithstanding the provisions of paragraph (a), if it is finally determined that the Plan does not qualify under the Code, then, in that event, the Plan shall terminate as of the date of such final determination and the Plan Administrator shall direct the Trustee to pay the then aggregate of the balances in the Employer Contribution Accounts to the Employer (provided such payment is made within one year after the date of the final determination). The Participants and their beneficiaries shall have no further rights under the Plan, the Trust or the Trust Fund, and the Trustee shall be discharged of all obligations and duties under the Trust.~~

ARTICLE XI

Miscellaneous

(a) **Alienation**. No Participant or Beneficiary of a Participant shall have any right to assign, transfer, appropriate, encumber, commute, anticipate or otherwise alienate his interest in this Plan or the Trust or any payments to be made thereunder; no benefits, payments, rights or interests of a Participant or Beneficiary of a Participant of any kind or nature shall be in any way subject to legal process to levy upon, garnish or attach the same for payment of any claim against the Participant or Beneficiary of a Participant; and no Participant or Beneficiary of a Participant shall have any right of any kind whatsoever with respect to the Trust, or any estate or interest therein, or with respect to any other property or right, other than the right to receive such distributions as are lawfully made out of the Trust, as and when the same respectively are due and payable under the terms of this Plan and the Trust.

(b) **Governing Law**. This Plan shall be administered, construed and enforced according to the laws of the State of Florida, except to the extent such laws have been expressly preempted by federal law.

(c) **Gender**. Throughout this Plan, and whenever appropriate, the masculine gender shall be deemed to include the feminine and neuter; the singular, the plural; and vice versa.

(d) **Claims and Appeal Procedure for Denial of Benefits**. A Participant or a Beneficiary ("Claimant") may file with the Plan Administrator a written claim for benefits, if the Participant or Beneficiary determines the distribution procedures of the Plan have not provided him his proper interest in the Trust Fund. The Plan Administrator must render a decision on the claim within a reasonable period of time of the Claimant's written claim for benefits. The Plan Administrator must provide adequate notice in writing to the Claimant whose claim for benefits under the Plan the Plan Administrator has denied. The Plan Administrator's notice to the Claimant must set forth:

- (1) The specific reason for the denial;
- (2) Specific references to pertinent Plan provisions on which the Plan Administrator based its denial;
- (3) A description of any additional material and information needed for the Claimant to perfect his claim and an explanation of why the material or information is needed; and
- (4) That any appeal the Claimant wishes to make of the adverse determination must be in writing to the Plan Administrator within sixty (60)

days after receipt of the Plan Administrator's notice of denial of benefits. The Plan Administrator's notice must further advise the Claimant that his failure to appeal the action to the Plan Administrator in writing will render the Plan Administrator's determination final, binding and conclusive. The Plan Administrator's notice of denial of benefits must identify the name and address of the Plan Administrator to whom the Claimant may forward his appeal.

If the Claimant should appeal to the Plan Administrator, he, or his duly authorized representative, may submit, in writing, whatever issues and comments he, or his duly authorized representative, feels are pertinent. The Claimant, or his duly authorized representative, may review pertinent Plan documents. The Plan Administrator will re-examine all facts related to the appeal and make a final determination as to whether the denial of benefits is justified under the circumstances. The Plan Administrator must advise the Claimant of its decision within a reasonable period of time of the Claimant's written request for review.

(e) **Use of Electronic Media.** The Employer may use telephonic or electronic media to satisfy any notice requirements required by this Plan, to the extent permissible under the Code (or other generally applicable guidance). The Employer also may use telephonic or electronic media to conduct Plan transactions to the extent permissible under the Code (or other generally applicable guidance).

(f) **Uniformed Service.**

(1) An Employee shall be credited with service for purposes of vesting and benefit accruals for his service in the uniformed service (as defined in the Uniformed Services Employment and Reemployment Rights Act of 1994 [the "Act"]) upon being granted leave by the Employer for such uniformed service and termination from employment as an Employee with the Employer, provided that:

(A) the Participant must return to his employment as an Employee with the Employer within the time periods prescribed by the Act; and

(B) the Employee complies with the Employee contribution requirements prescribed by Act.

(2) The maximum service credit for uniformed service shall be 5 years or such other time period as may be prescribed by the Act.

(3) The Plan shall comply with the provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART") for purposes of determining a Participant death benefits and any other provisions of HEART as required by law.

IN WITNESS WHEREOF, this Plan has been executed this _____ day of _____, ~~2009~~2013.

CITY OF DUNEDIN

_____ By: _____

"EMPLOYER"

Summary report:	
Litéra® Change-Pro 7.5.0.26 Document comparison done on 9/25/2013	
9:38:23 AM	
Style name: Black and White	
Intelligent Table Comparison: Active	
Original DMS: iw://TAMIMANAGE01/TAMPA1/1859562/1	
Modified DMS: iw://TAMIMANAGE01/TAMPA1/3733841/1	
Changes:	
<u>Add</u>	33
<u>Delete</u>	34
<i>Move From</i>	3
<i>Move To</i>	3
<u>Table Insert</u>	0
<u>Table Delete</u>	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format Changes	0
Total Changes:	73

RESOLUTION 13-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FL, REORGANIZING THE DUNEDIN CAUSEWAY AND COASTAL WATERWAY COMMITTEE; PROVIDING FOR MEMBERSHIP; PROVIDING FOR TERMS OF OFFICE; PROVIDING FOR ORGANIZATIONAL STRUCTURE; PROVIDING FOR DUTIES; PROVIDING FOR REPORTING RESPONSIBILITY; PROVIDING FOR RECORD KEEPING; PROVIDING FOR THE INCORPORATION OF CITY ORDINANCES OR RESOLUTIONS AS AMENDATORY HERETO; PROVIDING THAT THERE IS NO PROPERTY RIGHT IN SUCH OFFICE; PROVIDING FOR A REVIEW BY THE CITY COMMISSION TO CONTINUE THE COMMITTEE'S EXISTENCE; REPEALING RESOLUTION 91-49; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission desires to reorganize the Dunedin Causeway and Coastal Waterway Committee, a committee created to monitor and review issues regarding the Dunedin Causeway and the Coastal Waterway of the City of Dunedin; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DUALY AND REGULARLY ASSEMBLED:

SPECIAL PROVISIONS

Section 1. Committee Established. That the City Commission of the City of Dunedin, Florida, established a citizen's committee named the Dunedin Causeway and Coastal Waterway Committee by Resolution 91-49. The Committee shall continue in existence until further resolution of the City Commission.

Section 2. Committee Duties. The Committee shall be advisory to the City Commission, the City Manager, and his/her staff and to the Departments of the City. The primary duties of the Committee shall be to:

1. Study all issues of public safety, concessionaire activity, commercial uses of the causeway, its adjacent waters, public enjoyment of the causeway, beach maintenance, policy regarding environmental concerns of the causeway, its adjacent waters, and the ultimate effect on St. Joseph Sound; maintenance and navigation issues relevant to

Hurricane Pass and the waters of St. Joseph Sound adjacent to the Causeway; maintenance and concerns relevant to the Causeway corridor and roadway from Alternate 19 to Honeymoon Island State Park.

2. Monitor and report to the Commission on all matters relevant to the development and use of Honeymoon Island State Park and shall perform such other duties as are specifically assigned to it in the future by the City Commission by motion or by amendatory resolution.
3. Initiate such efforts and investigations, as it deems appropriate in order to properly inform itself and to provide the greatest degree of assistance to the city commission, the city manager and his/her staff, departments of the city and the public. The committee is not authorized to serve as an oversight entity regarding the operational issues of the city's services and shall limit its efforts to non-operational issues of the various agencies providing services to the Dunedin public.

Section 3. Membership; Terms. The Committee shall consist of 9 members who serve for terms of three years, and one ex-officio member who shall be the then current concessionaire operating the concession on the property owned by the City and located on the causeway.

All members of the Committee shall be residents of the City of Dunedin and shall be appointed pursuant to Resolution 99-13 as it now exists or as it may hereafter be amended. No person shall be eligible for appointment who currently serves on two or more City boards or Committees unless such person resigns from a board or committee prior to or coincident to commencing service to the Committee.

The initial appointments, through Resolution 91-49, were four members for three years and six members for two years. All subsequent appointments have been and shall continue to be for three-year terms.

The City Commission may in its discretion from time to time, name ex-officio members to the committee, as it deems appropriate. Ex-officio members may participate in all meetings but shall not vote. Members of the committee shall be selected from those who show an interest in the Dunedin Causeway or Coastal Waterway.

The City Commission shall name one member from the Environmental Quality Committee; one member who is a resident of the Causeway West of Ward Island; one member who is active in the boating community; and six members-at-large. Although not required, the Committee is encouraged to have a member of the following groups if possible: the Parks and Recreation Advisory Committee;

the Dunedin Chamber of Commerce; the Storm Water Advisory Committee; the Public Relations Advisory Action Committee and the Dunedin Beach Civic Association.

The City Commission may appoint two alternate members to serve in the absence of a regular member for the purpose of establishing a quorum. The choice of an alternate member to serve in the absence of a regular member shall be done on an alternating basis. The appointment of alternate members shall be for three-year terms.

GENERAL PROVISIONS

Section 1. Organization; Quorum. The members of the Committee shall select from their own membership a Chairman, Vice Chairman, and Secretary for a one-year term and the Committee shall organize itself, as it deems proper in order to appropriately carry out the duties assigned to it, including the enactment of the rules of procedure. Robert's Rules of Procedure, newly revised, shall be used for procedural rules in the absence of the adoption of alternate procedures. Five members of the Committee (including alternates) shall constitute a quorum necessary for the conduct of business of the Committee and meetings shall be held at the call of the Chairman or in his/her absence the Vice Chairman or at the call of a majority of regular members of the Committee (five members) or the City Manager. The Committee shall meet as often as necessary to achieve its goals and perform its duties, but shall meet no less often than quarterly.

Section 2. Records; Meetings. All records and minutes of the Committee shall be filed with the City Clerk and shall be subject to the Public Records Law, Chapter 119 Florida Statutes. All such records shall be retained as is otherwise designated by the City Clerk. The committee will receive such support from the City Manager's staff as is available through coordination with the office of the City Clerk or the office of the City Manager.

All meetings shall be open to the public and shall be conducted in a manner that is consistent with Chapter 286 Florida Statutes. The meetings shall be held at such times and places as will make them accessible to members of the public. It shall be the obligation of the Chairman to inform the City Clerk of the time and place of meetings so that notices of such meetings can be properly posted or otherwise disseminated.

Section 3. Reimbursement of Expenses. Members of the Committee shall serve without compensation, but shall be reimbursed for any necessary or reasonable expenses incurred in the conduct of the business of the Committee, if such expenses have received approval of the City Commission prior to their expenditure.

Section 4. Reports. The Committee shall, not less often than once a year, make a written report to the City Commission. The written report shall detail the accomplishments of the Committee for the preceding year and the Committee's current and future projects and goals. This report shall be submitted by March 31st of each year.

At the Committee's option, the Chairman of the Committee or such other person as the Committee shall designate, may make a personal report to the City Commission; in such event, the City Clerk shall advise the Chairman of the Committee when such report has been placed on the agenda of the City Commission. The Chairman shall report to the Commission on the work of the Committee, on any problems or concerns that the Committee is experiencing and on the current and future projects that the Committee desires to undertake.

Section 5. Compliance with the Ordinances. The Committee shall comply with and abide by all ordinances or resolutions of the Commission that are generally applicable to the boards and committees of the City of Dunedin. The City Clerk and the Chairman shall coordinate to ensure that the Chairman is aware of all such generally applicable ordinances or resolutions and the Chairman shall make these matters known to the members of the Committee at the earliest available opportunity. Such matters shall include, but not be limited to, attendance requirements, voting procedures, abstention from voting, filing of notices of conflict, the requirements of laws regarding ethics in the conduct of the public business, removal from office of members and similar matters of general concern. All existing or future ordinances or resolutions generally applicable to the Committee shall be deemed to be incorporated herein and by reference made a part of this resolution.

