



CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Held in City Hall Chambers, 1600 Nela Avenue, Belle Isle, FL
Held the 1st and 3rd Tuesday of Every Month
Tuesday, April 06, 2021 * 6:30 PM

AGENDA

City Council Commissioners

Nicholas Fouraker, Mayor

District 1 Commissioner – Ed Gold | District 2 Commissioner – Anthony Carugno | District 3 Commissioner – Karl Shuck
District 4 Commissioner – Mike Sims | District 5 Commissioner – Harvey Readey | District 6 Commissioner – Jim Partin
District 7 Commissioner – Sue Nielsen

Welcome

Welcome to the City of Belle Isle City Council meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's website at cityofbelleislefl.org. If you are not on the agenda, please complete the yellow "Request to Speak" form to be handed to the City Clerk. When you are recognized by the Mayor, state your name and address and direct all remarks to the Council as a body and not to individual members of the Council, staff, or audience. The Council is pleased to hear relevant comments; however, a three-minute limit has been set by Council. Rosenberg's Rules of Order guide the conduct of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent, or slanderous remarks are not permitted. PLEASE SILENCE ALL CELLULAR PHONES AND PAGERS DURING THE MEETING. Thank you for participating in your City Government.

1. **Call to Order and Confirmation of Quorum**
2. **Invocation and Pledge to Flag - Comm Readey, District 5**
3. **Swear-In Ceremony of Incumbent Rick Miller, District 5 and Commissioner Jim Partin, District 6**
4. **Public Hearing**
 - a. Citation Number P0001839
5. **Consent Items** - These items are considered routine and have been previously discussed by the Council. They will be adopted by one motion unless a Council member requests before the vote on the motion to have an item removed from the consent agenda and considered separately. If any item were removed from the Consent Agenda, it would be considered immediately following approval of the remainder of the Consent Agenda.
 - a. Approval of City Council Minutes - March 16, 2021
6. **Citizen's Comments** - Persons desiring to address the Council MUST complete and provide to the City Clerk a yellow "Request to Speak" form located by the door. After being recognized by the Mayor, persons are asked to come forward and speak from the lectern, state their name and address, and direct all remarks to the Council as a body and not to individual members of the Council, staff, or audience. Citizen comments and each section of the agenda where public comment is allowed are limited to three (3) minutes. Questions will be referred to staff and should be answered by staff within a reasonable period of time following the date of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. Thank you.
7. **Unfinished Business**
 - a. Ordinance 21-02 - Second Reading and Adoption - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE CITY'S SIGN REGULATIONS UNDER CHAPTER 52 OF THE CITY CODE; PROVIDING DEFINITIONS; AMENDING AND ADDING REGULATIONS RELATED TO TEMPORARY SIGNS, PROTECTION OF FIRST AMENDMENT RIGHTS, AND OTHER MATTERS RELATED TO SIGNS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.
 - b. Ordinance 21-03 Second Reading and Adoption - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE MUNICIPAL CODE, CHAPTER 30, ARTICLE I, SECTION 30-3 – HEAVY TRUCKS PROHIBITED ON CERTAIN STREETS; PROVIDING FOR SCHOOL BUSES TO TRAVEL ON HOFFNER AVENUE FOR DROP-OFF AND PICK-UP OF STUDENTS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.
 - c. Ordinance 21-04 Second Reading and Adoption - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE LAND DEVELOPMENT CODE, CHAPTER 42, ARTICLE II, SECTION 42-32 – PLANNING AND ZONING BOARD; PROVIDING FOR THE APPOINTMENT AND FILLING OF VACANCIES ON THE BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.
8. **New Business**
 - a. Ordinance 21-05 First Reading and Consideration - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN PUBLIC RIGHT-OF-WAY LANDS OWNED AND CONTROLLED BY THE CITY OF BELLE

"If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."(F. S. 286.0105). "Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-851-7730) at least 48 hours in advance of the meeting." –Page 1 of 2

ISLE GENERALLY DESCRIBED AS PORTIONS OF MCCOY ROAD, FRONTAGE ROAD, DAETWYLER DRIVE AND JUDGE ROAD THAT WERE CONVEYED AND TRANSFERRED TO THE CITY OF BELLE ISLE BY THAT CERTAIN COUNTY DEED RECORDED AT DOCUMENT NUMBER 20200272165, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF BELLE ISLE; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF BELLE ISLE JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY, INSTRUCTIONS, AND AN EFFECTIVE DATE.

[b.](#) Approval of Impact Fee Study Proposal - Duncan Associates

- 9. **Attorney's Report**
- 10. **City Manager's Report**
 - [a.](#) Issues Log
 - b. Chief's Report
- 11. **Mayor's Report**
- 12. **Items from Council**
- 13. **Adjournment**

NOV Appeal Earl Clayton-Soliciting

Laura Houston <lhouston@belleislepolice.org>

Wed, Mar 31, 2021 at 4:43 PM

To: Bob Francis <bfrancis@belleislefl.gov>, Yolanda Quiceno <yquiceno@belleislefl.gov>

Cc: john.ramsey@ocfl.net, Jon-Paul Gargano <jgargano@belleislepolice.org>, Jackie Stewart <jstewart@belleislepolice.org>

On 2/26/21, at approximately 6:32 pm, a Belle Isle resident, who is an OCSO deputy, John Ramsey, called for Belle Isle officers to respond because a solicitor was at his door asking for a donation. The [REDACTED]-year-old solicitor, [REDACTED], was carrying a plastic tub with an assortment of items. Officer Gargano responded, and his body-worn camera was on. **The solicitor clearly admitted on the camera that he was asking for donations.** Yolanda was given a copy of this video as a record.

The solicitor had in his possession misleading documents that appear to show that Yolanda Quiceno and Jackie Stewart approved this organization to solicit in the City of Belle Isle. Jackie nor Yolanda have the authority, nor did they approve this organization to solicit in Belle Isle. There were similar documents for other cities. Based upon the witness and the body-worn camera video of [REDACTED] admitting he asked for a donation, he was issued an NOV by Officer Gargano for violation of City Ordinance 20-2 Solicitation Without a Permit. Deputy Ramsey said [REDACTED] told him that he asked for a donation from a neighbor, and the neighbor did not give him money but gave him a speaker.

The next day, a man called and said he was the leader of Central Florida's Youth Club of America and called himself "Johnny." He said their organization does not solicit but was only expressing their first amendment rights to tell people about their program. He aggressively argued that his organization does not have to have a permit to go door to door since they do not solicit.

Yolanda received a request to appeal this NOV from Johnny Carrasquillo, not from [REDACTED]. I have requested Deputy John Ramsey, Officer Jon Gargano, and Jackie Stewart appear as witnesses at this appeal.

Please note that Johnny Carrasquillo has been arrested and/or charged numerous times for similar crimes or violations in many jurisdictions.

The appeal for this hearing is scheduled for **April 6, 2021, at 6:30 pm**, at the City Council meeting.

Please let me know if you have any questions.

****See attachments.**

--

Chief Laura Houston
407.240.2473

 **Soliciting Appeal.pdf**
164K

Central Florida Youth Club of America

BULDING AMERICA'S FUTURE TODAY

Wednesday, March 3, 2021

The City of Belle Isle
1600 Nela Avenue
Belle Isle FL, 32809.

To Whom It May Concern,

I'm writing in behalf of [REDACTED] requesting an appeal to citation number P0001839. We had all documents provided by the city to go door to door and talk to the community about our organization. If the documents sent were not cleared properly, we should have not got the ok from Miss Stewart the Chiefs assistant to proceed. We have been received with open arms from a large majority of the community for the past two months. This incident only occurred because Orange County Sherriff John Ramsey is a resident in your community and decided to use his influence to do anything in his power to persecute this teenager and the organization.

ENCLOSED: PICTURE OF [REDACTED] AND ONE OF HIS SUPPORTERS THAT DAY.

Johnny Carrasquillo
Supervisor/Trainer
Central Floridas Youth Club

5104 N. Orange Blossom Trail, Suite 107, Orlando, FL 32810
✦ Phone: (800) 764-4420 Fax: (352) 533-6287 ✦
floridayouthclub@usa.com ✦ WWW.floridayouthclubofamerica.org

Central Florida's Youth Club of America

Sowing into America's Future

FEBRUARY 24, 2021

Attention: **Belle Isle Police Department**

Clerk: Jackie Stewart Fax:407-240-2222

Yolanda Quiceno, CMC City Clerk yquiceno@belleislefl.gov

On-Duty Patrol Officer: 407-947-1680/407-240-2473

Dispatch: 407-836-4357

The intent of this letter is to notify the City and or County that Central Florida's Youth Club of America will be in BELLE ISLE during MARCH 2021 from 9 am to 8 pm residential & 9 pm in business. This in no way implies endorsement from any law enforcement agency. Attached is our Certificate of Status, registration, and list of active teenagers. The teens will be with a supervisor & wearing bright yellow/pink shirts with the name of the group on it. They will also have an ID, Cell Phone and carry all proper documentation. **CONTACT AREA SUPERVISOR JOHNNY DIRECTLY FOR ANY OTHER CONCERNS- 407 209-9559**

Please reply with a fax to 352-533-6287. Any questions or concerns, please call 800-764-4420x1

Respectfully,

Dr.Falco
Director of Public Relations

Police Department
For confirmation of reception,
Please check and fax back to
352-533-6287
Name: JACKIE STEWART
Dept.: CHIEFS ASSISTANT
Date 2/24/21 Time: 10:39

Central Florida's Youth Club of America
5104 North Orange Blossom Trail, Suite 108, Orlando, FL 32810
800-764-4420 ext. 1



State of Florida



Department of State

I certify from the records of this office that CENTRAL FLORIDAS YOUTH CLUB OF AMERICA CORP., is a corporation not for profit organized under the laws of the State of Florida, filed on November 20, 2014, effective November 18, 2014.

The document number of this corporation is N14000010754.

I further certify that said corporation has paid all fees due this office through December 31, 2021, that its most recent annual report/uniform business report was filed on January 4, 2021, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this the
Twenty-eighth day of January, 2021



Handwritten signature of Laurel M. Lee in black ink.

Laurel M. Lee

Secretary of State



a.

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER NICOLE "NIKKI" FRIED

February 8, 2021

Refer To: CH42499

THE CENTRAL FLORIDAS YOUTH CLUB OF AMERICA CORP.
5104 N ORANGE BLOSSOM TRL STE 115
ORLANDO, FL 32810-1013

RE: THE CENTRAL FLORIDAS YOUTH CLUB OF AMERICA CORP.
REGISTRATION#: CH42499
EXPIRATION DATE: December 1, 2021

Dear Sir or Madam:

The above-named organization/sponsor has complied with the registration requirements of Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A COPY OF THIS LETTER SHOULD BE RETAINED FOR YOUR RECORDS.

Every charitable organization or sponsor which is required to register under s. 496.405 must conspicuously display the registration number issued by the Department and in capital letters the following statement on every printed solicitation, written confirmation, receipt, or reminder of a contribution:

"A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE (800-435-7352) WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE."

The Solicitation of Contributions Act requires an annual renewal statement to be filed on or before the date of expiration of the previous registration. The Department will send a renewal package approximately 30 days prior to the date of expiration as shown above.

Thank you for your cooperation. If we may be of further assistance, please contact the Solicitation of Contributions section.

Sincerely,

Cassie Miller
Regulatory Consultant
850-410-3719
Fax: 850-410-3804
E-mail: cassie.miller@fdacs.gov



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

CENTRAL FLORIDAS YOUTH CLUB OF AMERICA
CORP
5104 N ORANGE BLOSSOM TRAIL STE 115
ORLANDO, FL 32810

Date:
11/18/2020
Employer ID number:
47-2392241
Person to contact:
Name: Customer Service
Telephone: 877-829-5500
Accounting period ending:
December 31
Public charity status:
509(a)(2)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
May 15, 2018
Contribution deductibility:
Yes
Addendum applies:
Yes
DLN:
26053616004830

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

Based on the information you submitted with your application, we approved your request for reinstatement under Revenue Procedure 2014-11. Your effective date of exemption, as listed at the top of this letter, is retroactive to your date of revocation.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

PRIORITY® FLAT RATE EN MAIL

ONE RATE ■ ANY WEIGHT
APPLY PRIORITY MAIL POSTAGE



1006



32809

U.S. POSTAGE PAID
P.O. BOX 1006
ORLANDO, FL 32809
MAR 03, 21
AMOUNT
\$11.15
R2304M111047-29

For international shipments, the maximum weight is 4 lbs.

EXPECTED DELIVERY DAY: 03/04/21
USPS SIGNATURE® TRACKING #



9510 8151 9159 1062 7003 74

EP14H August 2020 Outer Dimension: 10 x 5

Central Florida Youth Club
JOHNNY CARRASQUILLO
5104 N. Orange Blossom Trail
Orlando, FL 32810

The City of Belle Isle
1600 Nela Avenue
Belle Isle FL, 32809.



a.

LOCAL ORDINANCE

VIOLATION INFORMATION					AGENCY INFORMATION				
AGENCY CASE #			CITATION # P0001839		AGENCY NAME BELLE ISLE POLICE DEPT.			TYPE OF DEPARTMENT 2-PD	
DATE 02/26/2021			TIME 6:32 PM		COUNTY OF CITATION ORANGE			PLACE OR CITY OF CITATION BELLE ISLE	
ROADWAY INFORMATION									
BUSINESS NAME					ADDRESS #	OCCURRED ON STREET, ROAD, HIGHWAY			
					[REDACTED]	ST MORITZ ST			
FEET	MILES	DIRECTION	AT/FROM STREET, ROAD, HIGHWAY		LATITUDE		LONGITUDE		ZONE
									48
VIOLATOR or OWNER									
NAME (PRINT) FIRST		MIDDLE	LAST		SUFFIX	STREET			
[REDACTED]		[REDACTED]	[REDACTED]			[REDACTED]			
LICENSE NUMBER			CLASS	STATE	DL EXP DATE	CITY		STATE	ZIP CODE
[REDACTED]			E	FL	[REDACTED] 2029	ORLANDO		FL	32810
BIRTH DATE		RACE	GENDER	HEIGHT	ETHNICITY	TELEPHONE		EMAIL ADDRESS	
[REDACTED] 2003		B	M	5' 11"	N	[REDACTED]			
VEHICLE									
YR VEHICLE	TAG #		STATE	DECAL #		PICTURE			
TRAILER TAG #			TAG EXP DATE						
COLOR			STYLE						
MAKE			MODEL						
V.I.N. OR MOTOR #			COMM VEH	PICTURE TAKEN					
			NO	No					
VIOLATION									
CODE #		CHARGE DESCRIPTION				OTHER VIOLATION COMMENTS			
		20-2 (SOLICITATION WITHOUT PERMIT)				SUBJECT WAS SOLICITING WITHOUT A PERMIT			
PAYMENT INFORMATION									
NAME					ADDRESS				
CITY OF BELLE ISLE					1600 NELA AVENUE				
EMAIL ADDRESS			WEB SITE PAGE		CITY		ZIP	PHONE #	
			CITYOFBELLEISLEFL.ORG		BELLE ISLE		32809	(407) 240-2473	
IF PAID WITHIN DAYS	FINE	IF PAID AFTER DAYS	FINE	FILING FEE		COURT INFORMATION(if applicable)			
	\$150.00					COURT DATE		COURT TIME	COURTROOM # / OTHER DETAIL
REPORTING OFFICER									
OFFICER SIGNATURE		BADGE #	ID #	TROOP UNIT	RANK	FIRST	MIDDLE	LAST	
<i>[Signature]</i>		GAR126		TRAFFIC		JON		GARGANO	

AGENCY CASE #

CITATION #
P0001839

DATE
02/26/2021

TIME
6:32 PM

a.