Section 6. Appointment and Removal. Appointment to the Committee shall not constitute a property right in the meaning of the Constitution of the United States or the State of Florida and the members of the Committee shall be appointed to and removed from the Committee in the manner as deemed appropriate by the City Commission, in its sole discretion. The members of the Committee shall serve at the pleasure of the City Commission.

Section 7. Continuance of Committee. No later than three years from the establishment of the Committee and every third year after, the City Commission shall place on its agenda and shall discuss whether or not the Committee should continue in existence, whether or not its functions or duties are appropriate because of change in circumstances and all other matters relevant to the continuing existence of the committee.

Section 8. Repeal. Resolution 91-49 is hereby repealed.

Section 9. Effective Date. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY
OF DUNEDIN, FLORIDA, THIS 3rd day of October, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN URGING TOBACCO RETAILERS TO HELP STOP THE SALE AND MARKETING OF FLAVORED TOBACCO PRODUCTS IN DUNEDIN, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, tobacco use is the number one cause of preventable death in the United States, and almost 90 percent of tobacco users started using tobacco products before they were 18 years old; and

WHEREAS, in Pinellas County, one in five high school students and nearly one in 14 middle school students have used tobacco in one or more forms in the past 30 days; and

WHEREAS, according to the 2012 Florida Youth Tobacco Survey, 17.3 percent of Pinellas County high school students and middle school students have used or tried flavored tobacco products, which is a 3.4% higher rate than Florida's rate of 13.9%; and

WHEREAS, tobacco manufacturers are banned from directly or indirectly targeting youth in advertising, marketing and promotion of tobacco products aimed at initiating, maintaining, or increasing youth use of tobacco in accordance with the 1998 Master Settlement Agreement; and

WHEREAS, research from the Harvard School of Public Health found that tobacco manufacturers are targeting youth with flavored products that mask the harsh and toxic properties found in tobacco smoke and spit residue; and

WHEREAS, internal tobacco industry documents strongly suggest that manufacturers intentionally target youth through the various flavors in tobacco products and their marketing; and

WHEREAS, tobacco companies use youth-oriented colorful and stylish packaging, and exploit adolescents' attraction to flavors such as Green Apple, Cherry, Root Beer, French Vanilla, Grape, Mango, Peach and numerous other flavors identified in retail outlets in Pinellas County; and

WHEREAS, national studies have found that the vast majority of people using these flavored tobacco products are youth and young adults; and

WHEREAS, research by the Students Working Against Tobacco (SWAT) youth and the Tobacco-Free Coalition of Pinellas County found that 100 percent of tobacco retailers sell flavored tobacco products of various kinds; and

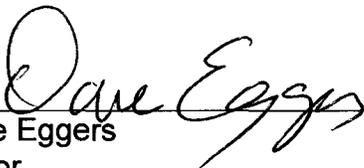
WHEREAS, flavored tobacco products are defined as loose tobacco, snuff, flour, plug and twist tobacco, fine cuts, long cuts, chewing tobacco, dissolvable tobaccos, snus, shisha tobacco, cigarettes, cigarillo, cigars, other smoking and snuffing products and all other forms of tobacco products, that contain any product or additive, either artificial or natural, that is designed to be a characterizing flavor of either the tobacco product or the byproduct it produces.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION AND DULY AND REGULARLY ASSEMBLED:

Section 1: That the City Commission of the City of Dunedin urge all local retailers who sell tobacco products to cease the sale and marketing of all candy flavored tobacco products, which tend to promote and influence underage and/or youthful consumption; and urges citizens not to purchase or use candy flavored tobacco product in order to reduce the exposure and use of tobacco products to Dunedin's youth.

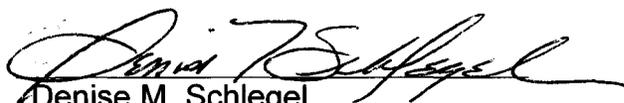
Section 2: That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of November, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-46

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

This Budget Amendment Resolution provides for budget transfers between funds and projects, budgeting additional revenues, and for various adjusting budget entries, as follows:

1. Appropriate \$4,280 of General Fund balance for Parks and Recreation Capital Recovery Fees payable to the Water/Wastewater Fund.
2. Reduce "Legislative / Regular Salaries and Wages" by \$102,000, representing \$92,000 for one percent merit increases for General Fund employees and \$10,000 for job audits.
3. Recognition of a Target Corporation Grant in the amount of \$2,000 and offsetting expenses in the Donation Fund.
4. Decrease Solid Waste Salaries by \$9,459 to correct one percent merit payroll budgeted.
5. Increase Water/Wastewater Capital Recover Fee revenue budget by \$4,280 for installation of three reclaimed water meters for the Parks and Recreation Department.
6. Reduce the "Aeration Basin", Project 511305, by \$75,000 and increase the "Process Equipment R &R", Project 528505, by \$75,000.
7. Reduce "Collections Equipment", Project 520103, by \$10,000 and increase the "Manhole Repairs", Project 529502, by the \$10,000.
8. Reduce "Waterline Upgrade", Project 518004, by \$42,225 and increase the "Douglas Water Main Upgrade", Project 512204, by \$42,225.

9. Appropriate \$50,000 of Water/Wastewater fund balance for the Risk Safety interfund loan principal payment of \$50,000.
10. Decrease Water/Wastewater Salaries by \$43,290 to correct one percent merit payroll budgeted.
11. Decrease Marina Salaries by \$1,361 to correct one percent merit payroll budgeted.
12. Decrease Stormwater Salaries by \$5,317 to correct one percent merit payroll budgeted.
13. Decrease Facility Maintenance Salaries by \$4,900 to correct one percent merit payroll budgeted.
14. Transfer \$50,000 budgeted revenue within Fund 552 to correct account number.
15. Decrease Risk Safety Salaries by \$1,336 to correct one percent merit payroll budgeted.
16. Reduce Facilities Capital bond proceeds revenue by \$2,987,431. The bond issue and associated Municipal Services Annex project did not occur as planned in FY 2013.
17. Reduce Self-Insurance Health Salaries by \$576 to correct one percent merit payroll budgeted.
18. Necessary accounting entries to affect these changes are directed.
19. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 17th day of October, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

RESOLUTION 13-47

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2014 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

This Budget Amendment Resolution provides for budget transfers between funds and projects, and for various adjusting entries, as follows:

1. Increase the General Fund Planning & Development budget \$3,000, and the Parks budget \$9,000, for a Memorial structure, and reduce fund balance by the total of \$12,000.
2. In the County Gas Tax Fund, reduce fund balance by \$70,105, and recognize a Transfer In of \$50,000 from the Penny Fund for a total increase to the Bike & Pedestrian Trail project of \$120,105.
3. In the Penny Fund, budget a transfer out of \$50,000 to the County Gas Tax Fund, and a transfer out of \$30,500 to the Marina Fund, and reduce fund balance by the total amount.
4. In the Marina Fund, include the transfer in of \$30,500 from the Penny Fund, decrease fund balance by \$24,804, and increase the budget for the North, East and South Seawall Project by \$55,304.

5. In the Stormwater Fund, budget an additional \$614,100 in debt proceeds and increased project costs for the President Street Outfall Project.
6. Necessary accounting entries to affect these changes are directed.
7. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 17th day of October, 2013.



ATTEST:


Denise M. Schlegel
City Clerk



Dave Eggers
Mayor

Fund/Account	Account	Project Number	Debit	Credit
GENERAL FUND-001				
John Lawrence Memorial	001-4647-572-63-01	new	\$ 9,000	
Planning & Development	001-1701-515-various		\$ 3,000	
Fund Balance (reduce)				\$ 12,000
<i>Fund Memorial and correct FY14 P & D budget</i>			\$ 12,000	\$ 12,000
COUNTY GAS TAX FUND - 330				
Transfer In from Penny Fund	330-0000-381-01-34	n/a		\$ 50,000
Bike & Pedestrian Trail (Sidewalk Extensions)	330-6300-541-63-32	630601	\$ 120,105	
Fund Balance (reduce)				\$ 70,105
<i>Transfer in and temporary use of fund balance to cover Bike & Pedestrian Northern Route, and reduction of fund balance (\$18,916)</i>			\$ 120,105	\$ 120,105
PENNY FUND - 334				
Transfer to County Gas Tax Fund	334-1716-581-91-30		\$ 50,000	
Transfer to Marina Fund	334-		\$ 30,500	
Fund Balance (reduce)				\$ 80,500
<i>Transfer for Bike & Pedestrian Trail and temporary use of fund balance</i>			\$ 50,000	\$ 80,500
MARINA - 442				
Transfer in from Penny Fund	442-0000-381-			\$ 30,500
Seawall Repairs - North, East, South	442-4985-575-63-25	490701	\$ 55,304	
Fund Balance				\$ 24,804
<i>Move projects funds and temporary use of fund balance</i>			\$ 55,304	\$ 55,304
STORMWATER - 443				
President Street Outfall	443-5385-538-63-53	531301	\$ 614,100	
Debt Proceeds	443-0000-384-05-01			\$ 614,100
<i>Increase borrowing for increased project costs, see accompanying memo</i>			\$ 614,100	\$ 614,100
			Increase	Decrease
			\$ -	\$ 187,409

* Funding provided from remaining FY 2013 project budgets, to be carried forward.

a. *\$19,189 from "Sidewalk Rehab", Project 630003, Account 330-6300-541.63-32

b. *\$32,000 from "Neighborhood Sidewalks", Project 631202, Account 330-6300-541.63-32

c. \$18,916 from County Gas Tax, fund balance.

d. *\$50,000 from "City Sidewalks", Project 631101, Account 334-1716-515.63-40, \$30,500 from Fund Balance in Penny Fund

e. \$30,500 Transfer In, less \$55,304 needed for Seawall Project. *\$11,470 will be carried over from Security Light Project

RESOLUTION 13-48

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE LEGISLATION THAT WOULD MANDATE THE USE OF A UNIFORM CHART OF ACCOUNTS FOR ALL GOVERNMENTAL ENTITIES TO REPORT FINANCIAL INFORMATION.

WHEREAS, in 2011 the Florida Legislature passed and the Governor signed Senate Bill 1292 requiring the chief financial officer to recommend uniform chart of accounts for reporting financial information for all state agencies, local governments, educational entities, and entities of higher education; and

WHEREAS, each entity of the state and local government is different, serves a different purpose and uses a different basis of accounting; and

WHEREAS, the purpose of the Chart of Accounts Project is to develop a uniform chart of accounts to be used by all governmental entities for reporting assets, liabilities, equities, revenues and expenditures; and

WHEREAS, the draft uniform chart of accounts will impact over 2350 governmental entities; and

WHEREAS, each of the impacted entities are currently accountable to the electorate, citizens and users of their services; and

WHEREAS, Florida governments are required to meet many reporting requirements, both at the state and federal level, including reporting to the Florida Department of Financial Services, Florida Equal Employment Opportunity, Florida Unemployment Compensation, Florida Retirement System, Federal Affordable Care Act, and payroll taxes and W-2 information to the Internal Revenue Service; and

WHEREAS, the monthly reporting may be prepared on a basis of accounting that may differ from the basis of accounting used to prepare the year-end audited financial statements and that the monthly information will not be validated; and

WHEREAS, the new level of detail required at the object level for monthly reporting is far greater than the level of detail reported either in the audited financial statements or in the Annual Financial Report required pursuant to the provisions of Section 218.32(1)(a), Florida Statutes; and

WHEREAS, there will be no attempt to validate any of the data before it is posted for public viewing and this results in a high risk that the data will be inaccurate, invalid or incomplete; and

WHEREAS, the establishment of a uniform chart of accounts without requiring uniformity in other areas such as in the basis of accounting and in the accounting treatment of various transactions in itself will not provide users with any meaningful comparisons between organizations; and

WHEREAS, regardless of the approach taken to implement the provisions of Section 215.89, Florida Statutes, significant resources will be required to achieve the goals of the chief financial officer; and

WHEREAS, the cost of implementing the Uniform Chart of Accounts far exceeds any benefit that taxpayers may accrue; and

WHEREAS, we believe that transparency and accountability of the use of public funds to citizens and other stakeholders is paramount but that it must be done while simultaneously limiting the burden to the entities and preserving the autonomy of each entity of government; and

WHEREAS, we believe that legislation be enacted that prescribes minimum desired transparency reporting by local governments, leaving it to the local governments to include such information on their web sites, and that such legislation should not impose significant financial burdens on local governments; now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

Section 1. That the City of Dunedin is urging members of the Florida Legislature to oppose legislation that would mandate the use of a uniform chart of accounts for all governmental entities to report financial information.