VIOLATOR INSTRUCTIONS

FINES MUST BE PAID WITHIN 30 DAYS OF ISSUE. PAYMENT WITH CASHIER CHECK OR MONEY ORDER, MADE PAYABLE TO: CITY OF BELLE ISLE. YOU MUST PAY WITH CASH IN PERSON.

YOU MAY REQUEST A HEARING WITHIN FIVE(5) DAYS OF ISSUE. FAILURE TO DO SO MEANS YOU HAVE WAIVED YOUR RIGHT TO CONTEST THE MERIT OF THIS CITY ORDINANCE VIOLATION. AN APPEAL FEE MUST BE PAID AT THE TIME OF THE HEARING REQUEST. IF YOU ARE FOUND NOT GUILTY, THE APPEAL FEE WILL BE RETURNED.

FAILURE TO COMPLY WILL RESULT IN A COLLECTION REFERRAL ACTION.



CITY OF BELLE ISLE, FL
CITY COUNCIL MEETING
Held in City Hall Chambers, 1600 Nela Avenue

Tuesday, March 16, 2021, * 6:30 pm
MINUTES

The Belle Isle City Council met in a regular session on March 16, 2021, at 6:30 pm at the City Hall Chambers, 1600 Nela Avenue.

Present was:

Absent was:

- Nicholas Fouraker, Mayor
- District 1 Commissioner – Ed Gold
- District 2 Commissioner – Anthony Carugno
- District 3 Commissioner – Karl Shuck
- District 4 Commissioner – Mike Sims
- District 6 Commissioner – Jim Partin
- District 7 Commissioner – Sue Nielsen

District 5 Commissioner – Harvey Readey

1. Call to Order and Confirmation of Quorum

Mayor Fouraker called the meeting to order at 6:30 pm, and the City Clerk confirmed quorum.

2. Invocation and Pledge to Flag – Commissioner Sims – District 4

Comm Sims gave the invocation and led the Pledge to the Flag.

3. Consent Items - These items are considered routine and have been previously discussed by the Council. They will be adopted by one motion unless a Council member requests before the vote on the motion to have an item removed from the consent agenda and considered separately. If any item were removed from the Consent Agenda, it would be considered immediately following approval of the remainder of the Consent Agenda.

- a. Approval of March 2, 2021, City Council minutes
 - b. February Monthly Reports: Finance Report, Police Department, Marine Patrol, and OC Fire
- Comm Nielsen moved to approve the March 2, 2021 minutes as presented.**
Comm Shuck seconded the motion, which passed unanimously 6:0

4. Citizen's Comments

Persons desiring to address the Council MUST complete and provide the City Clerk a yellow "Request to Speak" form located by the door. After being recognized by the Mayor, persons are asked to come forward and speak from the lectern, state their name and address, and direct all remarks to the Council as a body and not to individual members of the Council, staff, or audience. **Citizen comments and each section of the agenda where public comment is allowed are limited to three (3) minutes.** Questions will be referred to staff and answered by staff within a reasonable period of time following the meeting's date. Order and decorum will be preserved at all meetings. Personal, impertinent, or slanderous remarks are not permitted. Thank you.

Mayor Fouraker called for citizen comments. There being none, he closed the citizen's comments section.

5. Unfinished Business

- a. **ORDINANCE NO. 21-02 - FIRST READING AND CONSIDERATION: AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE CITY'S SIGN REGULATIONS UNDER CHAPTER 52 OF THE CITY CODE; PROVIDING DEFINITIONS; AMENDING AND ADDING REGULATIONS RELATED TO TEMPORARY SIGNS, PROTECTION OF FIRST AMENDMENT RIGHTS, AND OTHER MATTERS RELATED TO SIGNS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**
The City Clerk read Ordinance 21-02 by title.
Mayor Fouraker called for public comment and a motion to approve.
There being no discussion, Comm Nielsen moved to advance Ordinance 21-02 to a second reading on April 6, 2021.
Comm Gold seconded the motion, which passed unanimously 6:0 upon roll call.

- b. ORDINANCE 21-04 - FIRST READING AND CONSIDERATION: AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE LAND DEVELOPMENT CODE, CHAPTER 42, ARTICLE II, SECTION 42-32– PLANNING AND ZONING BOARD; PROVIDING FOR THE APPOINTMENT AND FILLING OF VACANCIES ON THE BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

The City Clerk read Ordinance 21-04 by title.

City Manager Francis said the staff would incorporate a change to the ordinance, before second reading and consideration, that the seven members appointed must be residents of the City.

Mayor Fouraker called for public comment and a motion to approve.

There being no discussion, Comm Gold moved to advance Ordinance 21-04 to a second reading on April 6, 2021.

Comm Nielsen seconded the motion, which passed unanimously 6:0 upon roll call.

6. New Business

- a. RESOLUTION NO. 21-03 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, MAKING FINDINGS AS TO SAFETY CONCERNS; ESTABLISHING THE INTERSECTION OF VIA FLORA, TRENTWOOD BOULEVARD, AND FLOWERTREE ROAD AS AN ALL-WAY STOP; AND DIRECTING THE CITY MANAGER TO INSTALL THE APPROPRIATE SIGNAGE AT THAT LOCATION; AND ESTABLISHING AN EFFECTIVE DATE

Mayor Fouraker read the Resolution by Title.

City Manager Francis said he and Comm Sims attended a meeting of the Daetwyler HOA. The residents shared their concerns with the safety issues at the intersection of Via Flora and Flowertree Road. The HOA is requesting that this intersection be made an All-Way Stop intersection temporarily to allow the City to research installing a roundabout in the near future.

Comm Sims said the residents favor the All-Way Stop and feel it is a long-term solution without the expense of a round-a-bout. Comm Gold shared his agreement and said it might make it a less desirable cut-through. Discussion ensued on installing speed humps as a solution.

Mayor Fouraker asked what the HOA will think about making the neighborhood a gated community. Comm Sims said that option was discussed by the Council a few years back, and it never got off the ground as a viable option. The Mayor noted that since the City currently owns Daetwyler, it may be one less complication moving forward.

Comm Nielsen commented that if that neighborhood becomes a gated community, and the City continues to maintain their road's; that may be a negative for other gated communities. She added that the City currently does not maintain any roads in existing gated communities. Comm Shuck shared a similar concern. Discussion ensued.

Mayor Fouraker called for further discussion and a motion.

Chief Houston commented that a potential backup from Daetwyler might occur. She asked that if the community is aware of that occurring, please let her know.

Comm Sims moved to approve Resolution 21-03 and direct the City manager to convert the Via Flora/Flowertree intersection to an All-Way stop.

Comm Gold seconded the motion, which passed unanimously 6:0 upon roll call.

- b. RESOLUTION NO. 21-04 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, MAKING FINDINGS AS TO SAFETY AS A REDUCTION IN SPEED, AND DIRECTING THE CITY MANAGER TO INSTALL THE APPROPRIATE SIGNAGE AT THE JUDGE ROAD LOCATION, AND ESTABLISHING AN EFFECTIVE DATE.

Mayor Fouraker read the Resolution by Title.

City Manager Francis said the City had received quite a bit of complaint from the HOA and residents over on Judge Road that there is too much speeding on Judge Road. Currently, Judge Road is 40 mph, and Daetwyler is 35 mph. Mr. Francis said when we accept Judge and Daetwyler from the County, the agreement was that we could not go lower than 35 mph without the Board of County Commissioners (BCC) approval. Reducing the speed on Judge Road to 35 mph will bring it in line with Daetwyler Drive. When approved, he will research the possibility of requesting a reduction in the speed limit to the BCC if State Statute 361.89 allows municipalities the option.

Chief Houston said, in the interim, the City will place a speed table and extra enforcement on Judge (front of Lakes & Landings) and Daetwyler. A combination of the speed tables may slow the speed in both directions.

Comm Sims said he doesn't believe the current speed limit is the problem, but the abuse of the speed limit is the problem. He however, wholeheartedly is in favor of the Resolution.

Comm Carugno said he would like the staff to submit the BCC request to lower the speed to less than 35 mph. After further discussion, the Council agreed to the recommendation; however, they would like to allow the staff to monitor and obtain adequate data and enforcement before submitting the request.

Comm Partin moved to approve Resolution 21-04 to reduce the speed limit on Judge Road from 40 mph to 35 mph between Conway Road and Daetwyler Drive and direct the City Manager to post the appropriate signage. Comm Sims seconded the motion, which passed unanimously 6:0 upon roll call.

7. Attorney's Report – No report.

8. City Manager's Report

City Manager Francis reported on the following.

a. Issues Log

- Street Paving – Mr. Francis said the City and Consultant conducted a pavement assessment and will develop a CIP for paving for the next fiscal year. He will be meeting with the consultants, via Zoom, on how to apply the data.
- Street Drainage – The crew will start working on Stafford about March 29. Sol project continues to move forward.
- The staff has received the initial estimates for Barby Lane. St. Partin and Barby Lane outfall is a NAV Board project. He will be submitting a work order to work with them.
- The flashing beacon has been installed on Monet & Hoffner. The staff will meet with the representative for a date to go live. The next flashing beacon will be either installed at Pleasure Island/Hoffner or Peninsular/Hoffner.
- Transportation System Plan – Staff will be reviewing and finalizing the plan for Council review.
- Wallace Field – Scheduled for P&Z Meeting Hearing on March 23, 2021.
- Charter School – Market Rent study is complete. Will be reviewed by Budget Committee on March 26, 2021, along with the CCA Agreement and RFP: Lobbyist and Impact Fee Study
- Municipal Code Update – Completed Sign Code and At-Large Appointments. City staff is looking at increasing the impervious surface ratio.
- Annexation: Sienna Place is in the process of obtaining signatures for annexation.
- Lake Conway Issues – Mr. Francis discussed the Canoe and Swim Ordinance and asked if the Council would like to move forward with the first reading. Comm Carugno shared his concerns with the logistics on implementing the ordinance and requested a workshop for further Council discussion and resident participation.
After discussion, Comm Partin moved to hold a workshop to discuss the Canoe and Swim Area Ordinance for March 30, 2021, at 6:30 pm and include participation from Comm-Elect Rick Miller. Comm Nielsen seconded the motion, which passed unanimously 6:0.
- City Hall Chambers Audio RFP is due March 31.
- Lancaster House project continues to move forward.
- City Manager Francis reported on an upcoming Orange County Planning & Zoning Special Exception for 1205 Nela Avenue on April 1, 2021-9:00 am. He said the special exception is to allow a 2-story family development to be located within 100 ft from the property line (5-buildings, 20-apartment complex). Some details of the special exception are to allow,
 - 11 feet from S property line in lieu of 100 ft
 - 15 feet from W property line in lieu of 100 ft
 - 22 feet from E property line in lieu of 100 ft
 - 11 feet from the front of the property line in lieu of 20 ft
 - 15 feet from the side of the property line in lieu of 30 ft
 - 22 feet from E of the property line in lieu of 30 ft

Mr. Francis said he would send out an elert once all the information has been received.

b. **Chief's Report**

Chief Houston reported on the following,

- 75% of the PD staff have been vaccinated. 25% of the staff is not in favor of the vaccination. She noted that it was indicated that if they do not receive the vaccination, they will not be eligible for worker's compensation (PTO) if they do get COVID.
- The first false alarm fine has been issued. The residence had 3-false alarms in a week.
- Traffic detail on McCoy and Hoffner.
- Red Light Camera since inception is 437.
- Random drug testing commences this week for PD staff; two officers will be tested quarterly.
- The Agency has received many calls re Solicitors in their neighborhood. She encourages residents to call the non-emergency number.
- Temporary speed humps will be installed on Seminole and Nela. There will be a 4-6 week traffic count for traffic shifts.

9. **Mayor's Report**

Mayor Fouraker reported on the following,

- Mayor Fouraker thanked the staff, Council, and PD for their participation with the Bank of America Open House.
- He announced the Easter Drive-thru event for April 3, 2021, from 9-12 noon at the CCA parking lot.
- Mayor Fouraker gave a summary of the Regal Boats Open House. He noted that after further consideration, the Kuck Family withdrew their application for the special exception and looks forward to serving the community with future projects.

10. **Items from Council**

- Comm Partin said he heard from many residents who would like to contact the police department via a patrol phone. He said some of the concerns are on how the non-emergency staff responds to Belle Isle residents. Chief Houston explained several facts and the liability of having a patrol phone. A patrol phone creates an additional safety concern for the officer on the road and does not provide the necessary response on a recorded line. Chief Houston encourages all residents to call the non-emergency dispatch service for BIPD calls. If a Belle Isle resident feels they are not treated fairly, they should ask for a supervisor to file a complaint.
- Comm Nielsen said she would like Council to consider some alternatives to the digital-only version, such as distributing the newsletter to every resident or moving back to a print edition.
- Comm Shuck shared his concern with pedestrian traffic and asked that all pedestrians, specifically bicycle riders obey the traffic laws for everyone's safety on the road.
- Comm Sims shared his appreciation to the staff for their level of service.
- Comm Carugno announced the event at the Oviedo Mall Car Show on March 20 from 9-1 pm, honoring veterans. He shared his concern with calling the non-emergency number to report service when he is on the lake.
- Comm Gold spoke on a request he addressed with the City Manager to contact Belle Isle Commons to see if they would be open to adding sidewalks at their location. Comm Nielsen said she does not believe there is enough space for a sidewalk due to the existing swale. City Manager Francis said he has communicated with the Belle Isle Commons management on the request.

11. **Adjournment**

There being no further business, Mayor Fouraker called for a motion to adjourn. Motion passed unanimously at 8:00 pm.



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: April 6, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 21-02 Sign Code Changes

Background: On March 2, 2021, the Council read Ordinance 21-02 for the 1st time and discussed the ordinance. No changes were made to the Ordinance presented at that time and it was moved to a second reading. This ordinance change deals with temporary signs and brings the sign code into compliance with federal guidelines for eliminating regulation by content based signage.

Staff Recommendation: Adopt Ordinance 21-02.

Suggested Motion: **I move that we adopt Ordinance 21-02.**

Alternatives: Make additional changes to the code.

Fiscal Impact: N/A

Attachments: Ordinance 21-02

ORDINANCE NO. 21-02

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE CITY’S SIGN REGULATIONS UNDER CHAPTER 52 OF THE CITY CODE; PROVIDING DEFINITIONS; AMENDING AND ADDING REGULATIONS RELATED TO TEMPORARY SIGNS, PROTECTION OF FIRST AMENDMENT RIGHTS, AND OTHER MATTERS RELATED TO SIGNS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Belle Isle finds that it is in the best interests of the public welfare, health, and safety that the City’s sign regulations be amended and supplemented as provided in this Ordinance.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. City Code Amendment. Sections 52-2 and 52-34 of the Belle Isle City Code are hereby amended, and new Sections 52-35 and 52-36 are hereby created, all as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; stars * * * * * indicate breaks between sections and subsections and do not indicate changes to the City Code).

Sec. 52-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The word "shall" is mandatory and the word "may" is permissive. Any terms defined in the plural include the singular.

Attached window sign means signs which are physically attached to or painted on any surface of a window.

Awning means a cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use.

Banner sign means a sign either enclosed or not enclosed in a ridged frame and secured or mounted to allow movement caused by the atmosphere, and includes pennants and streamers. A flag is not a banner sign.

Building frontage means the length of a building wall where the primary pedestrian entrance is located.

Changeable surface sign means a sign the copy display of which may be changed or rearranged electronically, mechanically or manually without altering the sign structure.

Corner lot sign means a sign located within the triangular area formed by the apex of two right-of-way lines and a line connecting them at points a designated distance from the apex of the right-of-way lines.

Development means, for the purposes of this chapter only, an approved residential, commercial, industrial subdivision, mobile home park, or multifamily project.

Development sign means a sign located in an approved residential, commercial, industrial subdivision, mobile home park, or multifamily projects.

Digital billboard means an off-site sign capable of displaying words, symbols, or images that can be electronically or mechanically changed by remote or automatic means.

Directional signs means a sign located on premises with exits, entrances, driveways, or off-street parking.

Erect means to build, construct, assemble, attach, hang, place, suspend, affix, create, paint, draw, or in any other way bring into being or establish a sign.

Finished grade level means the completed or settled level of the ground, asphalt, or pavement on which a sign is erected; except that if the sign is erected on an artificial mound or similar artificial rise, the term shall mean the completed or settled level of the ground, asphalt or pavement which surrounds all or the majority of the building on the parcel or site on which the sign is erected.

Flag means a piece of cloth, canvas, or other textile, typically oblong or square, which is attachable by one edge to a pole and/or a rope, with the length of such textile perpendicular to the supporting pole or rope when fully extended and used as a symbol or emblem of a country, state, local government, group, organization, or institution. A flag is not a banner. ~~means a rectangular piece of fabric that is used as a signaling device.~~

Glare means the effect produced by brightness sufficient to cause annoyance, discomfort or loss in visual performance and visibility.

Ground sign means a sign supported by uprights or braces which is placed on, near or at ground level, and which is not attached to any building. The definitions of "ground sign" and "pole sign" are mutually exclusive.

Height means the vertical distance from the finished grade level to the highest point of a structure.

Home occupation sign means a sign attached to a single-family or multifamily dwelling used as a home occupation as authorized by chapter 54, article III.

Illegal sign means a sign erected after the effective date of the ordinance from which this chapter is derived, which is prohibited by this chapter.

Illuminated sign means a sign which is lighted by artificial light source, either internal or external to the sign, for the purpose of illuminating the sign.

Integral sign means a memorial sign or tablet cut into any masonry surface, or constructed of a permanent or incombustible material mounted on the face of a building.

Marquee means a structure, including a hood, canopy, or awning, normally composed of rigid material projecting from a building, which fully or partially covers an entrance, sidewalk, or other pedestrian way.

Marquee sign means a sign attached to or made a part of a marquee, including an awning sign.

Off-site sign means a sign identifying an activity which is not conducted or products or services which are not available on the premises where the sign is located.

On-site sign means a sign (i) identifying an activity conducted or products or services available on the premises where the sign is located; or (ii) displaying a noncommercial message; or (iii) any combination of (i) and (ii).

Parapet means the extension of a false front or wall above the roof line.

Pole (or pylon) sign means a sign supported by at least one upright pole, pylon or post which is secured to the ground and the bottom of the sign face of which is at least six feet above the finished grade level. The definitions of "pole sign" and "ground sign" are mutually exclusive.

Political campaign sign means a sign advertising a candidate, political party, ballot issue, or political issue to be voted upon in a local, state, or national election or referendum.

Portable sign means a sign, excluding an A-frame sign, which is not permanently secured or attached to the ground or to a structure.

Projecting sign means a sign affixed to a building which projects in such a manner that both sides of the sign are visible.

Real estate sign means a temporary sign on a parcel which is for sale or rent.

Roof sign means a sign which is erected or installed on the roof of a building.

Rotating sign means a sign which has a revolving sign face.

Setback means the distance between a property line or right-of-way line and the edge of a sign which is nearest to the property line or right-of-way line.

Sidewalk sign means any A-frame, sandwich board or other movable sign placed outside the premises during business hours only.

Sign means any surface, fabric, device, which bears symbols, letters, numbers, or sculptured matter, whether illuminated or unilluminated, designed to identify, announce, direct, or inform,

and that is visible from a public right-of-way. For the purposes of this chapter, the term "sign" shall include all parts of the sign and its supporting structure.

Sign face means the part of a sign, including trim embellishments, and background, which contains surface area on which symbols, letters, numbers, or sculptured matter may be displayed.

Sign spinner means a person, visible from any public road right-of-way, who carries a sign, wears a costume, or uses other attention getting devices to advertise the goods or services offered by the establishment on whose premises the person is located.

Site means a parcel of land suitable or set apart for some specific use.

Snipe sign means any unauthorized sign of any material whatsoever that is placed upon public property or attached in any way to any public utility pole, tree, or any other object located or situated on or within any public road right-of-way or easement or placed upon a private property without the express written permission of the property owner. ~~Snipe sign means a sign which is attached to utility pole, tree, or a similar object.~~

Subdivision means a portion of land consisting of multiple lots or parcels, which were or will be developed by a common developer pursuant to a development plan.

Surface area means the total square footage encompassed within any sign face.

Temporary sign means any sign that is not a permanent sign. Temporary signs shall include any and all signs formerly or commonly referred to as temporary election signs, temporary political signs, temporary free expression signs, temporary real estate signs, temporary directional signs, temporary construction signs, temporary grand opening signs, or any other temporary sign unless otherwise expressly provided herein. Permitted temporary signs shall not include any sign devoted to commercial off-site advertising for services such as lawn care, day care, construction services or solicitations. ~~Temporary sign means a sign used or displayed for a temporary period of time.~~

Unattached window sign means signs located inside the building but visible from the exterior, and not physically attached to or painted on the window.

Wall sign means a sign erected on the wall, cupola, or parapet of a building or structure in such a manner that only one side of the sign is visible, or a sign which is affixed to or painted on the wall, cupola, or parapet of a building or structure. The definitions of a "wall sign" and a "projecting sign" are mutually exclusive.

* * * * *

~~Sec. 52-34. Temporary signs.~~

~~(a) Prohibitions.~~

~~(1) A temporary on-site sign shall not be erected in a manner that wholly or partially obstructs the visibility of a permanent on-site sign.~~

~~(2) A temporary on-site sign shall not be erected on a corner lot within the triangular area formed by the apex of two right-of-way lines and a line connecting them at points 25 feet from the apex of the right-of-way lines.~~

~~(b) Banners, cold air inflatable signs, and searchlights.~~

~~(1) Banners and cold air inflatable signs are permitted in any zoning district as authorized by this subsection.~~

~~(2) A banner or cold air inflatable sign shall not exceed 75 feet in copy area per sign face in the commercial, industrial and agricultural districts. Such sign shall not exceed 24 square feet in copy area per sign face in all other districts.~~

~~(3) Banners and cold air inflatable signs are allowed one time only for a change in use or change in occupancy of a parcel from two weeks prior to the change in use or occupancy until one month after the change in use or occupancy.~~

~~(4) Searchlights are allowed one time only for a change in use or change in occupancy of a parcel for a maximum period of three days.~~

~~(c) Real estate signs. Minimum standards and requirements of real estate signs are as follows:~~

~~(1) In residential districts, real estate signs shall not exceed six square feet per sign face in surface area, unless the tract size is in excess of two acres, in which case the surface area shall not exceed 24 square feet per sign face.~~

~~(2) There shall be a limit of two real estate signs per parcel within a residential district.~~

~~(3) The maximum height of a real estate sign in a residential district is four feet.~~

~~(4) The erection, alteration, relocation or replacement of a real estate sign in a residential district shall not require a building permit.~~

~~(5) In nonresidential districts, real estate signs shall have a maximum surface area of 32 square feet per sign face.~~

~~(6) There shall be a limit of one real estate sign per parcel in nonresidential districts.~~

~~(7) The maximum height of a real estate sign in a nonresidential district is eight feet.~~

~~(8) In residential districts where a subdivision is being developed or offered for sale, the maximum surface area for a real estate sign is 24 square feet, and each subdivision may display two such signs.~~

~~(9) All real estate signs shall be set back at least five feet from any property line or right of way line.~~

~~(10) All real estate signs on the water side of a parcel shall be at least five feet landward from the normal high water elevation of the lake.~~

~~(d) Political campaign signs.~~

~~(1) [Where permitted.] Political campaign signs may be permitted in all zoning districts.~~

~~(2) Residential districts. A maximum of two non-illuminated political campaign signs, not more than four feet in height, nor more than four square feet in area, each, shall be permitted in residential districts. Any such sign may only be installed by, or with the express consent of the occupant of the premises or the owner of vacant property.~~

~~(3) Other districts. Political campaign signs shall be permitted in all other zoning districts, under the following conditions:~~

~~a. Political campaign signs shall be non-illuminated and shall not exceed 32 square feet in area each.~~

~~b. No sign larger than four square feet in area shall be located within 40 feet of any other campaign sign.~~

~~c. On any unimproved or unoccupied property, the property owner shall be responsible for the placement and removal of campaign signs.~~

~~d. On occupied property the tenant shall be responsible for the placement and removal of campaign signs.~~

~~e. For any sign larger than four square feet, a location sketch indicating the street address and size of sign(s) proposed for installation must be submitted to the city manager prior to installation. The city manager shall have the authority to require the removal of any such sign that is not properly maintained or becomes a hazard to the public safety during the time it is displayed.~~

~~f. Signs erected pursuant to this section shall not be considered as part of the maximum allowable sign area for the premises upon which they are located.~~

~~(4) Installation. Political campaign signs shall not be erected more than 90 days before date of the election or referendum.~~

~~(5) Removal. Political campaign signs shall be removed no later than (48) hours after the close of the election or referendum and any sign not removed within this time frame shall be considered an abandoned sign, subject to removal without notice.~~

~~(6) Prohibited on public property. Campaign signs shall not be placed on public property, and any sign so located may be removed immediately by a city code enforcement officer.~~

~~(7) Campaign sign spinners. Sign spinners holding a political campaign sign shall be permitted only on the day of the specific election or referendum advertised thereby.~~

Sec. 52-34. – Temporary signs. In addition to other signs permitted by this section, temporary signs may be permitted in accordance with the following requirements. Such temporary signs shall meet all requirements of this article except as otherwise provided in this subsection. Further, a temporary sign may display multiple independent messages on any portion of the sign surface or copy area of such temporary sign.

(a) Each property in the City shall be allowed twelve (12) square feet of non-illuminated temporary signage on each street frontage. Such temporary signs may be either where an owner or resident is actively attempting to sell or lease such property, either personally or through an agent, or is displaying signage which is supporting an election or political purpose or free expression purpose. Such temporary sign(s) shall not individually exceed four (4) square feet in area nor six (6) feet in height. Such sign(s) may be up to twelve (12) square feet in size in areas that are permitted for nonresidential buildings as long as the twelve (12) square feet is used entirely for the purpose of advertising the sale or lease of property, otherwise, such signs are limited to four (4) square feet in size.

(b) Temporary signs used for the purpose of supporting an event, including an election, may be posted no earlier than ninety (90) days prior to the event and shall be removed within seven (7) days after the event is concluded. For elections, the event is considered Election Day, and signs shall be removed seven (7) days after the City’s polling places close. Regardless of the foregoing, no temporary signs, except for real estate sale signs advertising an active sale of onsite property, may be displayed for longer than 180 days.

(c) A non-illuminated temporary sign exceeding the size limits established in subsection (a) above but not measuring more than seventy-five (75) square feet in area, may be displayed upon a property, provided that such temporary sign is placed in compliance with other provisions of this code pertaining to temporary signs and for a duration of no longer than five (5) days.

(d) One on-site non-illuminated temporary development sign may be permitted on property where there is an active building program is underway to identify the project, the developer, architect, contractor, realtor and others involved in the design, construction and financing in accordance with Florida law. Such sign shall be permitted on a temporary basis and shall not be erected more than five days prior to the start of construction. Such temporary sign shall be removed upon issuance of a certificate of occupancy or when there has been no construction activity on the property for sixty (60) days or more. Such sign shall be limited to one per street frontage and shall not exceed eight (8) square feet in size or six (6) feet in height for single family and duplex building projects; thirty-two (32) square feet in size and eight (8) feet in height for multifamily building projects and thirty-two (32) square feet for nonresidential building projects. For construction projects of multi-family or non-residential buildings, the wind screen coverings on construction fences may contain pictures and perspective elevations of the project

but the area of text, words, logos, and other project information shall not cover more than thirty-two (32) square feet of the fence wind screen materials per street frontage.

(e) All temporary signs shall be located only on private property with the express permission of the property owner or occupant of such property, and such signage shall be located behind the sidewalk, or ten (10) feet behind the curb or edge or pavement, whichever is greater. When a vacant property is used for the placement of more than two (2) temporary signs, the City may presume that the property owner has not granted express permission for such temporary signage and such signs may be removed by the city. No such temporary signage shall be allowed on any public property or within the public right-of-way. Temporary signage that is placed in violation of this subsection is subject to immediate removal and disposal by the city.

Sec. 52-35. - Protection of first amendment rights.

Any sign, display, or device allowed under this article may contain, in lieu of any other copy, any otherwise lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale, and that complies with all other requirements of this article.

Sec. 52-36. - Severability.

(a) Generally. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter.

(b) Severability where less speech results. Without diminishing or limiting in any way the declaration of severability set forth elsewhere in this section, this Code, or any adopting ordinance, if any part, section subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

(c) Severability of provisions pertaining to prohibited signs. Without diminishing or limiting in any way the declaration of severability set forth elsewhere in this chapter, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under section 52-31 of this chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such

unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 52-34 of this chapter.

(d) Severability of prohibition on off-site signs. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter and/or any other Code provisions and/or laws is declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on off-site signs as contained in this chapter.

SECTION 3. Codification. This Ordinance shall be incorporated into the Belle Isle City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

SECTION 6. Effective date. This ordinance shall become effective immediately upon adoption by the City Council of the City of Belle Isle, Florida.

FIRST READING: _____, 2021

SECOND READING: _____, 2021

ADOPTED this ____ day of _____, 2021, by the City Council of the City of Belle Isle, Florida.