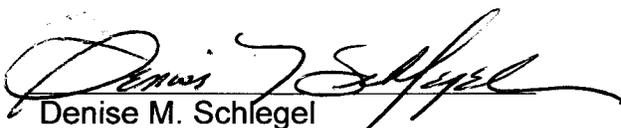
Section 2. That a copy of this resolution be sent to the Pinellas County Legislative Delegation.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of November, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

Florida Government Finance Officers Association (FGFOA)

Uniform Chart of Accounts White Paper



October 14, 2013

Post Office Box 10270 Tallahassee, Florida 32302-2270
Phone (850) 222-9684 Fax (850) 222-3806
www.fgfoa.org
Contact: jgarner@flcities.com

EXECUTIVE SUMMARY

As government finance professionals and elected officials responsible for managing government funds, the Florida Government Finance Officers Association (FGFOA) believes transparency and accountability of the use of public funds to citizens and other stakeholders is paramount to good government.

In 2011, legislation was passed requiring the chief financial officer to develop a uniform chart of accounts to be used by all governmental entities for the purpose of reporting assets, liabilities, equities, revenues and expenditures.

The FGFOA has several serious concerns regarding the proposed Uniform Charts of Accounts (UCOA) and reporting requirements. This white paper delineates FGFOA concerns in an effort to assist Florida Chief Financial Officer Jeff Atwater and the members of the Florida Legislature as they move forward with their continued work on providing accountability and transparency of public funds.

In summary, the proposed UCOA and reporting requirements is problematic, as follows:

- **Clarification of reporting responsibility** – it is unclear whether the county constitutional officers or the chief financial officer of the county should report financial information to the State of Florida. In addition to the extra “layer” in the reporting hierarchy at the county, the proposed UCOA monthly reporting requirement will also place an undue burden on chief financial officers.
- **Double reporting of expenditures for counties** – if constitutional officers report and the county reports, the expenditures would be reported twice. These reports will not be reconciled on a monthly basis due to cost and time constraints.
- **Conflicts with current required monthly reporting requirements** – schools districts, county clerks, and other local governments may prepare monthly reports. For such entities, the proposed UCOA monthly reporting will result in duplicate reporting and additional costs.
- **Quality of data provided to the public will be jeopardized without time for verification** – the basis of accounting used to prepare monthly ad-hoc reporting may differ from the year end audited financial statements. The information may not be validated, resulting in compromised data that does not provide meaningful comparisons between organizations.
- **High costs of implementation** – the level of detail required to comply with the proposed UCOA is far greater than that required in the current financial reports. Significant resources will be necessary to comply with modifying the current accounting systems, creating a crosswalk from the current systems to the proposed UCOA, and ongoing reporting. This is an unfunded mandate on local governments.

Implementation of the proposed UCOA and reporting requirements would be costly to governments, and ultimately the taxpayers, and will result in the delivery of inaccurate and confusing information.

The FGFOA recommends an alternative strategy that could accomplish the Legislature’s goal to ensure transparency and accountability while limiting the burden to governmental entities and preserving the autonomy of those entities. Legislation should be enacted that prescribes minimum desired transparency reporting by local governments, leaves it to local governments to include such information on their websites, and does not impose significant financial burdens on local governments.

INTRODUCTION

During the 2011 Florida legislative session, Section 215.89, Florida Statutes, was created. The legislative intent, as stated in the provisions of Section 2011-44, Laws of Florida, is as follows:

- 1) That a mechanism be provided for obtaining detailed, uniform reporting of government financial information to enable citizens to view compatible information on the use of public funds by governmental entities;
- 2) That uniform reporting requirements be developed specifically to promote accountability and transparency in the use of public funds; and
- 3) In order to accommodate the different financial management systems currently in use, separate charts of account may be used as long as the financial information is captured and reported consistently and is compatible with any reporting entity.

The Legislature delegated the responsibility and authority for implementing the provisions of Section 215.89, Florida Statutes, to the state's Chief Financial Officer (CFO). The state CFO has proposed a Uniform Chart of Accounts (UCOA) and reporting requirements. This white paper summarizes the issues related to the proposed UCOA reporting requirements and concerns of local government finance professionals in an effort to assist state CFO Jeff Atwater in his efforts to implement the requirements of Section 215.89, Florida Statutes.

As government finance professionals and/or elected officials accorded the responsibility of managing government funds, we acknowledge that accountability and transparency of the use of public funds by our entities is first and foremost with respect to our training and our actions. In these challenging financial times, perhaps now more than ever, transparency and accountability are essential to good government.

Various sections of the Florida statutes provide for the creation, operation and enumerated powers for counties, municipalities, school boards and special districts. The statutes also empower many of these entities to levy and collect taxes and, to the extent not inconsistent with general or special law, grant several powers for each entity to self-govern. Clearly, the intent of the Legislature has been, to the extent possible, to allow these entities the ability to govern themselves. It is also clear that the Legislature has established parameters to ensure these entities provide financial and legal accountability to its citizens. In addition, Section 11.45, Florida Statutes, requires these entities to periodically provide for a financial audit. These financial audits must be conducted in accordance with auditing standards generally accepted in the United States and government auditing standards and, when applicable, in accordance with the Florida Single Audit Act and the Federal Single Audit Act Amendments of 1996.

AUTONOMY OF LOCAL GOVERNMENT AND EDUCATIONAL ENTITIES

COUNTIES

In many counties in Florida, voters elect independent constitutional officers who are a “check and balance” on the board of county commissioners. These constitutional officers are independently elected and are accountable to the citizens within their county. They include the clerk of the circuit court and comptroller (clerk), property appraiser, sheriff, supervisor of elections and tax collector. The framers of the Florida Constitution intentionally made these countywide officers separate and independent from the rest of county government to ensure that the entity that decides how to spend your tax dollars (board of county commissioners) is not the same entity that pays the county bills, invests its funds, audits its own procedures and transactions (clerk); assesses your property’s taxable values (property appraiser); collects your taxes (tax collector); protects its citizens (sheriff); or oversees the election process (supervisor of elections). These offices, audited annually by Public Accounting Firms as a part of the overall county audit, follow strict constitutional and statutory guidelines. They cannot set public policy or levy taxes as only the board of county commissioners have that authority.

The Clerk and Comptroller’s Office, established in 1838 by the Florida Constitution as an independently elected officer, is charged with safeguarding public records, public assets and public funds.

MUNICIPALITIES

In accordance with Section 2, Article VIII, of the Florida Constitution, municipalities are established or abolished and their charters amended pursuant to general or special law. When any municipality is abolished, provision shall be made for the protection of its creditors. Municipalities also have governmental, corporate and proprietary home rule powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law. Each municipal legislative body shall be elective. They also have authority to set public policy for and levy taxes on their citizenry. All municipalities with gross revenues in excess of \$100,000 per year are audited by Public Accounting Firms annually.

SCHOOL DISTRICTS

School districts and their governing boards were created pursuant to Section 4, Article IX of the Florida Constitution. These districts are an independent taxing and reporting entity managed, controlled, operated, administered and supervised by district school officials in accordance with Chapter 1001, Part II, Florida Statutes. The boards consist of elected officials responsible for the adoption of policies, which govern the operation of the district’s public schools. The superintendent is responsible for the administration and management of the schools within applicable parameters of state laws, state Board of Education rules and school board policies. School districts must maintain financial records and accounts as prescribed by State Board of Education rules. Financial audits of school districts are performed annually by either Public Accounting Firms or the State Auditor General depending upon County size.

STATE UNIVERSITIES

There are 12 state universities that comprise the state university system, which was created pursuant to Section 7(b), Article IX of the Florida Constitution. Pursuant to Section 7(c), Article IX of the Florida Constitution, each state university is administered by a board of trustees. Each state university board of trustees has all the powers of a body corporate. The university president serves as the executive officer and the corporate secretary of the board of trustees and is responsible for the operation and administration of the university within applicable parameters of state laws, Florida Board of Governors regulations, and board policies. State universities must maintain financial records and accounts as

prescribed by Florida Board of Governors regulations. Financial audits of state universities are performed annually by the State Auditor General.

STATE COLLEGES

There are 28 state colleges that comprise the Florida College System, which was created pursuant to Section 1001.60, Florida Statutes. Each state college board of trustees has all the powers of a body corporate. The college president serves as the executive officer and the corporate secretary of the board of trustees and is responsible for the operation and administration of the college within applicable parameters of state laws, State Board of Education rules, and board policies. State colleges must maintain financial records and accounts as prescribed by State Board of Education rules. Financial audits of state colleges are performed annually by the State Auditor General.

SPECIAL DISTRICTS

Also especially popular in Florida, special districts are local units of special-purpose governments whereby the governing board has policy-making powers. They also operate within limited boundaries and are created by general law, special act, local ordinance or by rule of the governor and Cabinet. Special districts ensure accountability of public resources since special districts are held to the same high standards as municipalities and counties. The first special districts were created almost 190 years ago. Although special districts are very similar to counties and municipalities, special districts are local units of special-purpose government as opposed to local units of general-purpose government. Florida's laws generally treat them alike regarding accountability of public resources.

Special districts exist to serve a public purpose and must be held to certain minimum standards of accountability to keep the public, appropriate local general-purpose governments, and state agencies informed of their status and activities. Special Districts are generally audited annually by Public Accounting Firms.

SUMMARY

It is important to note that each of the above types of government is accountable to the electorate, citizens and users with whom they interact. As indicated above, pursuant to Section 11.45, Florida Statutes, these entities are subject to periodic financial audits by independent certified public accountants. Along with complying with state, local and federal laws, accountability to those directly affected by actions of these local governments should be and is the highest level of accountability one can expect.

UNCLEAR, CONFLICTING, OR DUPLICATIVE REPORTING REQUIREMENTS

1. Constitutional Officer Self-Reporting

As set forth in the provisions of Section 215.89(2)(c), Florida Statutes, “local government” means a municipality, county, water management district, special district or any other entity created by a local government. Inasmuch as this definition seems to exclude county constitutional officers from its operation (since they were created by Article VIII, Section 1(d) of the Florida Constitution), much debate has occurred in the local government finance community.

County constitutional officers typically operate independently of the county (primary) government from a financial management perspective. While county constitutional officers are reported as a part of the primary government (as that term is defined under generally accepted accounting principles) in the primary government’s financial statements, historically, county constitutional officers have provided financial information to the county as a part of the “year-end closeout process” at the level of detail necessary for preparation of financial statements.

Clarification is needed on whether the county constitutional officers will be responsible for independently reporting their financial information to the State of Florida, or does the state intend to place a conduit reporting responsibility on the chief financial officer of the county (be it the clerk or other duly created charter officer). In addition to adding an extra “layer” in the reporting hierarchy, the proposed UCOA monthly reporting requirement for revenues and expenditures will also place an undue burden on the county chief financial officers.

2. Double Reporting of Expenditures

As noted above, historically, county constitutional officers have provided financial information to the county as part of the “year-end closeout process” at the level of detail necessary for preparation of the financial statements. That information is then utilized by the chief financial officer of the county to prepare “eliminating entries” on the county’s financial statements so that financial transactions between county constitutional officers are not “double counted.” If monthly reporting of revenues and expenditures is implemented by the state CFO, there will presumably be no opportunity to prepare “eliminating entries” on a monthly basis due to both cost and time constraints. There is a risk that both revenues and expenditures will be “double counted.” This will occur if, for instance, the board of county commissioners reports a transfer out to a constitutional officer (as an expenditure), and that particular constitutional officer also reports his/her expenditures by individual line items.