	YES	NO	ABSENT
Ed Gold	_____	_____	_____
Anthony Carugno	_____	_____	_____
Karl Shuck	_____	_____	_____
Mike Sims	_____	_____	_____
Harvey Readey	_____	_____	_____
Jim Partin	_____	_____	_____
Sue Nielsen	_____	_____	_____

City Council
City of Belle Isle

ATTEST: _____
Yolanda Quiceno, CMC
City Clerk

Nicholas Fouraker, Mayor

Kurt Ardaman, City Attorney

Approved as to form and legality for use
and reliance of the City of Belle Isle, FL, only

STATE OF FLORIDA

COUNTY OF ORANGE

I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document ORDINANCE 20 -01 was duly and legally passed by the Belle Isle City Council, in session assembled on the _____ day of _____, 20____, at which session a quorum of its members were present.

Yolanda Quiceno, CMC -City Clerk



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: April 6, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 21-03 Allow School Buses on Hoffner Avenue

Background: BIMC Section 30-3 states: Vehicles in excess of six tons (12,000 GVWR—gross vehicle weight rating) are prohibited from traveling on Hoffner Avenue within the city unless for a local delivery within the neighborhoods abutting Hoffner Avenue within the city. This is to prevent large and heavy trucks from travelling on Hoffner and possibly damaging the bridge.

Orange County Public School Transportation Service Manager, Adam Zubritsky, contacted me to ask if the City could change the code to allow for school buses to travel on Hoffner because they have a few stops to make in order to pick up students. The average school bus weighs in excess of 14,000 pounds and therefore the City has restricted school buses from travelling on Hoffner Avenue.

In researching the bridge weight limits, according to DOT, the bridge is rated to 32 metric tons (35 US tons) and therefore the school buses do not exceed this weight restriction. School buses also do not pose the same problems that the City has with larger trucks.

This change would also be beneficial in the event that Cornerstone Charter Academy were to ever start providing transportation to its students.

The City Council read this ordinance for the first time at the March 2, 2021 meeting and discussed the ordinance. Council directed that the ordinance have the following language added: “to allow for student drop off and pickup”.

Staff Recommendation: Adopt Ordinance 21-03.

Suggested Motion: I move that we adopt Ordinance 21-03.

Alternatives: Do not change the code.

Fiscal Impact: N/A

Attachments: Ordinance 21-03

ORDINANCE 21-03

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE MUNICIPAL CODE, CHAPTER 30, ARTICLE I, SECTION 30-3 – HEAVY TRUCKS PROHIBITED ON CERTAIN STREETS; PROVIDING FOR SCHOOL BUSES TO TRAVEL ON HOFFNER AVENEUE FOR DROP-OFF AND PICK-UP OF STUDENTS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council has found and determined that the adoption of this Ordinance is in the interests of the public health, safety and welfare, will aid in the harmonious, orderly and progressive development of the City, and serves a valid public purpose.

BE IT ORDAINED by the City Council of the City of Belle Isle, Florida as follows:

SECTION 1

Section 30-3. - Heavy trucks prohibited on certain streets.

(b) Vehicles in excess of six tons (12,000 GVWR—gross vehicle weight rating), with the exception of school buses that are picking up or dropping off students, are prohibited from traveling on Hoffner Avenue within the city unless for a local delivery within the neighborhoods abutting Hoffner Avenue within the city.

SECTION 2. Codification. This Ordinance shall be incorporated into and codified within the Municipal Code of the City of Belle Isle, Florida. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or the Land Development Code may be freely made.

1 SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this
2 Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction,
3 whether for substantive, procedural, or any other reason, such portion shall be deemed a separate,
4 distinct and independent provision, and such holding shall not affect the validity of the remaining portions of
5 this Ordinance.

6
7 SECTION 4. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance
8 or provision of law, this Ordinance will govern and control to the extent of the conflict, as allowable under the
9 law.

10
11 SECTION 5. Effective Date. This Ordinance shall become effective immediately upon adoption by the
12 City Council of the City of Belle Isle, Florida.

13
14 First Reading on _____, _____, 2021.

15 Second Reading and Adoption this _____ day of _____, 2021.

	YES	NO	ABSENT
17			
18 Ed Gold	_____	_____	_____
19 Anthony Carugno	_____	_____	_____
20 Karl Shuck	_____	_____	_____
21 Mike Sims	_____	_____	_____
22 Harvey Readey	_____	_____	_____
23 Jim Partin	_____	_____	_____
24 Sue Nielsen	_____	_____	_____

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ATTEST:

Yolanda Quiceno, CMC

Nicholas Fouraker, Mayor

City Clerk

Approved as to form and legality

For use and reliance by the City

Kurt Ardaman, City Attorney

STATE OF FLORIDA

COUNTY OF ORANGE

I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document ORDINANCE 20-03 was duly and legally passed by the Belle Isle City Council, in session assembled on the _____ day of _____, 20____, at which session a quorum of its members were present.

Yolanda Quiceno, CMC-City Clerk



**CITY OF BELLE SLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: March 16, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 21-04 Allow At-Large Appointments to Planning & Zoning Board

Background: The City has had difficulty with filling vacancies on the several advisory boards. Two of the Boards, Planning and Zoning (P&Z) and Budget Committee currently have their vacancies filled by District appointment. Both boards have vacancies that are approaching a year. The City has had interest from volunteers who would like to serve; however that District seat is already filled. The City advertised many times for a candidate; however no one from those Districts applied.

The City Council changed the Budget Committee guidelines by resolution on March 2, 2021. The City Council read Ordinance 21-04 for the first time at the March 16 Council Meeting and discussed the ordinance. No changes were made.

Staff Recommendation: Adopt Ordinance 21-04

Suggested Motion: I move that we adopt Ordinance 21-04 and direct the City Manager to advertise to fill the vacant seat on the P&Z Board.

Alternatives: Do not make changes

Fiscal Impact: None

Attachments: Ordinance 21-04

ORDINANCE 21-04

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE LAND DEVELOPMENT CODE, CHAPTER 42, ARTICLE II, SECTION 42-32 – PLANNING AND ZONING BOARD; PROVIDING FOR THE APPOINTMENT AND FILLING OF VACANCIES ON THE BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council has found and determined that the adoption of this Ordinance is in the interests of the public health, safety and welfare, will aid in the harmonious, orderly and progressive development of the City, and serves a valid public purpose.

BE IT ORDAINED by the City Council of the City of Belle Isle, Florida as follows:

SECTION 1. Land Development Code Amendment. Subsections 42-32(a) and 42-32(b)(3) of the City Land Development Code are hereby amended as follows (underlining represents new additions; stars * * * * * represent breaks between sections and subsections and do not represent changes):

Sec. 42-32. - Planning and zoning board.

(a) *Establishment and composition*. The council is hereby empowered to establish a planning and zoning board and appoint the members thereto to render decisions as to special exceptions and variances and to act in an advisory capacity to the council on other planning and zoning matters in the city. The planning and zoning board shall consist of seven members, to be appointed in the following manner:

- (1) One resident from each of the city's districts unless no candidate from the relevant district is available, including candidates appointed to fill vacancies according to Subsection 42-32(b)(3);
- (2) No more than two members shall be of the same occupation or profession; and

(3) No more than two members shall be employed by the same employer.

* * * * *

(b) *Office of planning and zoning board member.*

* * * * *

(3) *Vacancies on the board.* Any vacancy occurring during the unexpired term of office of any member of the planning and zoning board shall be filled by the council for the remainder of the term within 45 days after the vacancy occurs. The vacancy will be advertised to fill the vacancy by District; however if no candidates apply from the District for that District vacancy, the Council may fill the vacancy from at-large candidates regardless of district residency.

* * * * *

SECTION 2. Codification. This Ordinance shall be incorporated into and codified within the Land Development Code of the City of Belle Isle, Florida. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this Ordinance or the Land Development Code may be freely made.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

1 **SECTION 4. Conflicts.** In the event of a conflict or conflicts between this Ordinance and any other
2 ordinance or provision of law, this Ordinance will govern and control to the extent of the conflict, as allowable
3 under the law.

4
5 **SECTION 5. Effective Date.** This Ordinance shall become effective immediately upon adoption
6 by the City Council of the City of Belle Isle, Florida.

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8 First Reading on _____, _____, 2021.

9 Second Reading and Adoption this _____ day of _____, 2021.

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	YES	NO	ABSENT
Ed Gold	_____	_____	_____
Anthony Carugno	_____	_____	_____
Karl Shuck	_____	_____	_____
Mike Sims	_____	_____	_____
Harvey Readey	_____	_____	_____
Jim Partin	_____	_____	_____
Sue Nielsen	_____	_____	_____

ATTEST:

Yolanda Quiceno, CMC

Nicholas Fouraker, Mayor

1 City Clerk

2

3

4 _____
Approved as to form and legality

5 For use and reliance by the City

6 Kurt Ardaman, City Attorney

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STATE OF FLORIDA

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COUNTY OF ORANGE

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I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document ORDINANCE 20-01 was duly and legally passed by the Belle Isle City Council, in session assembled on the _____ day of _____, 20____, at which session a quorum of its members were present.

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Yolanda Quiceno, CMC-City Clerk

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**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: April 6, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 21-05 – Annexation of County Roads To City

Background: In 2019, the City and County entered into an Interlocal agreement to transfer certain County roads to the City jurisdiction. These roads are Seminole Drive; Judge Road; Daetwyler Driver (including the Frontage Road along Daetwyler Drive); and a part of McCoy Road between Via Flora and Daetwyler Drive. The City filed the deeds to these roads; however at that time, the City did not annex the roads into the City. The City Attorney drafted Ordinance 21-05 to allow for this annexation. The City also notified the County of the annexation and the County has no objections.

Staff Recommendation: Move Ordinance 21-05 to a second reading and adoption at the April 20, 2021 Meeting

Suggested Motion: I move we move Ordinance 21-05 to a second reading and possible adoption a the April 20, 2021 Council Meeting.

Alternatives: None

Fiscal Impact: TBD

Attachments: Petition for Annexation
Annexation Report
Ordinance 21-05

March 22, 2021

Belle Isle Annexation Report: Certain Rights-of-Way

Area of Analysis

This report evaluates Belle Isle's annexation of rights-of-way that are compact and contiguous to the City of Belle Isle but currently in the jurisdiction of Orange County. The specific area is Judge Road between Conway Road and Daetwyler Drive; Daetwyler Drive between Judge Road and McCoy Road; and McCoy Road between Daetwyler Road and Via Flora. These roadways are bordered by properties within the jurisdiction of Belle Isle on both sides of the roadway.

In 2020, the subject rights-of-way were transferred to the City of Belle Isle for maintenance and operation through an interlocal agreement with Orange County. This voluntary annexation is consistent with this transfer of roadway and will further enable the City to set desired speed limits along these roads and provide police public safety and enforcement services.

Annexation Laws Applicable to this Request

The State of Florida empowers municipalities to annex properties into its jurisdiction under specific criteria and conditions. In this case, a voluntary annexation, governed solely by Sec. 171.044, Florida Statutes (2020), as the property owner is seeking annexation.

According to Section 171.044, Florida Statutes, a voluntary annexation is when a property owner petitions the municipality to annex their property; in this case, it is the City itself. Voluntary annexations are not required to following the provisions of Florida Statutes for involuntary annexations, such as a referendum or detailed urban services report.

If a property is contiguous to the jurisdictional boundaries of the municipality and reasonably compact and the property owner initiates the process, the municipality may annex the property at any regular meeting through an ordinance, upon determination by the City that the petition includes the signatures of all owners of the property, and after the proposed notice of the annexation has been published at least once each week for 2 consecutive weeks in the newspaper.

Enclaves cannot be created through the voluntary annexation process. Enclaves are where unincorporated properties that are improved or developed and enclosed within and bounded on all sides by a single municipality; or an unincorporated improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that

allows the passage of vehicular traffic to that unincorporated area only through the municipality.

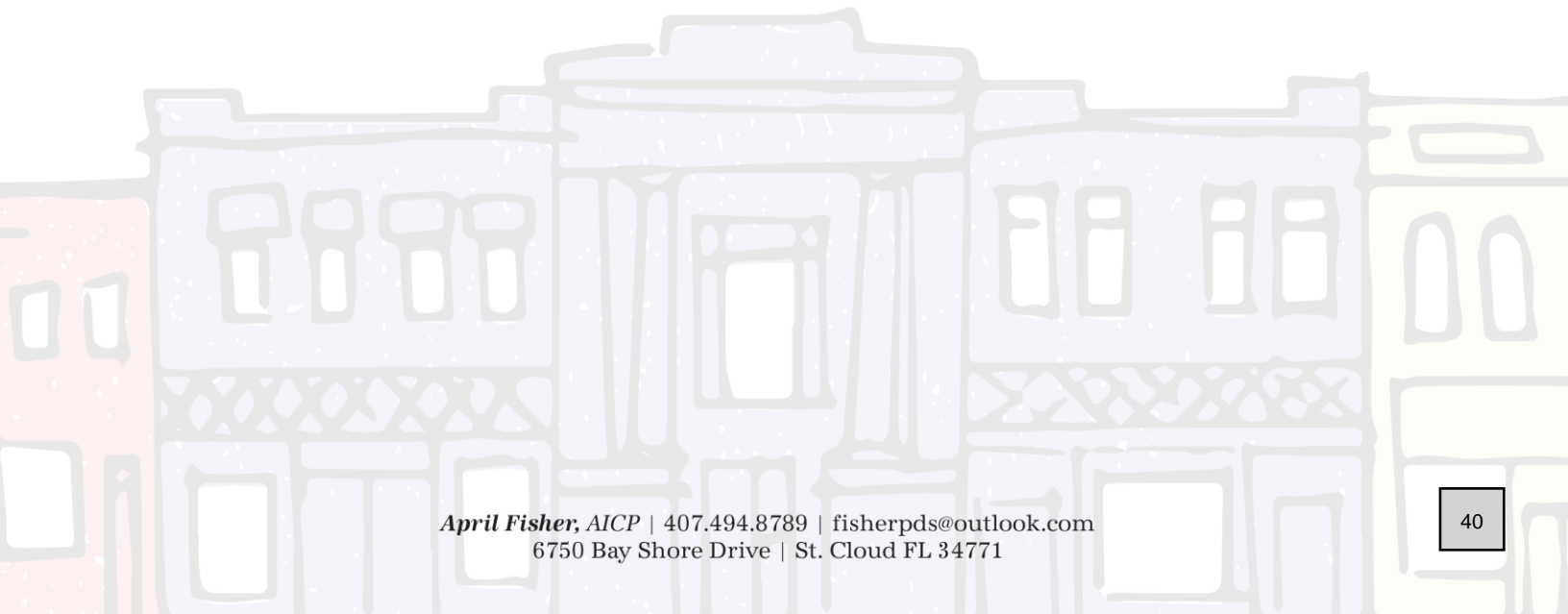
At least 10 days prior to publishing or posting the required ordinance notice, the City must provide a copy of the notice, via certified mail, to the board of the county commissioners of Orange County. It is important to note that the law provides that if this notice is not given, it may be the basis for a cause of action invalidating the annexation.