3. Conflicts with, or Duplicates, Current Required Monthly Reporting Requirements

Pursuant to State Board of Education (SBE) Rule 6A-1.008, school district finance departments are currently required to provide monthly financial statements to the school board in a form prescribed by the school board. The proposed UCOA monthly reporting requirement for revenues and expenditures adds an additional monthly reporting requirement for school districts. Depending on the school board determined format of the monthly financial statements, it is possible that the process for preparing the proposed UCOA monthly revenue and expenditure reports may differ and have its own unique set of processes. Therefore, this creates a duplication of reporting efforts resulting in additional unnecessary work by school district finance department staff. In practice, this same conflict would be applicable to counties, municipalities, and special districts that have requirements to prepare monthly reports that differ from the proposed UCOA monthly reporting requirement.

Another example is the monthly reporting requirements for the clerks. They are required to report the court-related revenues and expenditures in summary form monthly to the Clerks of Court Operations Corporation (CCOC). In addition, they are required to report in detail such things as case counts by court type; accomplished results toward performance requirements in the areas including but not limited to collection of court fees, fines and service charges, new case openings and docketing of case specific filings or motions; jury statistics; foreclosure case statistics and soon an enhanced assessments and collections report. The proposed UCOA monthly revenue and expenditure reports would be a duplication of reporting, resulting in additional unnecessary work by clerk staff.

MONTHLY REPORTING UNRECONCILABLE TO ANNUAL REPORTING

One of the key fundamental issues in this initiative is that the monthly ad-hoc reporting may be prepared on a basis of accounting that may differ from the basis of accounting used to prepare the year-end audited financial statements and that the monthly ad-hoc information will not be “validated.” In our view, there are at least two potential issues with monthly ad-hoc reporting of revenues and expenditures as proposed:

1. Auditors will be unable to “reconcile” the monthly revenues and expenditures to the audited financial statements since they will conceivably be presented on different “basis of accounting”; and

2. The value of the information to the state and to potential users accessing the state’s reporting system will be 561-324-4272
561-324-4272

compromised because the data is “unfiltered.” Basically, what the state would be saying by posting these unaudited numbers is, “here are some numbers for you to review but we will not give you any assurance that they are correct.”

QUALITY AND COMPARABILITY OF DATA

When providing data to the public, every effort should be made to ensure that the data is accurate and reliable. However, UCOA project reporting provisions ensure that just the opposite will occur; there will be no attempt to validate any of the data before it is posted for public viewing. This results in a high risk that the data will be inaccurate, invalid or incomplete. Reasons for this can include anything from innocent mistakes, such as misclassification of expenditures or improper cutoff, to the intentional misstatement of amounts being reported. Another issue that will have to be overcome is that government financial system users have a tendency to expense funds where the budget is located. Because it is impractical to budget at the same low level of detail as proposed for reporting by the UCOA project, it will be a challenge to make sure that expenditures are posted to the correct cost objects. This will result in either the establishment of more costly internal controls to ensure that expenditures are properly coded or, more likely in a time of scarce resources, it will result in no additional controls being established, thus increasing the risk that the data will be unreliable.

Additionally, because there will be no validation of the data submitted to the state, the information presented must be disclaimed as unaudited and tell the user of the information that the state is taking no responsibility for the data that they are disseminating. Responsibility and accountability go hand in hand, and this lack of taking responsibility for the integrity of the data by the state is counterproductive to the goal of promoting transparency and accountability. In fact, it perpetuates one of the most negative stereotypes that governments have to overcome, which is the lack of taking responsibility and for holding people accountable. Further, transparency, while a worthy goal, is only valuable when the public perceives that it can get a true picture of what is going on. We question how this proposed data dump of information on the public will promote any positive perception of government.

Another goal of the project is to promote comparability across government organizations. While creating a uniform chart of accounts is a necessary component of comparability, unless all organizations use the same basis of accounting, a chart of accounts in and of itself will not result in the goal of achieving comparability across all government agencies.

There are vast differences between the various bases of accounting. Take, for example, the purchase of a fixed asset. Both the cash basis and the modified accrual bases of accounting recognize the purchase of fixed assets as expenditures. However, even though the transaction represents an expenditure under both bases, comparability may still be compromised as a result of the timing of the recognition of that expenditure. The cash basis of accounting recognizes the expenditure when the cash is disbursed versus the modified accrual basis of accounting recognizing the expenditure when it is incurred. Adding to the confusion, the purchase of a fixed asset using full accrual accounting isn't an expense at all; instead, it is recorded on the balance sheet with the purchase price being depreciated over the useful life of the asset. As this example illustrates, the differences in the bases of accounting between organizations severely impacts comparability between reporting organizations.

Further, organizations using the same basis of accounting are allowed to establish policies that could impair comparability between organizations. For example, GAAP allows an organization using the full accrual basis of accounting to choose its own threshold for capitalization of certain classes of assets. Let's assume that the threshold of capitalizing capital assets for one government is \$100,000 and the threshold for another government is \$1 million (as per the State of Florida). For a capital asset costing \$90,000, both organizations would reflect the transactions as an expense. For a capital asset costing \$500,000, the first organization would capitalize the cost and amortize it over time, while the second organization would expense the entire amount in the year of acquisition. Therefore, there are obstacles to comparability even between entities using the same basis of accounting.

In addition, the Florida Department of Financial Services has indicated that it will be left up to each county to decide if they will report collectively with their constitutional officers or whether the constitutional officers will report separately.

Comparability will be compromised with this position. If some counties report their information separate from their constitutional officers and some counties report collectively, then there will be no way to compare the board of county commissioners' information across the spectrum; tax collectors across the spectrum; and the same for the rest of the Constitutionals.

Therefore, the establishment of a uniform chart of accounts without requiring uniformity in other areas such as in the basis of accounting and in the accounting treatment of various transactions in itself will not provide users with any meaningful comparisons between organizations.

COST OF IMPLEMENTATION

It is unclear as of this date whether the proposed UCOA is intended to replace the 2011 Uniform Accounting System Manuals for Cities, Counties, and Other Reporting Entities (all of which are dated as of August 9, 2010) or whether the proposed UCOA is intended to operate as an “overlay” to those manuals. The answer to that question will have a significant impact to units of state and local government, both operationally as well as from a cost perspective.

As noted elsewhere in this document, there is also the issue of monthly reporting versus year-end reporting and the challenges presented both by the frequency of reporting as well as the reconciliation (or lack thereof) of the monthly information to the year-end data.

It is our expectation that since the year-end reporting will presumably be prepared in conformity with generally accepted accounting principles and therefore be “reconcilable” with the local government’s audited financial statements, the issues with the year-end reporting will generally be limited to the following three major categories:

1. The level of detail required for certain objects of expenditures (i.e. contractual services and travel expenses) is far greater than the level of detail previously reported either in the audited financial statements or in the Annual Financial Report (AFR) required pursuant to the provisions of Section 218.32(1)(a), Florida Statutes;
2. Similar to item 1, it is our understanding that units of state and local government will now be required to report information at a much higher level of detail for each individual fund. In the past, information reported in the AFR was reported by fund type and information in the “basic financial statements” produced by units of government for the purpose of annual audit were only segregated by fund for the “major fund” (as that term is defined in GASB Statement Number 34 *Basic Financial Statements-and Management’s Discussion and Analysis-for State and Local Governments*) with all “non-major” funds combined into one column for financial reporting purposes. While many units of government participate in the Government Finance Officers Association’s “Certificate of Achievement for Excellence in Financial Reporting” Program, which requires the presentation of combining and individual fund level financial statements and schedules, participation in the program is voluntary. In any event, the opinions expressed by external auditors on the fairness of presentation of the financial statements generally only extend to the basic financial statements and not to the individual fund level financial statements (with the exception of the “major” funds). The cost for local governments to obtain an opinion on the fairness of presentation of financial information at the fund level would be significant; and
3. If the implementation of Chapter 2011-44, Laws of Florida, is intended to create an “overlay” as discussed above, units of local government will need to determine the capabilities of their current financial management software applications to create such an “overlay.” In any event, this exercise is also expected to be costly.

Similar to year-end reporting requirements, it appears there are also three ways to implement the monthly reporting requirement:

1. Modify the entity’s current accounting system;
2. Develop a “crosswalk” from the entity’s current system to the proposed UCOA, or
3. A combination of (1) and (2).

The survey of the Cost of Implementation that the Florida Department of Financial Services has undertaken is not complete as of the writing of this white paper, nor are the results available. However, there are key points to consider regarding the Cost of Implementation.

IMPLEMENTATION:

In our view, regardless of the approach taken to implement the provisions of Section 215.89, Florida Statutes, significant resources will be required to comply with the proposed UCOA reporting requirements.

MODIFYING CURRENT ACCOUNTING SYSTEMS:

The first point to be made is that modifying the current accounting system to mirror the proposed UCOA will be labor intensive on the part of the entity's staff. Current accounting systems are set up to meet the needs of the individual entity's management and constituency. The UCOA concept with a goal of transparency does not focus on the individual particular needs of their constituencies. Modifications to mirror the UCOA will put financial burdens on entities and their staffs who are already burdened by budget cuts and staff reductions.

A second point, as indicated in the section "UNCLEAR, CONFLICTING, OR DUPLICATIVE REPORTING REQUIREMENTS," is that some entities will perform double work to create the report required by other statutes, which will necessitate reporting on two different formats and entering data twice on a monthly basis, hence doubling the staff time and costs.

CREATING A CROSSWALK FROM CURRENT SYSTEMS TO UCOA:

Creating a crosswalk from current accounting systems to the UCOA will be costly for several reasons. First and foremost will be software costs. Programming current systems will require the particular vendor to provide programming services to accounting systems that are proprietary in nature and can only be reprogrammed by the vendors themselves. In today's world, programming rates on an hourly basis usually are in the range of \$200 to \$400 per hour. In addition, most systems would require additional software licensing fees and ongoing monthly maintenance support fees. Once the crosswalk is completed, there will still be the costs of staff time for preparation and reporting as previously expressed elsewhere in this white paper.

ONGOING REPORTING:

Currently, most entities report annually to Florida Department of Financial Services their AFR through a system known as LOGER. As noted above, the level of reporting for the AFR is at the fund-type level. More specifically, local governments currently report expenditures by fund type (i.e. general, special revenue, debt service, capital outlay, etc.), by function (i.e. 513.00-Financial and Administrative, 521.00- Law Enforcement, 541.00-Road and Street Facilities, etc.) and by major category (i.e. personal services, operating expenditures/expenses, capital outlay, debt service, grants and aids, and other uses). The average time to enter the information annually for a representative county is 1 1/2 to 2 days of staff time. This does not include the time it takes to assimilate the information from the accounting system into the format required for the AFR. It is our understanding that the state CFO will require units of local government to report to the individual fund level, by department and by object code. Reporting by object code versus category is a big issue. It is our estimation that the sheer volume of data to be reported at this expanded level (not to mention the cost of staff to create and verify the information) will grow by more than 100 times, and that is just for the year-end reporting. Interpolating this out on a monthly basis for revenue and expenditure reporting at the comprehensive level of detail requested by the Florida Department of Financial Services realistically could add substantially to this process. Making it a monthly routine will require another staff person. In addition, currently the AFR reporting requires only reporting of revenues and expenditures. The proposed UCOA requires reporting on balance sheet accounts as well, creating even more burden on staff.

Another consideration is the impact that monthly financial reporting will have on governmental computer systems and networks. Many governments have a substantial number of funds, some that exceed 100, which will be required to provide reporting. The monthly reporting will require substantial computer resources, which may result in many governments having to upgrade current systems at a substantial cost. The Summary of Reporting Requirements on this website <http://www.myfloridacfo.com/aadir/CO/ACOAprojectdocuments/SummaryofReportingRequirements.pdf>

indicates that reporting entities shall report revenues and expenditures at the lowest operational level of funds that is maintained by the reporting entities. If, for example, an entity maintains three separate special revenue funds for daily operational purposes, financial information would be reported for each of the three separate special revenue funds rather than a single summarized submission at the GAAFR level.