Recommended Actions

Staff recommends that City Council adopt an ordinance annexing the rights-of-way to include Judge Road between Conway Road and Daetwyler Drive; Daetwyler Drive between Judge Road and McCoy Road; and McCoy Road between Daetwyler Road and Via Flora.

This recommendation is based on the proposed annexation complying with Section 171.044, Florida Statutes, which governs the voluntary annexation process. The road segments are developed for urban purposes and surrounded by urban development. The proposed annexation meets the requirements of voluntary annexation in the following ways:

1. The property owner is the City of Belle Isle (as the roadways were previously transferred by interlocal agreement).
2. The subject property is contiguous to the City of Belle Isle.
3. The annexation does not create an enclave.



PETITION FOR ANNEXATION CITY OF BELLE ISLE, FLORIDA

DATE: March 19, 2021

The Honorable Mayor,
City Commissioners
City of Belle Isle, Florida

I (We), the undersigned owner(s) of all of the property herein described, do hereby petition the City of Belle Isle for the annexation of the area described below into the corporate limits of the City of Belle Isle, Orange County, Florida.

1. Name of Petitioner(s) (must be the owner of record for the property):

City of Belle Isle

2. If the property is owned by a Corporation, please state the names of the president and secretary:

Nicholas Fouraker, Mayor

Bob Francis, City Manager

3. Address of Petitioner(s):

1600 Nela Avenue, Belle Isle, Florida 32809

4. General Location of Area to be Annexed:

Judge Road between Conway Road and Daetwyler Drive; Daetwyler Drive between Judge Road and McCoy Road; McCoy Road between Daetwyler Road and Via Flora

5. Legal description, number of acres, and Orange County parcel ID Number(s) (if space is insufficient, please place the entire description or other information in an attachment):

See attached

6. Proposed or existing uses:

Streets

7. If vacant, will Development Plans be submitted now? Yes _____ No _____

8. What are the present Orange County Land Use and Zoning Classifications for the property?

No assigned FLU or zoning as such parcels are public rights-of-way.

9. By signing below, I am agreeing that this petition is irrevocable once accepted by the Belle Isle City Council, will be binding and will inure to the benefit of the successors or assigns of the Petitioner(s), and will run with the subject property and be binding upon any person, firm, or corporation who may become the successor in interest, directly or indirectly, to the subject property. By signing below, I am further providing my written consent for the subject property to be assessed for any and all City-wide non-advalorem assessments levied by the City of Belle Isle as of the day the property is annexed into the City's boundaries.

**REMAINDER OF PAGE LEFT INTENTIONALLY BLANK
SIGNATURE PAGE TO FOLLOW**

PETITION FOR ANNEXATION – CITY OF BELLE ISLE, FLORIDA – SIGNATURE PAGE

Nicholas Fouraker
Signature- Owner of Record
(and title, if Corporation)

Robert Francis
Signature – Owner of Record
(and title, if Corporation)

Sworn to (or affirmed) and subscribed before me via physical presence OR online notarization

on this 23RD day of March,
2021 by

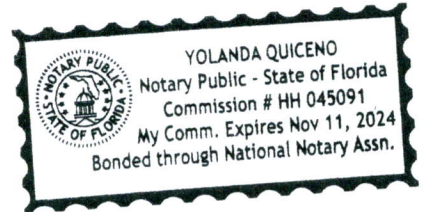
Nicholas Fouraker and
ROBERT FRANCIS

who is (are) personally known to me or produced

Florida Driver's license as identification.

Yolanda Quiceno
Notary Public Seal

My Commission Expires 2/11/24



ORDINANCE 21-05

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN PUBLIC RIGHT-OF-WAY LANDS OWNED AND CONTROLLED BY THE CITY OF BELLE ISLE GENERALLY DESCRIBED AS PORTIONS OF MCCOY ROAD, FRONTAGE ROAD, DAETWYLER DRIVE AND JUDGE ROAD THAT WERE CONVEYED AND TRANSFERRED TO THE CITY OF BELLE ISLE BY THAT CERTAIN COUNTY DEED RECORDED AT DOCUMENT NUMBER 20200272165, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF BELLE ISLE; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF BELLE ISLE JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY, INSTRUCTIONS AND AN EFFECTIVE DATE.

WHEREAS, the City of Belle Isle has ownership and control over those certain segments of public right-of-way generally described as those portions of McCoy Road, Frontage Road, Daetwyler Drive and Judge Road that were conveyed and transferred to the City of Belle Isle by that certain County Deed recorded at Document #20200272165, Public Records of Orange County, Florida, as legally described by metes and bounds and graphically depicted in Schedule “A” attached to this Ordinance and incorporated herein by this reference (herein the “Property”); and

WHEREAS, the City filed an application for voluntary annexation of the Property into the City limits and the said petition bears the signature of the sole owner of the Property; and

WHEREAS, the City of Belle Isle (as both the Property owner and as a municipality) desires to annex the Property into the city limits of the City of Belle Isle and the City of Belle, as the property owner of the Property, is petitioning for voluntary annexation; and

WHEREAS, the City of Belle Isle has determined that the Property is reasonably compact and contiguous to the municipal limits of the City of Belle Isle, that annexation of the Property will not result in the creation of an enclave and that the Property’s annexation meets the prerequisites and standards set forth in Section 171.044, Fla. Stat., for voluntary annexation into the City of Belle Isle; and

WHEREAS, the entirety of the Property is already contiguous with the City’s boundaries; and

WHEREAS, while the public right-of-way lands being annexed by this Ordinance

are corridor like parcels of land, the annexation of the Property is not being done for the purpose of establishing or creating contiguity to annex lands that would otherwise not be contiguous to the City’s boundaries; and

WHEREAS, the Property is developed for urban purposes and is surrounded by an area developed for urban purposes and having an urban character; and

WHEREAS, the City of Belle Isle has provided adequate notice required by general law for the annexation of the Property and has conducted the required public hearing prior to the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BELLE ISLE, FLORIDA:

SECTION 1: *Recitals.* The above “Whereas” clauses are true and correct and constitute legislative findings of the City of Belle Isle City Council and are incorporated herein by this reference.

SECTION 2: *Public Right-of-Way Property Annexed.* That, after conducting a public hearing and having found that the City of Belle Isle’s petition for voluntary annexation of the Property meets the prerequisites and standards for annexation under general law, the Property legally defined in the legal descriptions attached hereto as Schedule “A” and graphically shown on the sketch of descriptions also attached hereto as Schedule “A” is hereby annexed into the municipal boundaries of the City of Belle Isle. A map generally showing the location of the Property is attached hereto as Schedule “B.”

SECTION 3: *Effect of Annexation.* That the City of Belle Isle, shall have all of the power, authority, and jurisdiction over and within the Property as described in Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or her designee is directed to file a copy of this Ordinance with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 6: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION 7: *Effective Date.* This Ordinance shall become effective immediately upon the date this Ordinance is adopted at its second reading.

FIRST READING AND PUBLIC HEARING: _____, 2021.

SECOND READING AND PUBLIC HEARING: _____, 2021.

ADOPTED this _____ day of _____, 2021, by the City Council of the City of Belle Isle, Florida.

APPROVED:

Nick Fouraker, Mayor


ATTEST:

Yolanda Quiceno, City Clerk

SCHEDULE "A" LEGAL DESCRIPTION


That portion of right of way for Daetwyler Drive lying within Section 29, Township 23 South, Range 30 East, Orange County, Florida being more particularly described as follows:

Commence at the Southwest corner of the Southeast quarter of the Southwest quarter of Section 29, Township 23 South, Range 30 East, Orange County, Florida; thence run North 00 degrees 12 minutes 45 seconds West along the West line of said Southeast Quarter of the Southwest Quarter of Section 29 a distance of 33.00 feet to the POINT OF BEGINNING; thence run South 89 degrees 34 minutes 39 seconds West along the North line of the South 33.00 feet of said Section 29 a distance of 240.50 feet; thence run North 00 degrees 11 minutes 37 seconds West a distance of 17.00 feet to a point on the South line of Lot 15 of DAETWYLER SHORES FIRST ADDITION as recorded in Plat Book U, Page 107 of the Official Records of Orange County, Florida, said point being a point of curvature of a curve concave Northwesterly having a radius of 190.96 feet, a central angle of 89 degrees 46 minutes 20 seconds, a chord bearing of North 44 degrees 40 minutes 25 seconds East and a chord distance of 269.52 feet; thence run along the arc of said curve for a distance of 299.20 feet to a point, said point lying on the East line of said plat, said point also lying on the West right of way line of Daetwyler Drive; thence run North 00 degrees 12 minutes 45 seconds West along said West right of way line of Daetwyler Drive a distance of 320.95 feet to a point, said point being the Northeast corner of Lot 15 of said plat, said point also lying at the Southeast corner of Lot 1, Block "A" of DAETWYLER SHORES as recorded in Plat Book U, Page 106 of the Official Records of Orange County, Florida; thence run North 00 degrees 12 minutes 45 seconds West along the West right of way line of Daetwyler Drive, said line also being the East line of said plat a distance of 240.00 feet to a point, said point being the Northeast corner of said Lot 1, Block "A" of said plat, said point also lying on the South right of way of Trentwood Boulevard; thence run North 00 degrees 12 minutes 45 seconds West along the West right of way line of Daetwyler Drive a distance of 60.06 feet to a point lying on the North right of way line of Trentwood Boulevard, said point also being the Southeast corner of Lot 2 of DAETWYLER SHORES SECOND ADDITION as recorded in Plat Book Y, Page 73 of the Official Records of Orange County, Florida; thence run North 00 degrees 12 minutes 45 seconds West along the East line of said plat, also being the West right of way line of Daetwyler Drive a distance of 471.52 feet to a point lying on the Northeast corner of Lot 1, Block "D" of said plat, point also lying on the North line of Government Lot 4 of Section 29, Township 23 South, Range 30 East, Orange County, Florida; thence run North 89 degrees 42 minutes 18 seconds East along said North line of Section 29 a distance of 20.00 feet to a point on the West right of way line of Daetwyler Drive; thence run North 00 degrees

PREPARED FOR: Roads & Drainage Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 29	 SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-0205 (407) 836-7940	DRAWING SCALE: NTS
CHECKED BY: Daynes	JOB No: 8302	TOWNSHIP: 23		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30		8302
REVISION DATE:	B302 Daetwyler Dr.	SHEET 1 OF 8		


SCHEDULE "A" LEGAL DESCRIPTION

12 minutes 45 seconds West along the West right of way line of Daetwyler Drive a distance of 331.50 feet to a point, said point being the Southeast corner of Lot 1 of LARKINVILLE U.S.A. as recorded in Plat Book 15, Page 16 of the Official Records of Orange County, Florida; thence run North 00 degrees 12 minutes 45 seconds West along the East line of said plat, also being the West right of way line of Daetwyler Drive a distance of 100.00 feet to a point, said point being the Northeast corner of said Lot 1 of said plat; thence continue North 00 degrees 12 minutes 45 seconds West along the West line of Daetwyler Drive a distance of 235.00 feet to a point, said point being the Southeast corner of Lot 6, Block "2" of SILVER BEACH SUBDIVISION as recorded in Plat Book L, Page 72 of the Official Records of Orange County, Florida; thence continue North 00 degrees 12 minutes 45 seconds West along the East line of Block 1 and 2 of said plat, also being the West right of way line of Daetwyler Drive (Platted Lakeview Drive) a distance of 666.55 feet to the Northeast corner of Lot 1, Block 1 of said plat, said point also lying on the South line of Government Lot 2 of Section 29, Township 23 South, Range 30 East, Orange County, Florida; thence continue North 00 degrees 10 minutes 48 seconds West along the East line of LAKE CONWAY PARK as recorded in Plat Book G, Page 138 of the Official Records of Orange County, Florida said line also being the West right of way line of Daetwyler Drive a distance of 1626.50 feet more or less to a point, said point being the Northeast corner of Lot 13, Block E of said plat; thence run North 00 degrees 10 minutes 48 seconds West along said West right of way line of Daetwyler Drive a distance of 55.00 feet to a point, said point lying on the North right of way line of Warren Park Road; thence run North 89 degrees 53 minutes 44 seconds West along said North right of way line of Warren Park Road a distance of 20.00 feet to the Southeast corner of Lot 17 of VENETIAN VILLAS as recorded in Plat Book S, Page 69 of the Official Records of Orange County, Florida; thence run North 00 degrees 10 minutes 48 seconds West along the said West right of way line of Daetwyler Drive a distance of 720.68 feet to the Northeast corner of Lot 40 of said Plat Book S, Page 69 of the Official Records of Orange County, Florida; thence run South 89 degrees 53 minutes 44 seconds East along the South line of Lot 2, BELLE ISLE PLANTATION as recorded in Plat Book 32, Page 8 of the Official Records of Orange County, Florida a distance of 25.00 feet to the Southeast corner of said Lot 2, also lying on the West right of way line of Daetwyler Drive; thence run North 00 degrees 10 minutes 48 seconds West along said West right of way line a distance of 74.63 feet to a point of curvature of a curve concave Easterly having a radius of 270.49 feet, a central angle of 16 degrees 13 minutes 53 seconds, a chord bearing of North 18 degrees 55 minutes 29 seconds East, a chord distance of 76.37 feet; thence run along the arc of said curve a distance of 76.63 feet to a point, said point lying on said West

PREPARED FOR: Roads & Drainage Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 29	 SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-0205 (407) 836-7940	DRAWING SCALE: NTS
CHECKED BY: Daynes	JOB No: 8302	TOWNSHIP: 23		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE: 8302 Daetwyler Dr.	RANGE: 30		8302
REVISION DATE:		SHEET 2 OF 8		

SCHEDULE "A" LEGAL DESCRIPTION


right of way line of Daetwyler Drive; thence run North 00 degrees 10 minutes 48 seconds West along said West right of way line a distance of 78.17 feet to a point, said point being the Northeast corner of Lot 1 of said Plat Book 32, Page 8 of the Official Records of Orange County, Florida; thence run South 89 degrees 53 minutes 44 seconds East a distance of 61.00 feet more or less to a point, said point lying on said West right of way line of Daetwyler Drive, also being a point of curvature of a curve concave Southeasterly having a radius of 270.49 feet, a central angle of 14 degrees 22 minutes 03 seconds, a chord bearing of North 53 degrees 51 minutes 15 seconds East, a chord distance of 67.65 feet; thence along the arc of said curve a distance of 67.83 feet more or less to a point, said point lying on the said West right of way line and the North line of said Section 29, Township 23 South, Range 30 East, Orange County, Florida; thence run South 89 degrees 53 minutes 44 seconds East along the said North right of way line of Section 29 a distance of 131.00 feet more or less to a point, said point lying on said North line of Section 29 and 30.00 feet North of a point of curvature of CRESCENT PARK - PHASE 1 as recorded in Plat Book 34, Pages 33 through 35 of the Official Records of Orange County, Florida, also lying on the South right of way line of Judge Road, also being 1080.38 feet more or less West of the North Quarter corner of said Section 29; thence run South 00 degrees 10 minutes 48 seconds West a distance of 30.00 feet to the said point of curvature lying on the South right of way line of Judge Road, also being on the North line of said Plat Book 34, Pages 33 through 35 of the Official Records of Orange County, Florida, said curve concave Southeasterly having a radius of 210.50 feet, a central angle of 90 degrees 06 minutes 44 seconds, a chord bearing of South 45 degrees 03 minutes 14 seconds West, a chord distance of 297.98 feet; thence run along the arc of said curve a distance of 331.06 feet to a point of tangency, said point lying on the East right of way line of Daetwyler Drive; thence run South 00 degrees 10 minutes 48 seconds East along said East right of way line a distance of 2398.85 feet to a point, said point being the Southwest corner of Tract E of CRESCENT PARK - PHASE 2 as recorded in Plat Book 34, Pages 72 through 74 of the Official Records of Orange County, Florida; thence continue South 00 degrees 10 minutes 48 seconds East a distance of 30.00 feet to a point, said point lying on the East and West center line of said Section 29; thence run South 00 degrees 12 minutes 45 seconds East a distance of 30.00 feet to the Northwest corner of Lot 12, Block 8 of SILVER BEACH SUBDIVISION as recorded in Plat Book L, Page 72 of the Official Records of Orange County, Florida; thence continue South 00 degrees 12 minutes 45 seconds East along said West right of way line of Daetwyler Drive a distance of 636.55 feet to a point, said point being the Southwest corner of Lot 7, Block 3 of said SILVER BEACH SUBDIVISION, Plat Book L, Page 72; thence run South 89 degrees 51

PREPARED FOR: Roads & Drainage Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
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CHECKED BY: Daynes	JOB No: 8302	TOWNSHIP: 23		PROJECT NUMBER 8302
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30		
REVISION DATE:	B302 Daetwyler Dr.	SHEET 3 OF 8		

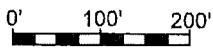
SCHEDULE "A" LEGAL DESCRIPTION

minutes 15 seconds East along the South line of said Lot 7, Block 3 of said plat a distance of 20.00 feet to a point, said point being the Northwest corner of Lot 4, Block 9 of SILVER BEACH SUBDIVISION FIRST ADDITION as recorded in Plat Book W, Page 2 of the Official Records of Orange County, Florida; thence run South 00 degrees 12 minutes 45 seconds East along said East right of way line of Daetwyler Drive a distance of 401.64 feet to a point, said point being the Southwest corner of Lot 1, Block 13 of said SILVER BEACH SUBDIVISION FIRST ADDITION, Plat Book W, Page 2; thence run North 89 degrees 51 minutes 15 seconds West a distance of 20.00 feet along the extension of the South line of aforementioned Lot 1, Block 13 of said plat; thence run South 00 degrees 12 minutes 45 seconds East along the said East right of way line of Daetwyler Drive a distance of 479.00 feet more or less to a point, said point being the Northwest corner of BRIGHTON PARK as recorded in Plat Book 91, Pages 96 through 97 of the Official Records of Orange County, Florida, said point also lying on the East right of way line of Daetwyler Drive; thence run South 00 degrees 12 minutes 45 seconds East along said East right of way line of Daetwyler Drive and the West line of the aforementioned BRIGHTON PARK, Plat Book 91, Pages 96 through 97 a distance of 630.80 feet to the Southwest corner of Tract F, of said BRIGHTON PARK, also being the Northwest corner of Lot 1, LA QUINTA MOTOR INN SUBDIVISION as recorded in Plat Book 16, Page 112 of the Official Records of Orange County, Florida; thence run South 00 degrees 12 minutes 45 seconds East along the East right of way line of Daetwyler Drive and the West line of Lot 1 of aforementioned plat a distance of 239.09 feet to a point, said point being a point of curvature of a curve concave Northeasterly having a radius of 210.50 feet, a central angle of 87 degrees 48 minutes 04 seconds, a chord bearing of South 43 degrees 41 minutes 11 seconds East, a chord distance of 291.93 feet; thence run along the arc of said curve a distance of 322.57 feet more or less to a point of cusp, said point lying 236.80 feet East and 33.00 feet North of the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 29, Township 23 South, Range 30 East, Orange County, Florida; thence run South 89 degrees 34 minutes 39 seconds West along a line 33.00 feet North of the South line of the Southeast Quarter of the Southwest Quarter of said Section 29 a distance of 235.80 feet to the POINT OF BEGINNING;

Containing 9.69 Acres or 421,910.77 square feet, MORE OR LESS.

PREPARED FOR: Roads & Drainage Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
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SCHEDULE "A" SKETCH OF DESCRIPTION



See Sheet 6 of 8

HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-17, F.A.C., PURSUANT TO CHAPTERS 17 AND 472 OF THE FLORIDA STATUTES, AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAN, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

10/16/19
DATE

Mark A. Daynes
REGISTERED LAND SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 8473

LEGEND

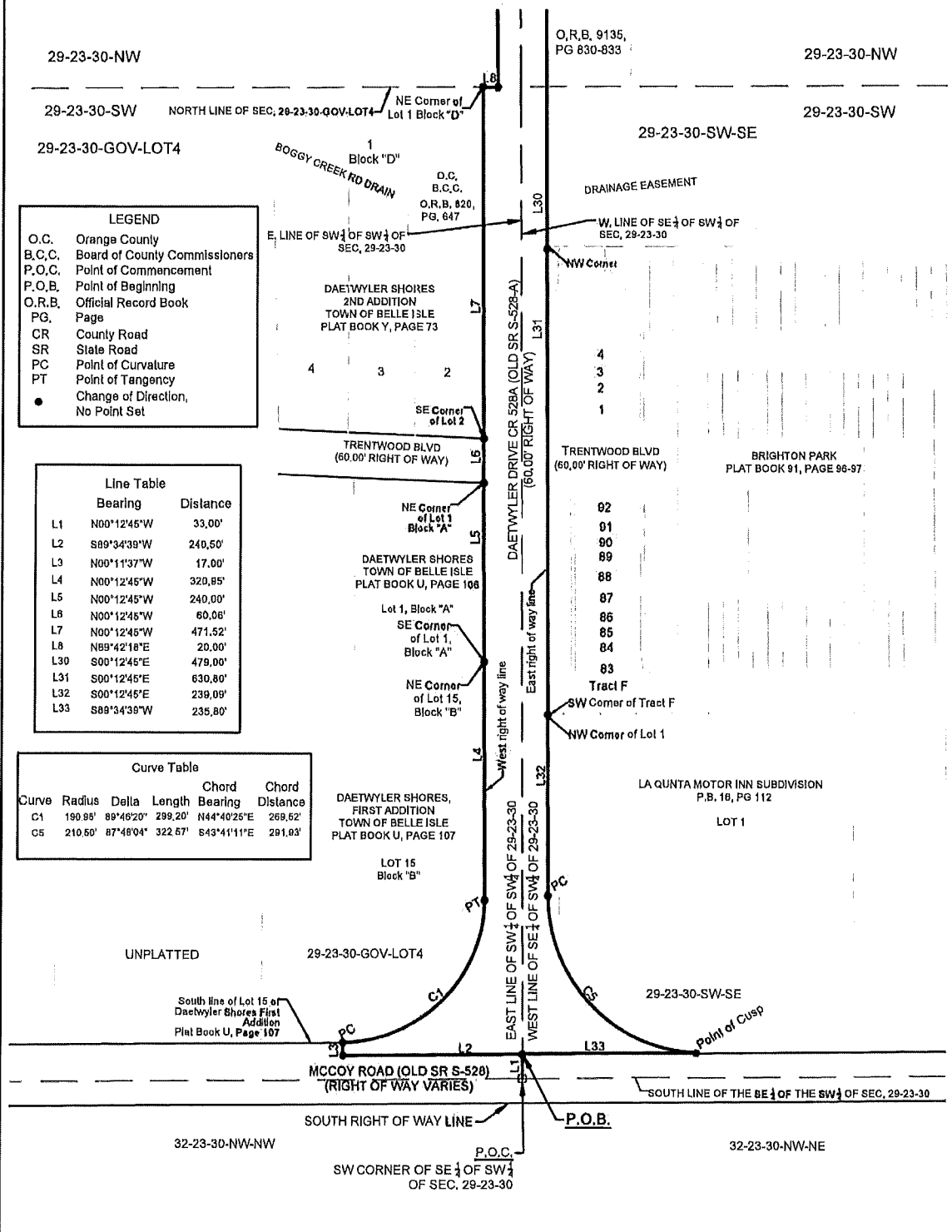
O.C. Orange County
B.C.C. Board of County Commissioners
P.O.C. Point of Commencement
P.O.B. Point of Beginning
O.R.B. Official Record Book
PG. Page
CR County Road
SR State Road
PC Point of Curvature
PT Point of Tangency
● Change of Direction, No Point Set

Line Table

Bearing	Distance
L1	N00°12'45"W 33.00'
L2	S89°34'39"W 240.50'
L3	N00°11'37"W 17.00'
L4	N00°12'45"W 320.85'
L5	N00°12'45"W 240.00'
L6	N00°12'45"W 60.06'
L7	N00°12'45"W 471.52'
L8	N89°42'18"E 20.00'
L9	S00°12'45"E 479.00'
L30	S00°12'45"E 630.80'
L31	S00°12'45"E 239.09'
L32	S89°34'39"W 235.80'

Curve Table

Curve	Radius	Delta	Length	Chord Bearing	Chord Distance
C1	190.89'	89°46'20"	299.20'	N44°40'25"E	269.62'
C5	210.60'	87°48'04"	322.67'	S43°41'11"E	291.83'



SKETCH AND DESCRIPTION
THIS IS NOT A SURVEY. NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 5J-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.

- NOTES:**
- BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29-23-30, BEING N 00°12'45" W.
 - THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
 - THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.

DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 29
CHECKED BY: Daynes	JOB No: 8302	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30
REVISION DATE:	8302 Daetwyler Dr.	SHEET 5 OF 8

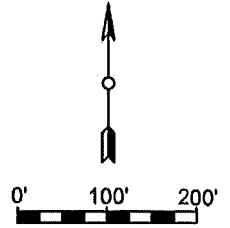
PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION

4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940

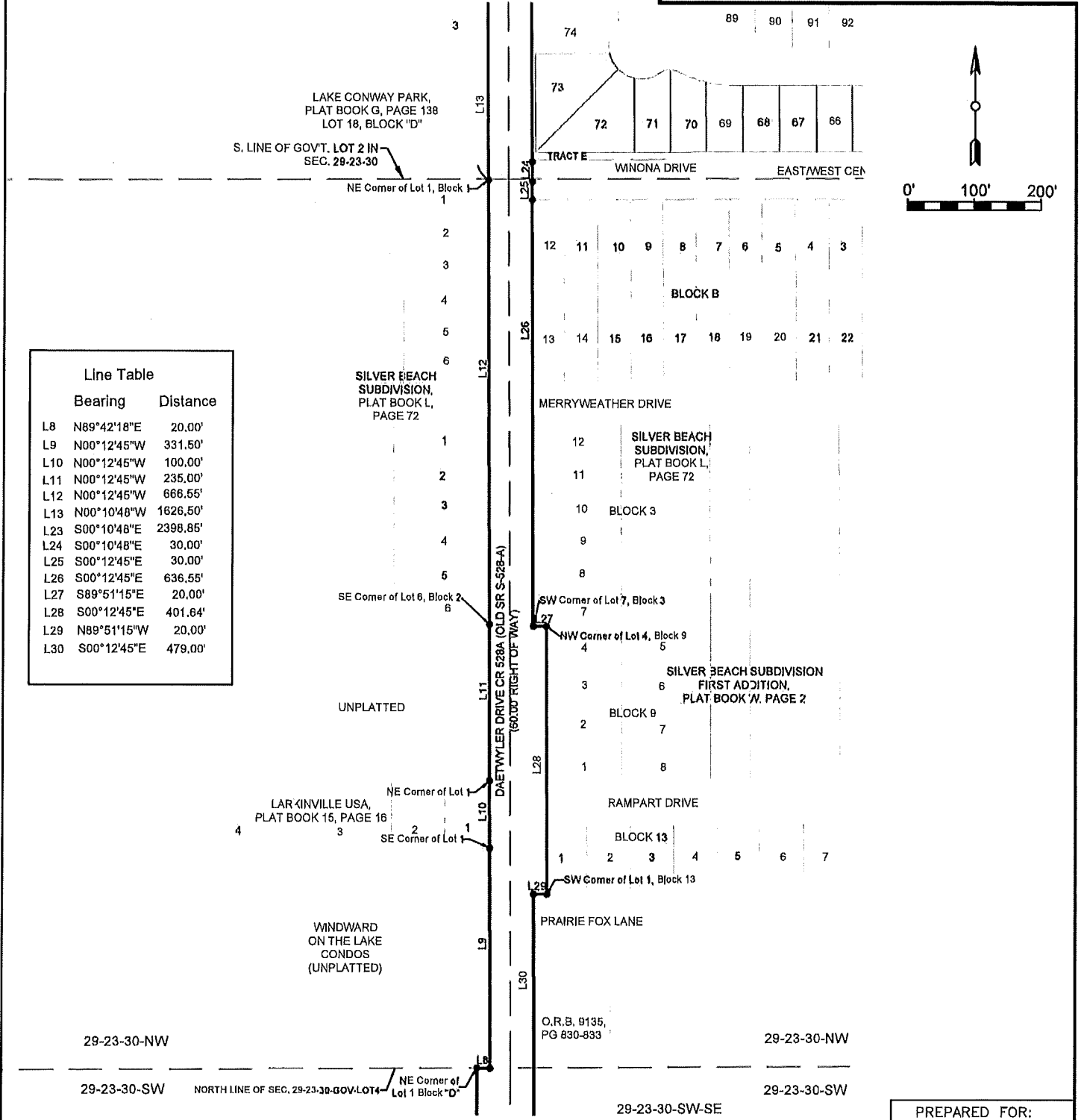
PREPARED FOR: Roads & Drainage
DRAWING SCALE: 1" = 200'
PROJECT NUMBER 8302

SCHEDULE "A" SKETCH OF DESCRIPTION

See Sheet 7 of 8



Line Table		
Bearing	Distance	
L8	N89°42'18"E	20.00'
L9	N00°12'45"W	331.50'
L10	N00°12'45"W	100.00'
L11	N00°12'45"W	235.00'
L12	N00°12'45"W	666.55'
L13	N00°10'48"W	1626.50'
L23	S00°10'48"E	2398.85'
L24	S00°10'48"E	30.00'
L25	S00°12'45"E	30.00'
L26	S00°12'45"E	636.55'
L27	S89°51'15"E	20.00'
L28	S00°12'45"E	401.64'
L29	N89°51'15"W	20.00'
L30	S00°12'45"E	479.00'