Some governments use multiple sub-funds to capture information that is rolled up into one fund for financial statement purposes. Monthly closing calculations could be costly and accuracy compromised.

In addition, Florida governments currently are required to meet many reporting requirements, including reporting to the Florida Equal Employment Opportunity, Florida Unemployment Compensation, Florida Retirement System, Federal Affordable Care Act, and payroll taxes and W-2 information to the Internal Revenue Service. Each of these reporting requirements imposes penalties for not meeting the prescribed deadlines. There is concern that additional monthly reporting requirements may result in governments not being able to meet all of these current reporting requirements in the time required, resulting in potential penalties and other ramifications.

SUMMARY

Without reservation, we believe that transparency and accountability of the use of public funds to citizens and other stakeholders is paramount. We applaud the Legislature in its efforts to ensure that the citizens of Florida and of its local governments are beneficiaries of financial accountability and wise use of resources. The current proposed UCOA reporting requirements, while well intentioned, is not the solution for the reasons discussed in this white paper, including: the autonomy of state and local government entities; risk of lack of quality and incomparable data; conflicts with current established reporting requirements both annually and more frequently; different bases of accounting and different purposes for which each entity exists; and most crucial, the duplication of effort and the implementation cost to the taxpayer that places extraordinary burdens on local government entities with no resources to accommodate these burdens. In our opinion, the cost to implement the UCOA far exceeds any benefit that might accrue to the taxpayer as a result.

We recommend an alternative strategy that could accomplish the Legislature's goal to ensure transparency and accountability while limiting the burden to governmental entities and preserving the autonomy of those entities. Legislation should be enacted that prescribes minimum desired transparency reporting by local governments, leaves it to local governments to include such information on their websites, and does not impose significant financial burdens on local governments.

By taking the more local approach, information provided by each local government on its web site would be easily accessible to the local constituency and would be in the same place that the local government currently publishes its budget documents and year end audited financial statements. This would provide better context and an enhanced historical perspective for the user to interpret the interim information. Additionally, the interim financial information would likely come straight from the local government's current financial management system and not require costly conversions or overlays necessary to convert it to a one size fits all approach as currently proposed.

**Florida Government Finance Officers Association
Uniform Chart of Accounts Task Force**

Chair

Honorable Jeffrey R. Smith, CPA, CGFO, CGMA
Indian River County Clerk of Court & Comptroller
Past President of FGFOA

Members:

DeeDee Beaver, CPA, CGFO
Director of Finance & Accounting
Polk County Clerk of Court & Comptroller

Honorable Ken Burke, CPA
Pinellas County Clerk of Court & Comptroller

Desmond Chin, CPA
Director of Finance
Village of Palmetto Bay

Linda C. Davidson, CPA, CGFO, CPFO
Financial Services Director, City of Boca Raton
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Palm Beach County Clerk of Court & Comptroller
Current FGFOA Board Member

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City of Leesburg

Patricia A. White, CPA
Accounting Manager
City of Boca Raton

Merrill Wimberley, CPA
Chief Financial Officer
Leon District Schools

RESOLUTION 13-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA AUTHORIZING THE ISSUANCE OF A \$1,280,000 NON-AD VALOREM REVENUE NOTE, SERIES 2013 FOR THE PURPOSE OF FINANCING AND REIMBURSING THE COST OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS WITHIN THE CITY AS MORE PARTICULARLY DESCRIBED HEREIN AND PAYING COSTS RELATED THERETO; PROVIDING THAT THE NOTE SHALL BE A LIMITED OBLIGATION OF THE CITY PAYABLE FROM NON-AD VALOREM REVENUES BUDGETED AND APPROPRIATED AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNER OF THE NOTE; AUTHORIZING THE PRIVATE NEGOTIATED SALE OF SUCH NOTE TO STI INSTITUTIONAL & GOVERNMENT, INC. PURSUANT TO THE TERMS AND CONDITIONS DESCRIBED HEREIN; MAKING SUCH DETERMINATIONS AS ARE REQUIRED TO AFFORD THE 2013 NOTE "BANK QUALIFIED" STATUS; AUTHORIZING OTHER REQUIRED ACTIONS; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA:

SECTION 1. Authority for this Resolution. This Resolution is adopted pursuant to the provisions of the Constitution and laws of the State of Florida, Chapter 166, Part II, Florida Statutes, the Charter of the City of Dunedin, Florida (the "Issuer"), and other applicable provisions of law (collectively, the "Act").

SECTION 2. Definitions. All capitalized undefined terms shall have the same meaning as set forth in this Resolution. In addition, the following terms, unless the context otherwise requires, shall have the meanings specified in this section. Words importing the singular number shall include the plural number in each case and vice versa.

"Ad Valorem Revenues" shall mean all revenues of the Issuer derived from the levy and collection of ad valorem taxes.

"Available Non-Ad Valorem Revenues" shall mean Non-Ad Valorem Revenues (i) less General Government and Public Safety Expenditures, (ii) less Utility and Business Unit Transfers Out as itemized in the audited financial statements of the Issuer, and (iii) plus Utility and Business Unit Transfers In as itemized in the audited financial statements of the Issuer.

"Balloon Indebtedness" shall mean Debt, 25% or more of the original principal of which matures during any one Fiscal Year.

"Business Day" shall mean any day other than a Saturday, Sunday or a day on which banking institutions within the State are authorized or required by law to remain closed.

"City Attorney" shall mean Thomas J. Trask, Esquire of Frazer, Hubbard, Brandt, Trask, Yacavone, Metz & Daigneault L.L.P. or any of his partners.

"City Clerk" shall mean the City Clerk of the Issuer, or any assistant or deputy City Clerk of the Issuer.

"Code" shall mean the Internal Revenue Code of 1986, as amended, and any Treasury Regulations, whether temporary, proposed or final, promulgated thereunder or applicable thereto.

"Debt" shall mean at any date (without duplication) all of the following to the extent that they are secured by or payable in whole or in part from any Non-Ad Valorem Revenues: (A) all obligations of the Issuer for borrowed money or evidenced by bonds, debentures, notes or other similar instruments; (B) all obligations of the Issuer to pay the deferred purchase price of property of services, except trade accounts payable under normal trade terms and which arise in the ordinary course of business; (C) all obligations of the Issuer as lessee under capitalized leases; and (D) all indebtedness of other Persons to the extent guaranteed by, or secured by, Non-Ad Valorem Revenues of the Issuer.

"Finance Director" shall mean the Finance Director of the Issuer, or any acting, interim, assistant or deputy Finance Director of the Issuer.

"Financial Advisor" shall mean Larson Consulting Services, LLC, Orlando, Florida.

"Fiscal Year" shall mean the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law.

"General Fund" shall mean the "General Fund" of the Issuer as described in the audited financial statements of the Issuer.

"General Government and Public Safety Expenditures" shall mean expenditures for general governmental and public safety services provided by the Issuer in the General Fund, as itemized in the audited financial statements of the Issuer.

"Maturity Date" shall mean October 1, 2028.

"Mayor" shall mean the Mayor or the Vice Mayor of the Issuer.

"Non-Ad Valorem Revenues" shall mean all legally available revenues of the Issuer that are allocated and accounted for in the General Fund other than Ad Valorem Revenues.

"Note" shall mean the Non-Ad Valorem Revenue Note, Series 2013 authorized by Section 4 hereof.

"Note Counsel" shall mean Bryant Miller Olive P.A., or other nationally recognized bond counsel firm.

"Original Purchaser" shall mean STI Institutional & Government, Inc., Tampa, Florida.

"Owner" shall mean the Person in whose name the Note shall be registered on the books of the Issuer kept for that purpose in accordance with provisions of this Resolution.

"Permitted Lender" shall mean any affiliate of the Owner or any bank, trust company, savings institution, insurance company or qualified institutional buyer under Rule 144A promulgated under the Securities Act of 1933 that is engaged as a regular part of its business in purchasing notes or obligations similar to the Note.

"Person" shall mean natural persons, firms, trusts, estates, associations, corporations, partnerships and public bodies.

"Principal Office" shall mean with respect to the Original Purchaser, 401 East Jackson St., 10th FL (MC: 4105), Tampa, Florida 33602, or such other office as the Original Purchaser may designate to the Issuer in writing.

"Project" shall mean the construction of certain capital improvements consisting of the acquisition, construction and equipping of various capital projects including without limitation a fire station, all in accordance with plans on file at the offices of the Issuer, as such plans may be modified from time to time.

"Resolution" shall mean this resolution, pursuant to which the Note is authorized to be issued, including any supplemental resolution(s).

"State" shall mean the State of Florida.

SECTION 3. Findings.

(A) For the benefit of its citizens, the Issuer finds, determines and declares that it is necessary for the continued preservation of the welfare and convenience of the Issuer and its citizens to finance a portion of the costs of the Project. Issuance of the Note to finance and/or reimburse the cost of the Project satisfies a paramount public purpose.

(B) Debt service on the Note and all other payments hereunder shall be secured by a covenant to budget and appropriate Non-Ad Valorem Revenues in the manner and to the extent provided herein. Non-Ad Valorem Revenues to be budgeted and appropriated are expected to be sufficient to pay the principal and interest on the Note herein authorized, as the same become due.

(C) The Issuer shall never be required to levy ad valorem taxes or use the proceeds thereof to pay debt service on the Note or to make any other payments to be made hereunder or to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any Non-Ad Valorem Revenues. The Note shall not constitute a lien on any property owned by or situated within the city limits of the Issuer.

(D) It is estimated that the Non-Ad Valorem Revenues will be available after satisfying funding requirements for obligations having an express lien on or pledge thereof and after satisfying funding requirements for essential governmental services of the Issuer, in amounts sufficient to provide for the payment of the principal of and interest on the Note and all other payment obligations hereunder.

(E) The Issuer has received an offer from the Original Purchaser to purchase the Note in response to the Issuer's RFP 13-1011 pursuant to the Original Purchaser's Proposal Letter dated October 17, 2013, the acceptance of which offer has been recommended by the Financial Advisor and the Issuer's selection committee.

(F) In consideration of the purchase and acceptance of the Note authorized to be issued hereunder by those who shall be the Owner thereof from time to time, this Resolution shall constitute a contract between the Issuer and the Original Purchaser or any subsequent Owner.

SECTION 4. Authorization of Note and Project. Subject and pursuant to the provisions of this Resolution, an obligation of the Issuer to be known as the "City of Dunedin, Florida Non-Ad Valorem Revenue Note, Series 2013" is hereby authorized to be issued under and secured by this Resolution in the principal amount of \$1,280,000 for the purpose of financing and/or reimbursing a portion of the cost of the Project and paying the costs of issuing the Note.

Because of the characteristics of the Note, prevailing market conditions, and additional savings to be realized from an expeditious sale of the Note, and based on the recommendation of the Financial Advisor, the Issuer finds that it is in the best interest of the Issuer to accept the offer of the Original Purchaser to purchase the Note at a private negotiated sale, which was based upon a competitive selection process pursuant to the Issuer's RFP 13-1011. Prior to the issuance of the Note, the Issuer shall receive from the Original Purchaser a Lender's Certificate, in substantially the form attached hereto as Exhibit B and a Disclosure Letter containing the information required by Section 218.385, Florida Statutes, in substantially the form attached hereto as Exhibit C.

SECTION 5. This Resolution to Constitute Contract. In consideration of the acceptance of the Note authorized to be issued hereunder by those who shall hold the same from time to time, this Resolution shall be deemed to be and shall constitute a contract between the Issuer and such holders. The covenants and agreements herein set forth to be performed by the Issuer shall be for the equal benefit, protection and security of the legal holders of the Note, all of which shall be of equal rank and without preference, priority or distinction of the Note over any other thereof, except as expressly provided therein and herein.