See Sheet 5 of 8

PREPARED FOR: Roads & Drainage
DRAWING SCALE: 1"=200'
PROJECT NUMBER 8302

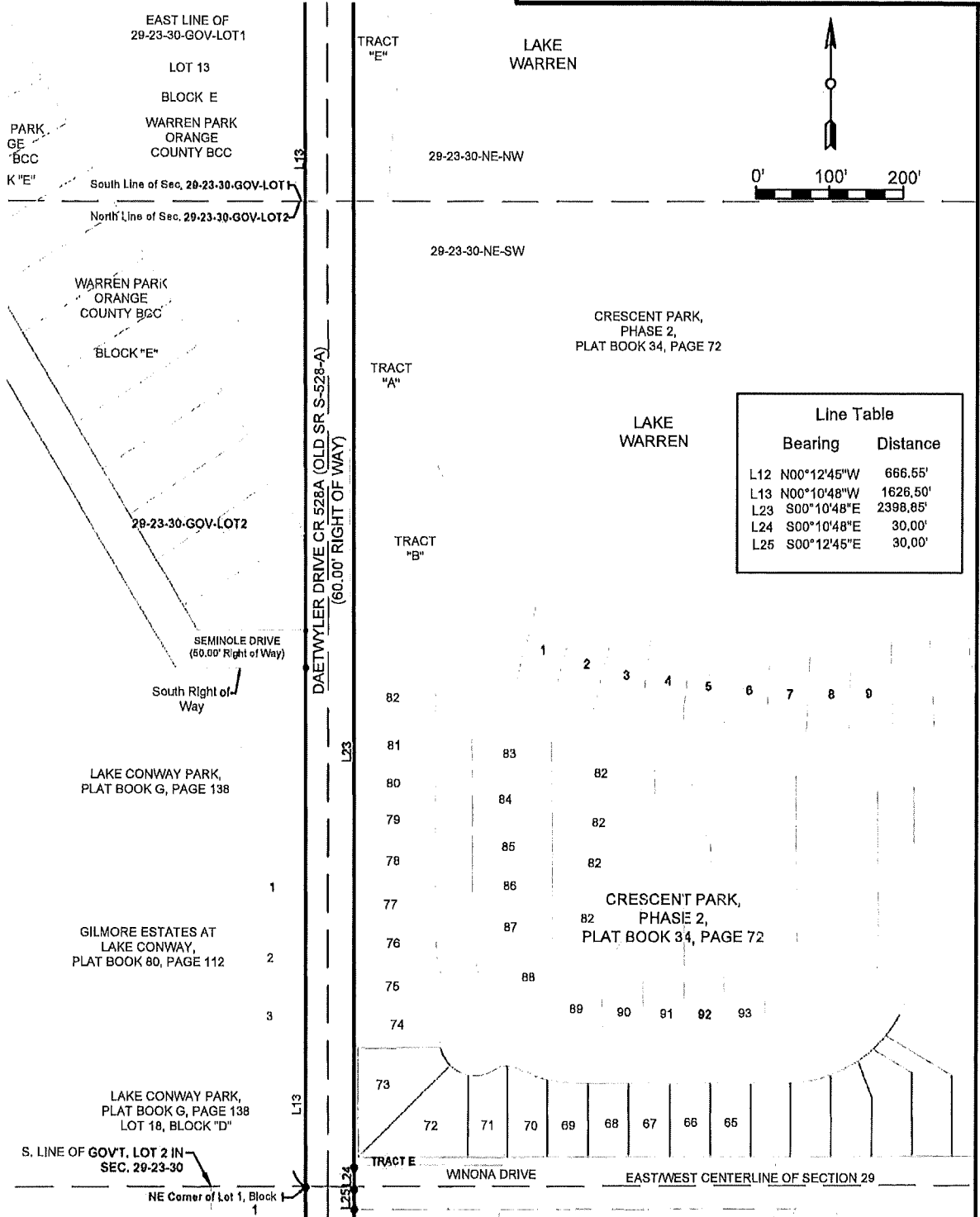
DRAWN BY: Alvarez	DATE: 10/14/19	SECTION: 29
CHECKED BY: Daynes	JOB No: 8302	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30
REVISION DATE:	8302 Daetwyler Dr.	SHEET 6 OF 8

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940



SCHEDULE "A" SKETCH OF DESCRIPTION

See Sheet 8 of 8



See Page 6 of 8

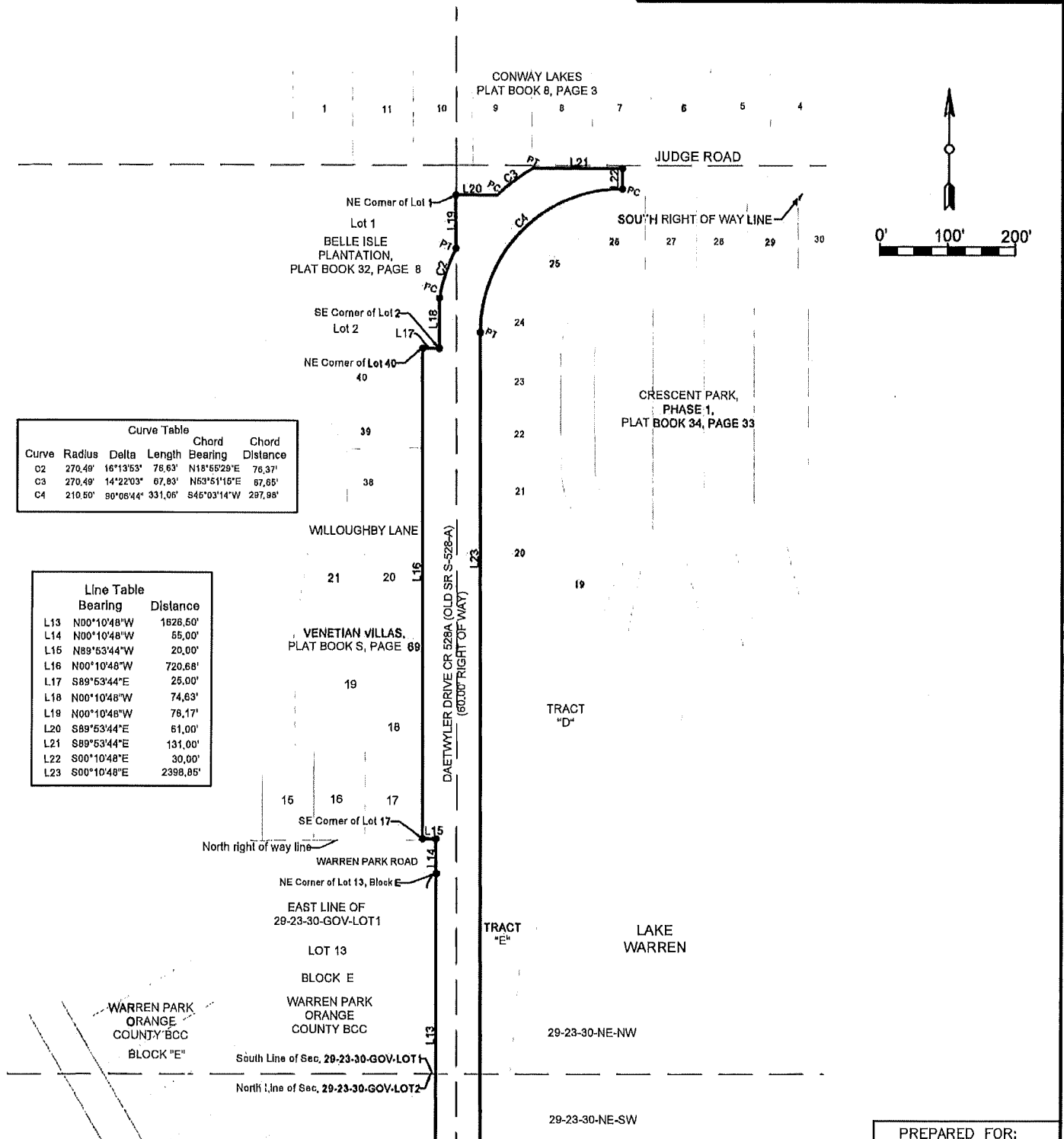
PREPARED FOR: Roads & Drainage
DRAWING SCALE: 1"=200'
PROJECT NUMBER 8302

DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 29
CHECKED BY: Daynes	JOB No: 8302	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30
REVISION DATE:	8302 Daetwyler Dr.	SHEET 7 OF 8

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940



SCHEDULE "A" SKETCH OF DESCRIPTION



Curve Table					
Curve	Radius	Delta	Chord Length	Chord Bearing	Chord Distance
C2	270.49'	16°13'53"	78.63'	N18°55'29"E	76.37'
C3	270.49'	14°22'03"	67.83'	N53°51'16"E	67.65'
C4	210.60'	80°06'44"	331.06'	S46°03'14"W	297.98'

Line Table		
Bearing	Distance	
L13	N00°10'48"W	1828.50'
L14	N00°10'48"W	65.00'
L15	N89°53'44"W	20.00'
L16	N00°10'48"W	720.68'
L17	S89°53'44"E	25.00'
L18	N00°10'48"W	74.63'
L19	N00°10'48"W	78.17'
L20	S89°53'44"E	61.00'
L21	S89°53'44"E	131.00'
L22	S00°10'48"E	30.00'
L23	S00°10'48"E	2398.85'

See Sheet 7 of 8

PREPARED FOR:
Roads & Drainage

DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 29
CHECKED BY: Daynes	JOB No: 8302	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30
REVISION DATE:	8302 Daetwyler Dr.	SHEET 8 OF 8

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940




DRAWING SCALE: 1"=200'
PROJECT NUMBER 8302

SCHEDULE "A" LEGAL DESCRIPTION

That portion of right of way for Judge Road lying within Section 20, Township 23 South, Range 30 East and Section 29, Township 23 South, Range 30 East, Orange County, Florida being more particularly described as follows:


Commence at the Southwest corner of the Southeast quarter of Section 20, Township 23 South, Range 30 East, Orange County, Florida; thence run North 00°07'48" West along the West line of the Southeast quarter of said Section 20, Township 23 South, Range 30 East a distance of 35.00 feet to a point lying on the North right of way line of Judge Road, said point also lying on the South right of way line of CONWAY GROVES UNIT 1 as recorded in Plat Book 36, Page 3 of the Official Records of Orange County, Florida, said point also being the POINT OF BEGINNING; thence run North 89°55'09" East along the South line of of said plat, said line also being the North right of way line of Judge Road a distance of 369.39 feet to a point lying 5.0 feet North of the Southeast corner of Lot 1 of said plat, said point also lying 5.0 feet North of the Southwest corner of Lot 67 of CONWAY GROVES UNIT 2 as recorded in Plat Book 40, Page 4 of the Official Records of Orange County, Florida; thence continue North 89°55'09" East along the South right of way line of said plat, said line also being the North right of way line of Judge Road a distance of 759.89 feet to a point of curvature on a curve concave Northwesterly having a radius of 210.50 feet, a central angle of 77°08'37", a chord bearing of North 38°50'08" East and a chord distance of 262.49 feet; thence along the arc of said curve a distance of 283.42 feet to a point lying on the East line of Tract A of said plat, said point also lying on the West right of way line of Conway Road; thence run South 00°02'21" East along said West right of way line for a distance of 269.16 feet to a point lying on the South right of way line of Judge Road; thence run South 89°55'09" West along said Southerly right of way line a distance of 1,293.86 feet to a point lying on the West line of the Northwest corner of the Northeast quarter of Section 29, Township 23 East, Range 30 East, Orange County, Florida; thence run South 89°53'44" West for a distance of 1,075.14 feet to a point lying on the South right of way line of Judge Road, said point also lying on the North line of CRESCENT PARK - PHASE 1 as recorded in Plat Book 34, Pages 33 - 35 of the Official Records of Orange County, Florida; thence North 00°10'48" West a distance of 30.00 feet to a point lying 30.00 feet North of the South right of way line of Judge Road; thence run South 89°53'44" West a distance of 131.00 feet to a point on a non-tangent curve concave Southeasterly having a radius of 270.49 feet, a central angle of 28°45'22", a chord bearing of North 77°01'23" East, a chord distance of 134.34 feet; thence along the arc of said curve a distance of 135.76 feet to a point lying on the North right of way line of Judge Road, said point also lying on the South line of Lot 7 of CONWAY LAKES as recorded in Plat Book 8, Page 3 of the Official Records of Orange County, Florida;

PREPARED FOR: Roads & Drainage Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 20,29	 SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8304	TOWNSHIP: 23		PROJECT NUMBER 8304
APPROVED BY: Daynes	DRAWING FILE: 8304 Judge Road	RANGE: 30		
REVISION DATE:		SHEET 1 OF 4		

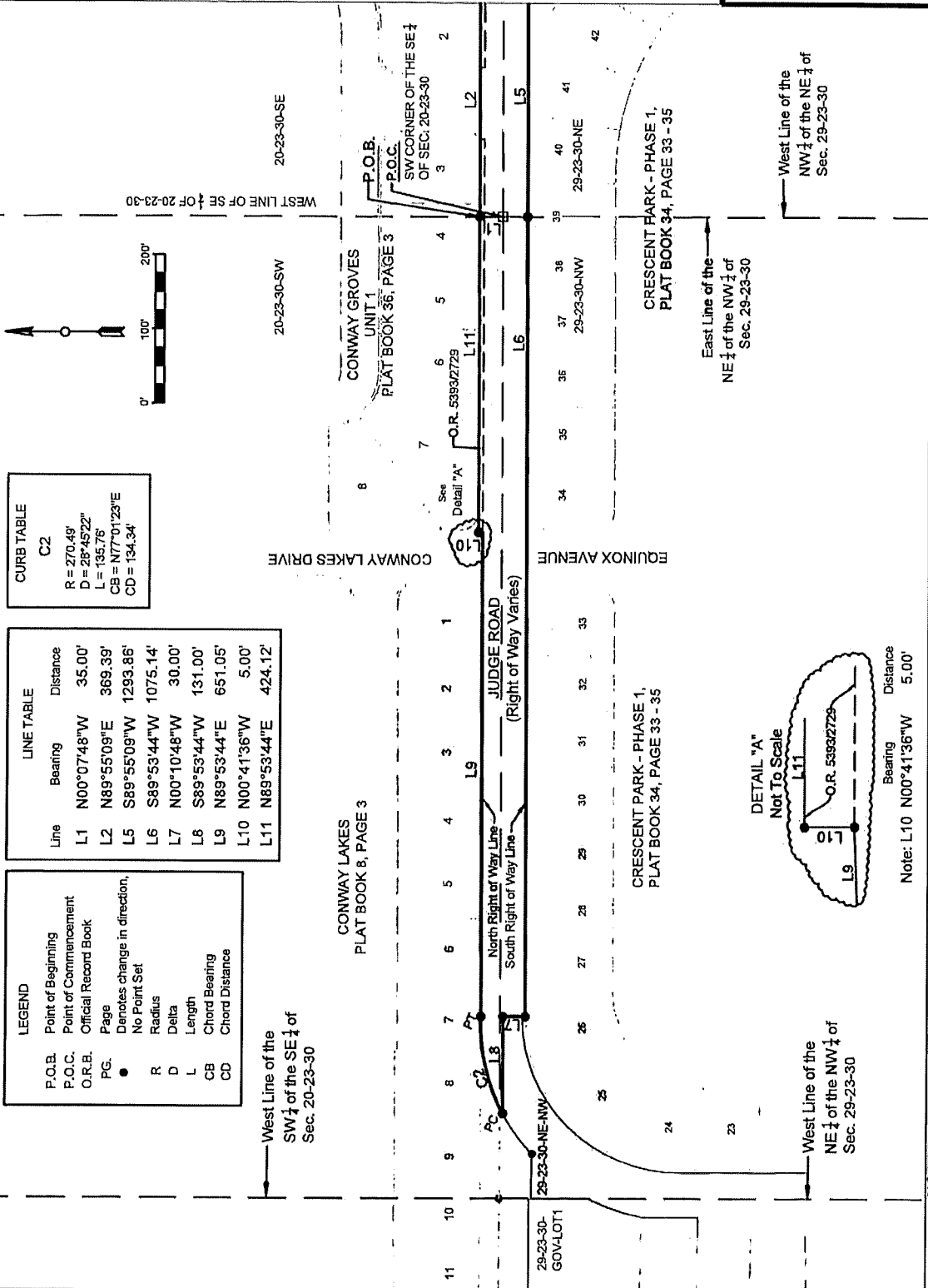
SCHEDULE "A" LEGAL DESCRIPTION

thence run North 89°53'44" East along the South line of said plat, said line also being the North right of way line of Judge Road a distance of 651.05 feet to a point; thence run North 00°41'36" West a distance of 5.00 feet to the new Northerly right of way line of Judge Road as described in Official Records Book 5393, Pages 2729 - 2734, also being the SW corner of additional right of way taken as described in Official Records Book 5371, Pages 3785 - 3787 of the Official Records of Orange County, Florida, all lying in Lot 7 of the Plat of Conway Groves Unit 1 as recorded in Plat Book 36, Page 3 of the Official Records of Orange County, Florida; thence continue along the South line of said additional right of way and new Northerly right of way line of Judge Road North 89°53'44" East a distance 424.12 feet to the POINT OF BEGINNING;

Containing 3.72 acres or 161,876.93 square feet, MORE OR LESS.

PREPARED FOR: Roads & Drainage Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 20,29	 SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	DRAWING SCALE: N/A
CHECKED BY: Daynes	JOB No: 8304	TOWNSHIP: 23		PROJECT NUMBER 8304
APPROVED BY: Daynes	DRAWING FILE: 8304 Judge Road	RANGE: 30		
REVISION DATE:		SHEET 2 OF 4		

SCHEDULE "A" SKETCH OF DESCRIPTION



CURB TABLE
C2

R = 270.49'
D = 28°45'22"
L = 135.76'
CB = N77°01'23"E
CD = 134.34'

LINE TABLE

Line	Bearing	Distance
L1	N00°07'48"W	35.00'
L2	N89°55'09"E	369.39'
L5	S89°55'09"W	1293.86'
L6	S89°53'44"W	1075.14'
L7	N00°10'48"W	30.00'
L8	S89°53'44"W	131.00'
L9	N89°53'44"E	651.05'
L10	N00°41'36"W	5.00'
L11	N89°53'44"E	424.12'

LEGEND

P.O.B. Point of Beginning
P.O.C. Point of Commencement
O.R.B. Official Record Book
P.G. Page
● Denotes change in direction, No Point Set
R Radius
D Delta
L Length
CB Chord Bearing
CD Chord Distance

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON, IS TRUE, AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 54.17, F.A.C. PURSUANT TO CHAPTERS 177 AND 472, OF THE FLORIDA STATUTES AND UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND HAPPER, THIS INFORMATIONAL PURPOSE ONLY, AND IS NOT VALID.

10/16/19
DATE

[Signature]
REGISTERED LAND SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 5479

SKETCH AND DESCRIPTION
THIS IS NOT A SURVEY NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH 54.17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.

- NOTES:**
- BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 29-23-30, BEING N 89°53'44" E (ASSUMED).
 - THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
 - THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
 - NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

PREPARED FOR: Roads & Drainage
DRAWING SCALE: 1"=200'
PROJECT NUMBER 8304

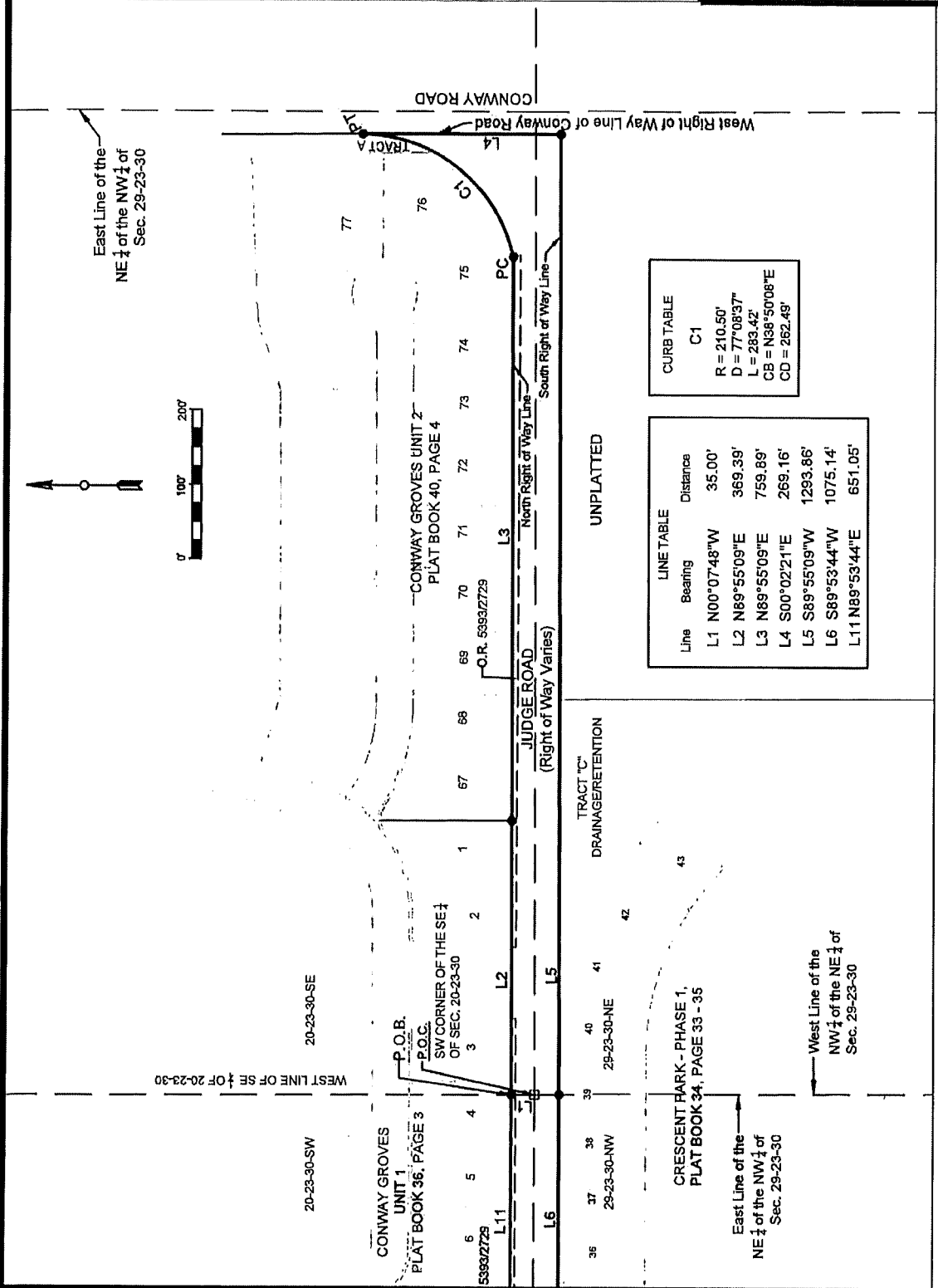
DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 20,29
CHECKED BY: Daynes	JOB No: 8304	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE: 8304 Judge Road	RANGE: 30
REVISION DATE:		SHEET 3 OF 4

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION

ORANGE COUNTY GOVERNMENT
FLORIDA

4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940

SKETCH OF DESCRIPTION Exhibit "A"



CURB TABLE

C1

R = 210.50'
D = 77°08'37"
L = 283.42'
CB = N38°50'08"E
CD = 262.49'

LINE TABLE

Line	Bearing	Distance
L1	N00°07'48"W	35.00'
L2	N89°55'09"E	369.39'
L3	N89°55'09"E	759.89'
L4	S00°02'21"E	269.16'
L5	S89°55'09"W	1293.86'
L6	S89°53'44"W	1075.14'
L11	N89°53'44"E	651.05'

UNPLATTED

TRACT "C"
DRAINAGE/RETENTION

DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 20
CHECKED BY: Daynes	JOB No: 8304	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30
REVISION DATE:	8304 Judge Road	SHEET 4 OF 4

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-9205
(407) 836-7940



PREPARED FOR:
Roads & Drainage


DRAWING SCALE:
1"=200'
PROJECT NUMBER
8304

SCHEDULE "A" LEGAL DESCRIPTION

That portion of right of way for McCoy Road, State Road 482 (also known as Old State Road S-528) lying within Section 29, 30, 31 and 32, Township 23 South, Range 30 East, Orange County, Florida being more particularly described as follows:

Commence at the Southwest corner of Section 29, Township 23 South, Range 30 East, Orange County, Florida; thence run North 00°09'55" West along the West line of the Southwest quarter of said Section 29 a distance of 50.00 feet more or less to a point lying on the North right of way line of McCoy Road, State Road 482 (also known as Old State Road S-528), said point also being the South line of Lot 15 of DAETWYLER SHORES FIRST ADDITION Plat Book U, Page 107 as recorded in the Official Records of Orange County, Florida, said point also being the POINT OF BEGINNING; thence run North 89°34'39" East along the North right of way line of said McCoy Road, said line also being the South right of way line of said plat a distance of 1,083.58 feet more or less to a point lying on the South line of Lot 15 of said plat; thence run South 00°11'37" East a distance of 17.00 feet more or less to a point, said point being 33.00 feet more or less North of the South line of Section 29, Township 23 South, Range 29 East; thence run North 89°34'39" East along said McCoy Road a distance of 240.50 feet more or less to a point on the East line of the Southwest quarter of the Southwest quarter of said Section 29, Township 23 South, Range 30 East, Orange County, Florida, said point also being 33.00 feet more or less North of the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 29; thence continue North 89°34'39" East for a distance of 236.80 feet more or less to a point lying on the North right of way line of McCoy Road, State Road 482 (also known as Old State Road S-528); thence departing said North line, run South 00°25'21" East a distance of 66.00 feet more or less to a point lying on the South right of way line of McCoy Road; thence run South 89°34'39" West along the South right of way line of McCoy Road a distance of 1,561.13 feet more or less to a point lying on the South right of way line of said road, said point also being on the West line of the Northwest quarter of Section 32, Township 23 South, Range 30 East; thence run North 00°25'21" West along the West line of said Section line a distance of 3.00 feet more or less; thence run South 89°44'52" West along the South right of way line of McCoy Road a distance of 626.98 feet more or less; thence departing said South right of way line, run North 00°15'08" West a distance of 80.00 feet more or less to a point lying on the North right of way line of McCoy Road; said point also lying on the East right of way line of Via Flora; thence run North 89°44'52" East along the North right of way line of McCoy Road a distance of 627.06 feet more or less to the Point of Beginning.

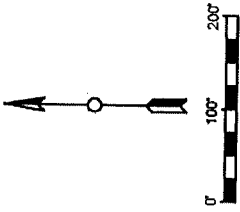
Containing 171,609.01 square feet, or 3.94 acres, more or less.

PREPARED FOR: Roads & Drainage Section		ORANGE COUNTY PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 29,30,31,32	 SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	DRAWING SCALE: NTS
CHECKED BY: Daynes	JOB No: 8305	TOWNSHIP: 23		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30		8305
REVISION DATE: 11/01/19	8306 Daetwyler Dr.	SHEET 1 OF 3		

SCHEDULE "A" SKETCH OF DESCRIPTION

9.

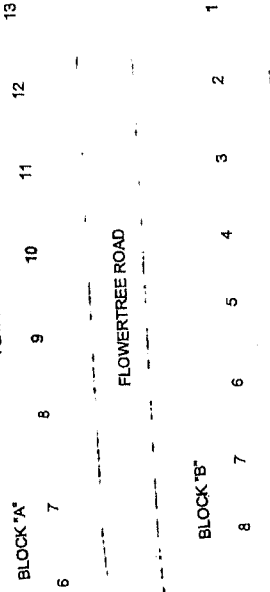
See Sheet 3 of 3



West Line of Sec. 29-23-30-SW

East Line of Sec. 30-23-30-SE

DAETWYLER SHORES
FIRST REPLAT
PLAT BOOK U, PAGE 06



DAETWYLER SHORES,
FIRST ADDITION
PLAT BOOK U, PAGE 107

29-23-30-SW
P.O.B.
SOUTH LINE OF LOT 15

MCCOY ROAD SR 482 (OLD SR S-528)
(RIGHT OF WAY VARIES)

South right of way line of McCoy Road SR 482

P.O.C.
SW CORNER OF 29-23-30

STATE ROAD 528

LEGEND	
P.O.B.	Point of Beginning
P.O.C.	Point of Commencement
SR	State Road
•	Change of Direction, No Point Set

LINE TABLE		
Bearing	Distance	
L1	N00°09'55"W	50.00'
L2	N89°34'39"E	1083.58'
L7	S89°34'39"W	1561.13'

LINE TABLE		
Bearing	Distance	
L8	N00°25'21"W	3.00'
L9	S89°44'52"W	626.98'
L10	N00°15'08"W	80.00'
L11	N89°44'52"E	627.06'

NOTES:

- BEARINGS ARE BASED ON THE NORTH LINE OF MCCOY ROAD AS BEING N89°34'39"W (ASSUMED).
- THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
- THERE MAY BE OTHER RECORDS DOCUMENTS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY, A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.
- NO IMPROVEMENTS ABOVE OR BELOW GROUND, OTHER THAN THOSE SHOWN, WERE LOCATED.

SKETCH AND DESCRIPTION
THIS IS NOT A SURVEY, NOR HAS FIELD WORK BEEN PERFORMED IN ACCORDANCE WITH S-17, FLORIDA ADMINISTRATIVE CODE FOR PREPARATION OF THIS DRAWING.

I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 117, F.A.C., PURSUANT TO CHAPTERS 117 AND 402 OF THE FLORIDA STATUTES, AND UNLESS IT BEARS THE SIGNATURE OF A LICENSED SURVEYOR, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

11/1/19
DATE

[Signature]
M. A. Daynes
REGISTERED LAND SURVEYOR
AND MAPPER
STATE OF FLORIDA LICENSE NO. 5478

PREPARED FOR: Roads & Drainage
DRAWING SCALE: 1"=200'
PROJECT NUMBER 8305