SECTION 6. Description of the Note. The Note shall be dated the date of its execution and delivery, which shall be a date agreed upon by the Issuer and the Original Purchaser, subject to the following terms:

(A) Interest Rate. The Note shall have a fixed interest rate not to exceed 2.873% (subject to adjustment upon the occurrence of certain events as provided in the Note) calculated on a 30/360-day basis.

(B) Principal and Interest Payment Dates. Interest on the Note shall be payable semi-annually on April 1 and October 1 of each year, commencing on April 1, 2014, via ACH Direct Debit. Principal on the Note shall be paid annually on October 1 of each year, commencing on October 1, 2014 via ACH Direct Debit with a final maturity of the Maturity Date. The Issuer shall execute and deliver to the Owner such documents as the Owner shall reasonably request to allow the Owner to directly debit an account of the Issuer for all payments on the Note.

(C) Prepayment of the Note. The Note shall be subject to prepayment as described in the Note.

(D) Form of the Note. The Note is to be in substantially the form set forth in Exhibit A attached hereto, together with such non-material changes as shall be approved by the Mayor, such approval to be conclusively evidenced by the execution thereof by the Mayor.

(E) Original Denomination. The Note shall originally be issued in a single denomination equal to the original principal amount.

SECTION 7. Execution and Authentication of Note. The Note shall be executed in the name of the Issuer by the Mayor and shall be attested by, or bear the facsimile signature of, the City Clerk, and a facsimile of the official seal of the Issuer shall be imprinted on the Note. In case any officer whose signature or a facsimile of whose signature shall appear on any Note shall cease to be such officer before the delivery of such Note, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if such Person remained in office until such delivery. Any Note may bear the facsimile signature of or may be signed by such Person who, at the actual time of the execution of such Note, shall be the proper officers to sign such Note although, at the date of such Note, such Person may not have been such officers.

SECTION 8. Registration and Exchange of the Note; Person Treated as Owner. The Note is initially registered to the Original Purchaser. So long as the Note shall remain unpaid, the Issuer will keep books for the registration and transfer of the Note. The Note shall be transferable to Permitted Lenders in whole but not in part. Notwithstanding anything to the contrary herein, the Original Purchaser may enter into participations or securitization agreements with respect to the Note.

The Person in whose name the Note shall be registered shall be deemed and regarded as the absolute Owner thereof for all purposes, and payment of principal and interest on such Note shall be made only to or upon the written order of the Owner. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

SECTION 9. Payment of Principal and Interest; Limited Obligation. The Issuer promises that it will promptly pay the principal of and interest on the Note at the place, on the dates and in the manner provided therein according to the true intent and meaning hereof and of the Note. The Note shall not be or constitute a general obligation or indebtedness of the Issuer as a "bond" within the meaning of Article VII, Section 12 of the Constitution of Florida, but shall be payable solely from the Non-Ad Valorem Revenues budgeted and appropriated in accordance with the terms hereof. No holder of the Note issued hereunder shall ever have the right to compel the exercise of any ad valorem taxing power or the use of ad valorem tax revenues to pay such Note, or be entitled to payment of such Note from any funds of the Issuer except from Non-Ad Valorem Revenues budgeted and appropriated as described herein.

SECTION 10. Covenant to Budget and Appropriate. Subject to the next paragraph, the Issuer covenants and agrees and has a positive and affirmative duty to appropriate in its annual budget, by amendment, if necessary, from Non-Ad Valorem Revenues, amounts sufficient to pay principal of and interest on the Note not being paid from other amounts as the same shall become due. Such covenant and agreement on the part of the Issuer to budget and appropriate such amounts of Non-Ad Valorem Revenues shall be cumulative to the extent not paid, and shall continue until such Non-Ad Valorem Revenues or other legally available funds in amounts sufficient to make all such required payments shall have been budgeted, appropriated and actually paid. No lien upon or pledge of such budgeted Non-Ad Valorem Revenues shall be in effect until such monies are budgeted and appropriated as provided herein. The Issuer further acknowledges and agrees that the obligations of the Issuer to include the amount of such amendments in each of its annual budgets and to pay such amounts from Non-Ad Valorem Revenues may be enforced in a court of competent jurisdiction in accordance with the remedies set forth herein.

Until such monies are budgeted and appropriated as provided herein, such covenant to budget and appropriate does not create any lien upon or pledge of such Non-Ad Valorem Revenues, nor does it preclude the Issuer from pledging in the future its Non-Ad Valorem Revenues, nor does it require the

Issuer to levy and collect any particular Non-Ad Valorem Revenues, nor does it give the holder of the Note a prior claim on the Non-Ad Valorem Revenues as opposed to claims of general creditors of the Issuer. Such covenant to budget and appropriate Non-Ad Valorem Revenues is subject in all respects to the prior payment of obligations secured by a pledge of such Non-Ad Valorem Revenues heretofore or hereafter entered into (including the payment of debt service on bonds and other debt instruments). Anything in this Resolution to the contrary notwithstanding, it is understood and agreed that all obligations of the Issuer hereunder shall be payable from the portion of Non-Ad Valorem Revenues budgeted and appropriated as provided for herein and nothing herein shall be deemed to pledge ad valorem tax power or ad valorem taxing revenues or to permit or constitute a mortgage or lien upon any assets owned by the Issuer and no holder of the Note nor any other Person, may compel the levy of ad valorem taxes on real or personal property within the boundaries of the Issuer or the use or application of ad valorem tax revenues in order to satisfy any payment obligations hereunder or to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees, or any other Non-Ad Valorem Revenues. Notwithstanding any provisions of this Resolution or the Note to the contrary, the Issuer shall never be obligated to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any Non-Ad Valorem Revenues. Until such monies are budgeted and appropriated as provided herein, neither this Resolution nor the obligations of the Issuer hereunder shall be construed as a pledge of or a lien on all or any Non-Ad Valorem Revenues of the Issuer, but shall be payable solely as provided herein subject to the availability of Non-Ad Valorem Revenues after satisfaction of funding requirements for obligations having an express lien on or pledge of such revenues, payment of services and programs which are for essential public purposes affecting the health, welfare and safety of the inhabitants of the Issuer, and the provisions of Section 166.241, Florida Statutes.

SECTION 11. Application of Proceeds of Note. Proceeds from the sale of the Note shall be used to finance a portion of the costs of the Project and pay related associated costs of issuance (including but not limited to legal and financial advisory fees and expenses).

SECTION 12. Tax Covenant. The Issuer covenants to the Owner of the Note provided for in this Resolution that the Issuer will not make any use of the proceeds of the Note at any time during the term of the Note which would cause such Note to be an "arbitrage bond" within the meaning of the Code. The Issuer will comply with the requirements of the Code and any valid and applicable rules and regulations promulgated thereunder necessary to ensure the exclusion of interest on the Note from the gross income of the holders thereof for purposes of federal income taxation.

SECTION 13. Amendment. This Resolution shall not be modified or amended in any respect subsequent to the issuance of the Note, except with the written consent of all of the Owner of the Note.

SECTION 14. Limitation of Rights. With the exception of any rights herein expressly conferred, nothing expressed or mentioned in or to be implied from this Resolution or the Note is intended or shall be construed to give to any Person other than the Issuer and the Owner any legal or equitable right, remedy or claim under or with respect to this Resolution or any covenants, conditions and provisions herein contained; this Resolution and all of the covenants, conditions and provisions hereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Owner.

SECTION 15. Note Mutilated, Destroyed, Stolen or Lost. If the Note shall become mutilated, or be destroyed, stolen or lost, the Issuer shall issue and deliver a new Note of like tenor as the Note so mutilated, destroyed, stolen or lost, in exchange and in substitution for such mutilated Note, or in lieu of and in substitution for the Note destroyed, stolen or lost and upon the Owner furnishing the Issuer proof of ownership thereof and indemnity reasonably satisfactory to the Issuer and complying with such other reasonable regulations and conditions as the Issuer may prescribe and paying such reasonable expenses as the Issuer may incur. The Note so surrendered shall be canceled.

SECTION 16. Impairment of Contract. The Issuer covenants with the Owner of the Note that it will not, without the written consent of the Owner of the Note, enact any ordinance or adopt any resolution which repeals, impairs or amends in any manner adverse to the Owner the rights granted to the Owner of the Note hereunder.

SECTION 17. Financial Information. Not later than 210 days after the close of each Fiscal Year, the Issuer shall provide the Owner of the Note with its Comprehensive Annual Financial Report including annual financial statements for each Fiscal Year of the Issuer, prepared in accordance with applicable law and generally accepted accounting principles and audited by an independent certified public accountant. All accounting terms not specifically defined or specified herein shall have the meanings attributed to such terms under generally accepted accounting principles as in effect from time to time, consistently applied.

The Issuer shall annually provide to the Owner of the Note a copy of its budget within 30 days of its adoption and shall promptly provide such other financial information as may be reasonably requested by such Owner.

SECTION 18. Events of Default; Notice; Remedies of Owner of the Note. The following shall constitute "Events of Default": (i) if the Issuer fails to pay any payment of principal of or interest on the Note as the same becomes due and payable; (ii) if the Issuer defaults in the performance or observance of any covenant or agreement contained in this Resolution or the Note (other than set forth in (i) above) and fails to cure the same within thirty (30) days following notice thereof; or (iii) filing of a petition by or against the Issuer relating to bankruptcy, reorganization, arrangement or readjustment of debt of the Issuer or for any other relief relating to the Issuer under the United States Bankruptcy

Code, as amended, or any other insolvency act or law now or hereafter existing, or the involuntary appointment of a receiver or trustee for the Issuer, and the continuance of any such event for 90 days undismitted or undischarged.

The Issuer shall within five (5) days after it acquires knowledge thereof, notify the Owner in writing (a) of any change in any material fact or circumstance represented or warranted by the Issuer in this Resolution or in connection with the issuance of the Note; (b) upon the happening, occurrence, or existence of any Event of Default, and (c) any event or condition which with the passage of time or giving of notice, or both, would constitute an Event of Default, and shall provide the Owner, with such written notice, a detailed statement by a responsible officer of the Issuer of all relevant facts and the action being taken or proposed to be taken by the Issuer with respect thereto. Regardless of the date of receipt of such notice by the Owner, such date shall not in any way modify the date of occurrence of the actual Event of Default.

Upon the occurrence and during the continuation of any Event of Default, the Owner of the Note may, in addition to any other remedies set forth in this Resolution or the Note, either at law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State, or granted or contained in this Resolution, and may enforce and compel the performance of all duties required by this Resolution, or by any applicable statutes to be performed by the Issuer.

SECTION 19. Anti-Dilution Test. During such time as the Note is outstanding hereunder, the Issuer agrees and covenants not to incur any Debt unless it demonstrates through a certificate signed by its Finance Director that Available Non-Ad Valorem Revenues shall cover projected aggregate maximum annual debt service on the Debt (including the Note) by at least 1.25x. The calculations required in the preceding sentence shall be determined using the average of actual Available Non-Ad Valorem Revenues for the prior two Fiscal Years based on the Issuer's annual audited financial statements.

For the purposes of the covenants contained in this Section 19, annual debt service means, with respect to Debt that bears interest at a fixed interest rate, the actual annual debt service, and, with respect to Debt which bears interest at a variable interest rate, annual debt service shall be determined assuming that such obligations bear interest at the higher of 6.00% per annum or the actual interest rate borne during the month immediately preceding the date of calculation; provided, however, annual debt service on Debt that constitutes Balloon Indebtedness, whether bearing interest at a fixed or variable interest rate, shall be determined assuming such Debt is amortized over 20 years on an approximately level annual debt service basis, such amortization commencing on the date of issuance of such Debt. The foregoing notwithstanding, for purposes of calculating annual debt service, any Debt which bears interest at a variable rate with respect to which the Issuer has entered into an interest rate swap or interest rate cap for a notional amount equal to the principal amount of such variable rate indebtedness shall be treated for purposes of this Section 19 as

bearing interest at a fixed rate equal to the fixed rate payable by the Issuer under the interest rate swap, or the capped rate provided by the interest rate cap.

SECTION 20. Bank Qualified. The Issuer hereby designates the Note as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code. The Issuer and any subordinate entities of the Issuer and any issuer of "tax-exempt" debt that issues "on behalf of" the Issuer do not reasonably expect during the calendar year 2013 to issue more than \$10,000,000 of "tax-exempt" obligations, exclusive of any private activity bonds as defined in Section 141(a) of the Code (other than qualified 501(c)(3) bonds as defined in Section 145 of the Code).

SECTION 21. Severability. If any one or more of the covenants, agreements or provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid or shall in any manner be held to adversely affect the validity of the Note, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions of this Resolution or of the Note issued hereunder.

SECTION 22. Business Days. In any case where the due date of interest on or principal of the Note is not a Business Day, then payment of such principal or interest need not be made on such date but may be made on the next succeeding Business Day, provided that credit for payments made shall not be given until the payment is actually received by the Owner.

SECTION 23. Waiver of Jury Trial. The Issuer knowingly, voluntarily, and intentionally waives any right it may have to a trial by jury, with respect to any litigation or legal proceedings based on or arising out of this Resolution or the Note, including any course of conduct, course of dealings, verbal or written statement or actions or omissions of any party which in any way relates to this Resolution or the Note.

SECTION 24. Patriot Act Notice. The Issuer acknowledges having been notified by the Original Purchaser pursuant to the requirements of the USA PATRIOT Act (Title III of Pub. L. 107-56 signed into law October 26, 2001) that the Original Purchaser may be required to obtain, verify and record information that identifies the Issuer, which information includes the name and address of the Issuer and other information that will allow the Original Purchaser to identify the Issuer in accordance with the Act.

SECTION 25. Applicable Provisions of Law and Venue. This Resolution shall be governed by and construed in accordance with the laws of the State. The Issuer agrees that certain material events and occurrences relating to this Resolution and the Note bear a reasonable relationship to the laws of the State and the validity, terms, performance and enforcement of this Resolution and the Note shall be governed by the internal laws of the State which

are applicable to agreements which are negotiated, executed, delivered and performed solely in the State. Unless applicable law provides otherwise, in the event of any legal proceeding arising out of or related to this Resolution, the Issuer consents to the jurisdiction and venue of any court located in the State.

SECTION 26. Rules of Interpretation. Unless expressly indicated otherwise, references to sections or articles are to be construed as references to sections or articles of this instrument as originally executed. Use of the words "herein," "hereby," "hereunder," "hereof," "hereinbefore," "hereinafter" and other equivalent words refer to this Resolution and not solely to the particular portion in which any such word is used.

SECTION 27. Captions. The captions and headings in this Resolution are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Resolution.

SECTION 28. General Authority. The members of the City Commission of the Issuer and the Issuer's officers, attorneys and other agents and employees are hereby authorized to perform all acts and things required of them by this Resolution or desirable or consistent with the requirements hereof for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Note and this Resolution, and they are hereby authorized to execute and deliver all documents which shall be required by Note Counsel to effectuate the sale of the Note to the Original Purchaser.

SECTION 29. No Third Party Beneficiaries. Except with respect to such other Person as may be expressly described herein or in the Note, nothing in this Resolution, or in the Note, expressed or implied, is intended or shall be construed to confer upon any Person, other than the Issuer and the Owner, any right, remedy or claim, legal or equitable, under and by reason of this Resolution or any provision hereof, or of the Note, all provisions hereof and thereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Person who shall from time to time be the Owner.

SECTION 30. No Personal Liability. Neither the members of the City Commission of the Issuer, nor any person executing the Note, any other charter employees, or employees of the Issuer shall be personally liable therefor or be subject to any personal liability or accountability by reason of the issuance thereof.

SECTION 31. Repeal of Inconsistent Instruments. All resolutions or parts or resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 32. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY
OF DUNEDIN, FLORIDA, THIS 21st day of November, 2013.

CITY OF DUNEDIN, FLORIDA



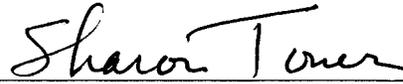
Dave Eggers
Mayor

APPROVED AS TO FORM:



Thomas J. Trask
City Attorney

ATTEST:



Sharon Toner
Assistant City Clerk

EXHIBIT A

[FORM OF NOTE]

Dated: November 22, 2013

STATE OF FLORIDA
PINELLAS COUNTY, FLORIDA
CITY OF DUNEDIN, FLORIDA
NON-AD VALOREM REVENUE NOTE, SERIES 2013

KNOW ALL MEN BY THESE PRESENTS that City of Dunedin, Florida (the "Issuer"), a municipal corporation created and existing pursuant to the Constitution and the laws of the State of Florida, for value received, promises to pay from the sources hereinafter provided, to the order of STI Institutional & Government, Inc., or its registered assigns (hereinafter, the "Owner"), the principal sum of \$1,280,000 on the dates and in the amounts as hereinafter described, together with interest on the principal balance at the "Interest Rate" described below, calculated on a 30/360-day basis, however, that such Interest Rate shall in no event exceed the maximum interest rate permitted by applicable law. This Note shall have a final "Maturity Date" of October 1, 2028.

Except as otherwise provided herein, "Interest Rate" shall mean a per annum rate equal to (a) 2.873%, multiplied, prior to the occurrence of a Determination of Taxability, by (b) the Margin Rate Factor, and after a Determination of Taxability, the Taxable Rate. Notwithstanding anything herein to the contrary, however, upon the occurrence and during the continuance of an Event of Default under the Resolution, as hereinafter defined, the Interest Rate shall be the Default Rate.

Upon the occurrence of a Determination of Taxability and for as long as this Note remains outstanding, unless an Event of Default shall have occurred and be continuing, the Interest Rate on this Note shall be converted to the Taxable Rate (unless an Event of Default shall have occurred, in which case the Default Rate shall apply). In addition, upon a Determination of Taxability, the Issuer shall pay to the Owner (i) an additional amount equal to the difference between (A) the amount of interest actually paid on this Note during the Taxable Period and (B) the amount of interest that would have been paid during the Taxable Period had this Note borne interest at the Taxable Rate, and (ii) an amount equal to any interest, penalties on overdue interest and additions to tax (as referred to in Subchapter A of Chapter 68 of the Code) owed by the Owner as a result of the Determination of Taxability. This adjustment shall survive payment of this Note until such time as the federal statute of limitations under which the interest on this Note could be declared taxable under the Code shall have expired.

"Determination of Taxability" means the occurrence after the date hereof of the adoption or taking effect of any law, rule or regulation or interpretation thereof that changes the ability of the Owner to exclude all or a portion of the interest on this Note for Federal income tax purposes, or a final decree or judgment of any Federal court or a final action of the Internal Revenue Service determining that interest paid or payable on all or a portion of this Note is or was includable in the gross income of the Owner for Federal income tax purposes; provided, that no such decree, judgment, or action will be considered final for this purpose, however, unless the Issuer has been given written notice and, if it is so desired and is legally allowed, has been afforded the opportunity to contest the same, either directly or in the name of the Owner, and until the conclusion of any appellate review, if sought.

"Default Rate" shall mean 18% per annum.

"Taxable Rate" shall mean, upon a Determination of Taxability, the interest rate per annum that shall provide the Owner with the same after tax yield that the Owner would have otherwise received had the Determination of Taxability not occurred, taking into account the increased taxable income of the Owner as a result of such Determination of Taxability. The Owner shall provide the Issuer with a written statement explaining the calculation of the Taxable Rate, which statement shall, in the absence of manifest error, be conclusive and binding on the Issuer.

"Taxable Period" shall mean the period of time between (a) the date that interest on this Note is deemed to be includable in the gross income of the owner thereof for federal income tax purposes as a result of a Determination of Taxability, and (b) the date of the Determination of Taxability and after which this Note bears interest at the Taxable Rate.

"Margin Rate Factor" shall mean the fraction the numerator of which is equal to one (1) minus the Maximum Federal Corporate Tax Rate on the date of calculation and the denominator of which is 0.65. The Margin Rate Factor shall be 0.65/0.65 or 1.0 so long as the Maximum Federal Corporate Tax Rate shall be 35%, and thereafter shall increase from time to time effective as of the effective date of any decrease in the Maximum Federal Corporate Tax Rate.

"Maximum Federal Corporate Tax Rate" shall mean the maximum rate of income taxation imposed on corporations pursuant to Section 11(b) of the Code, determined without regard to tax rate or tax benefit make-up provisions such as the last two sentences of Section 11(b)(1) of the Code, as in effect from time to time (or, if as a result of a change in the Code the rate of income taxation imposed on corporations shall not be applicable to the Owner, the maximum statutory rate of federal income taxation which could apply to the Owner). The Maximum Federal Corporate Tax Rate on the date of execution of this Note is 35%.

Notwithstanding anything herein to the contrary, so long as no Determination of Taxability or Event of Default shall have occurred, upon the occurrence of a Loss of BQ Status and for as long as this Note remains outstanding, the Interest Rate on this Note shall be converted to the Adjusted BQ Rate. In addition, upon a Loss of BQ Status, the Issuer shall pay to the Owner (i) an additional amount equal to the difference between (A) the amount of interest actually paid on this Note during the period of time from the date of issuance of this Note and the next succeeding interest payment date, and (B) the amount of interest that would have been paid during the period in clause (A) had this Note borne interest at the Adjusted BQ Rate, and (ii) an amount equal to any interest, penalties on overdue interest and additions to tax (as referred to in Subchapter A of Chapter 68 of the Code) owed by the Owner as a result of the Loss of BQ Status.

"Loss of BQ Status" shall mean a determination by the Owner that this Note is not a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code (or any successor provision).

"Adjusted BQ Rate" shall mean, upon a Loss of BQ Status, the interest rate per annum that shall provide the Owner with the same after-tax yield that the Owner would have otherwise received had the Loss of BQ Status not occurred, taking into account the increased taxable income of the Owner as a result of such Loss of BQ Status. The Owner shall provide the Issuer with a written statement explaining the calculation of the Adjusted BQ Rate, which statement shall, in the absence of manifest error, be conclusive and binding on the Issuer.

Interest shall be payable to the Owner semi-annually on April 1 and October 1 of each year, commencing on April 1, 2014, via ACH Direct Debit.

A final payment in the amount of the remaining principal balance, together with all accrued and unpaid interest hereon, shall be due and payable in full on the Maturity Date.

The Issuer may prepay this Note in whole or in part at any time upon two Business Days' prior written notice to the Owner. Such prepayment notice shall specify the amount of the prepayment which is to be made. In the event of a prepayment of this Note under this paragraph, the Issuer may be required to pay the Owner an additional fee (a prepayment charge or premium) determined in the manner provided below, to compensate the Owner for all losses, costs and expenses incurred in connection with such prepayment.

Any partial prepayment shall be applied by the Owner against installments of principal in the order determined by the Lender in its sole discretion.

The fee shall be equal to the present value of the difference between (1) the amount that would have been realized by the Owner on the prepaid amount for the remaining term of this Note at the Federal Reserve H.15 Statistical

Release rate for fixed-rate payers in interest rate swaps for a term corresponding to the term of this Note, interpolated to the nearest month, if necessary, that was in effect three Business Days prior to the origination date of this Note and (2) the amount that would be realized by the Owner by reinvesting such prepaid funds for the remaining term of this Note at the Federal Reserve H.15 Statistical Release rate for fixed-rate payers in interest rate swaps, interpolated to the nearest month, that was in effect three Business Days prior to the prepayment date; both discounted at the same interest rate utilized in determining the applicable amount in clause (2). Should the present value have no value or a negative value, the Issuer may prepay at par with no additional prepayment charge or premium. Should the Federal Reserve no longer release rates for fixed-rate payers in interest rate swaps, the Owner may substitute the Federal Reserve H.15 Statistical Release with another similar index. The Owner shall provide the Issuer with a written statement explaining the calculation of the premium due, which statement shall, in absence of manifest error, be conclusive and binding. This alternative is not intended to, and does not, increase the interest rate payable on this Note.

If any date for the payment of principal and interest hereon shall fall on a day which is not a Business Day (as defined in the Resolution hereinafter defined) the payment due on such date shall be due on the next succeeding day which is a Business Day, but the Issuer shall not receive credit for the payment until it is actually received by the Owner.

All payments by the Issuer pursuant to this Note shall apply first to accrued interest, then to other charges due the Owner, and the balance thereof shall apply to principal.

THIS NOTE DOES NOT CONSTITUTE A GENERAL INDEBTEDNESS OF THE ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL, STATUTORY OR CHARTER PROVISION OR LIMITATION, AND IT IS EXPRESSLY AGREED BY THE HOLDER OF THIS NOTE THAT SUCH NOTEHOLDER SHALL NEVER HAVE THE RIGHT TO REQUIRE OR COMPEL THE EXERCISE OF THE AD VALOREM TAXING POWER OF THE ISSUER OR TAXATION OF ANY REAL OR PERSONAL PROPERTY THEREIN OR THE USE OF AD VALOREM TAX REVENUES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THIS NOTE OR THE MAKING OF ANY OTHER PAYMENTS PROVIDED FOR IN THE RESOLUTION.

This Note has been designated as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code.

This Note is issued pursuant to Constitution of the State of Florida, Chapter 166, Part II, Florida Statutes, the Charter of the Issuer, the Issuer's Code of Ordinances, and other applicable provisions of law, and Resolution No. 13-49 duly adopted by the Issuer on November 21, 2013, as amended and supplemented from time to time (herein referred to as the "Resolution"), and is

subject to all the terms and conditions of the Resolution. All terms, conditions and provisions of the Resolution including, without limitation, remedies in the Event of Default are by this reference thereto incorporated herein as a part of this Note. Payment of the Note is secured by a covenant to budget and appropriate Non-Ad Valorem Revenues of the Issuer, in the manner and to the extent described in the Resolution. Terms used herein in capitalized form and not otherwise defined herein shall have the meanings ascribed thereto in the Resolution.

Unless earlier prepaid, the principal amount of this Note shall be paid in the following amounts on the following dates via ACH Direct Debit:

<u>Dates</u>	<u>Amounts</u>
October 1, 2014	\$74,000
October 1, 2015	71,000
October 1, 2016	73,000
October 1, 2017	75,000
October 1, 2018	78,000
October 1, 2019	80,000
October 1, 2020	82,000
October 1, 2021	84,000
October 1, 2022	87,000
October 1, 2023	89,000
October 1, 2024	92,000
October 1, 2025	95,000
October 1, 2026	97,000
October 1, 2027	100,000
October 1, 2028	103,000

This Note may be exchanged or transferred by the Owner hereof, in whole but not in part, but only upon the registration books maintained by the Issuer and in the manner provided in the Resolution.

The Issuer to the extent permitted by law hereby waives presentment, demand, protest and notice of dishonor.

It is hereby certified, recited and declared that all acts, conditions and prerequisites required to exist, happen and be performed precedent to and in the execution, delivery and the issuance of this Note do exist, have happened and have been performed in due time, form and manner as required by law, and that the issuance of this Note is in full compliance with and does not exceed or violate any constitutional or statutory limitation.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the City of Dunedin, Florida, has issued this Note and has caused the same to be signed by the Mayor and countersigned and attested to by the Assistant City Clerk and its seal or a facsimile thereof to be affixed, impressed, imprinted, lithographed or reproduced hereon, all as of the dated first written above.

CITY OF DUNEDIN FLORIDA

(SEAL)

Dave Eggers
Mayor

ATTESTED AND COUNTERSIGNED:

Sharon Toner
Assistant City Clerk

EXHIBIT B

FORM OF LENDER'S CERTIFICATE

This is to certify that STI Institutional & Government, Inc. (the "Lender") has made a loan (the "Loan") to the City of Dunedin, Florida (the "Issuer"). The Loan is evidenced by the Issuer's Non-Ad Valorem Revenue Note, Series 2013 dated November 22, 2013 (the "Note"). The Lender acknowledges that the Note is being issued to evidence a private direct loan and not as part of publicly offered sale, and that the Issuer will not make a filing with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access repository. Any capitalized terms not otherwise defined herein shall have the meaning set forth in Resolution No. 13-49, adopted by the City Commission of the Issuer on November 21, 2013 (the "Resolution").

We are aware that investment in the Loan involves various risks, that the Note is not a general obligation of the Issuer or payable from ad valorem tax revenues, and that the repayment of the Loan is secured solely from the sources described in the Resolution (the "Loan Security").

We have made such independent investigation of the Loan Security as we, in the exercise of sound business judgment, consider to be appropriate under the circumstances. In making our lending decision, we have relied upon the accuracy of information which has been provided to us by the Issuer and the Financial Advisor, Larson Consulting Services, LLC. We acknowledge that the Financial Advisor is not acting as a placement agent.

We have knowledge and experience in financial and business matters and are capable of evaluating the merits and risks of the Loan and can bear the economic risk of our Loan.

The Lender has conducted its own investigation, to the extent it deems satisfactory or sufficient, into matters relating to business affairs or conditions (either financial or otherwise) of the Issuer in connection with the Loan and no inference should be drawn that the Lender, in the acceptance of said Note, is relying on Note Counsel or Issuer's Counsel as to any such matters other than the legal opinions rendered by Note Counsel, Bryant Miller Olive P.A., and by Issuer's Counsel, Frazer, Hubbard, Brandt, Trask, Yacavone, Metz & Daigneault L.L.P.

We acknowledge that we are making the Loan for our own account and have underwritten, booked and will treat this Loan as a commercial loan on our books and records.

We understand that the Loan is evidenced by the Note and the Note is issued in a single denomination equal to the aggregate principal amount of the Loan. The Note may only be sold to a Permitted Lender in whole but not in part.

"Permitted Lender" means any affiliate of the Lender or any bank, trust company, savings institution, insurance company or qualified institutional buyer under Rule 144A promulgated under the Securities Act of 1933 that is engaged as a regular part of its business in making loans similar to the Loan.

We are not acting as a broker or other intermediary and are funding the Loan with our own capital and for our own account and not with a present view to a resale or other distribution to the public. We are a bank or other entity described in Section 517.061(7), Florida Statutes. We are not purchasing the Note for the direct or indirect promotion of any scheme or enterprise with the intent of violating or evading any provision of Chapter 517, Florida Statutes.

This Certificate is furnished by us as Lender based solely on our knowledge on the day hereof and is solely for the benefit of the Issuer and may not be relied upon by, or published or communicated to, any other person without our express written consent. We disclaim any obligation to supplement this letter to reflect any facts or circumstances that may hereafter come to our attention.

DATED this 22nd of November, 2013.

STI INSTITUTIONAL & GOVERNMENT, INC.

Adam L. Horn
First Vice President

EXHIBIT C

FORM OF DISCLOSURE LETTER

Following a competitive selection process, the undersigned, as purchaser, proposes to negotiate with the City of Dunedin, Florida (the "Issuer") for the private purchase of its \$1,280,000 Non-Ad Valorem Revenue Note Series 2013 (the "Note"). Prior to the award of the Note, the following information is hereby furnished to the Issuer:

1. Set forth is an itemized list of the nature and estimated amounts of expenses to be incurred for services rendered to us (the "Purchaser") in connection with the issuance of the Note (such fees and expenses to be paid by the Issuer):

\$3,000
Holland & Knight LLP
Purchaser's Counsel Legal Fees

2. (a) No other fee, bonus or other compensation is estimated to be paid by the Purchaser in connection with the issuance of the Note to any person not regularly employed or retained by the Purchaser (including any "finder" as defined in Section 218.386(1)(a), Florida Statutes), except as specifically enumerated as expenses to be incurred by the Purchaser, as set forth in paragraph (1) above.

(b) No person has entered into an understanding with the Purchaser, or to the knowledge of the Purchaser, with the Issuer, for any paid or promised compensation or valuable consideration, directly or indirectly, expressly or implied, to act solely as an intermediary between the Issuer and the Purchaser or to exercise or attempt to exercise any influence to effect any transaction in the purchase of the Note.

3. The amount of the underwriting spread expected to be realized by the Purchaser is \$0.

4. The management fee to be charged by the Purchaser is \$0.

5. Truth-in-Bonding Statement:

The Note is being issued primarily to finance a portion of the cost of the construction of certain capital improvements consisting of the acquisition, construction and equipping of a fire station and other capital projects.

Unless earlier prepaid, the Note is expected to be repaid by October 1, 2028; at an interest rate of 2.873%, total interest paid over the life of the Note is estimated to be \$307,430.15.

The Note is payable solely from a covenant to budget and appropriate Non-Ad Valorem Revenues of the Issuer, in the manner and to the extent described in Resolution No. 13-49 of the Issuer adopted on November 21, 2013 (the "Resolution"). See the Resolution for a definition of Non-Ad Valorem Revenues. Issuance of the Note is estimated to result in an annual maximum of approximately \$106,356.51 of revenues of the Issuer not being available to finance the services of the Issuer during the life of the Note. This paragraph is provided pursuant to Section 218.385, Florida Statutes.

6. The name and address of the Purchaser is as follows:

STI Institutional & Government, Inc.
401 East Jackson Street, 10th FL (MC: 4105)
Tampa, Florida 33602

IN WITNESS WHEREOF, the undersigned has executed this Disclosure Letter on behalf of the Bank this 22nd day of November, 2013.

STI INSTITUTIONAL & GOVERNMENT, INC.

Adam L. Horn
First Vice President

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RESOLUTION 13-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, AMENDING RESOLUTION 13-31 WHICH ESTABLISHED THE ORDINANCE REVIEW COMMITTEE TO EXTEND THE DATE IN WHICH THE COMMITTEE IS TO ISSUE ITS REPORT TO THE CITY COMMISSION; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission appointed the Ordinance Review Committee to review the City of Dunedin Code of Ordinances when it adopted Resolution 13-08; and

WHEREAS, Resolution 13-08 provided that the Ordinance Review Committee would continue in its existence and submit its recommendation to the City Commission within 180 days of the appointment of the Committee; and

WHEREAS, Resolution 13-31 amended the time the report was due, from 180 days to 270 days, which will expire on November 8, 2013; and

WHEREAS, the Ordinance Review Committee has completed its review of the Code of Ordinances, but would like an additional 53 days (until December 31st) for the purpose of preparing and submitting its recommendation to the City Commission; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That Section 3 of Resolution 13-31 shall be amended to read as follows:

Section 3. The committee shall continue in existence until such time as it submits its recommendations to the City Commission, following its review of the City Ordinances. Such report shall be submitted to the City Commission not later than December 31, 2013.

Section 2. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of November, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-52

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2013 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

This Budget Amendment Resolution provides for budgeting additional revenues and expenses, as follows:

1. Recognize Stadium Fund debt proceeds in the amount of \$5,244,000 and increase expenses by the same amount, consisting of:
 - a. Increase cost of issuance \$139,867.
 - b. Increase principal expense \$5,183,315.
 - c. Decrease interest expense \$79,182.
2. Transfer of \$170,000 appropriation for the Englebert Roof project from the Risk Safety Fund to the Stadium Fund.
3. Appropriate \$598,080 of Health and Benefits fund balance as follows:
 - a. Reduce charges for services revenue by \$326,500.
 - b. Increase premium expenses by \$271,580.
4. Appropriate \$10,030 of George J. Koutsourais Youth Fund balance for scholarships/grants paid.
5. Necessary accounting entries to affect these changes are directed.
6. This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DUNEDIN, FLORIDA, this 21st day of November , 2013.**



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

RESOLUTION 13-53

A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGETS FOR THE CITY OF DUNEDIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission has considered pertinent facts and data relative to municipal finance status and needs; and

WHEREAS, the City Commission now desires to revise the FY 2014 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, DULY ASSEMBLED THAT:

1. Carry forward encumbrances from FY 2013 totaling \$3,320,180.
2. Carry forward of capital project budgets from FY 2013 totaling \$2,767,121.
3. Necessary accounting entries to affect these changes are directed.
4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, this 19th day of December, 2013.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk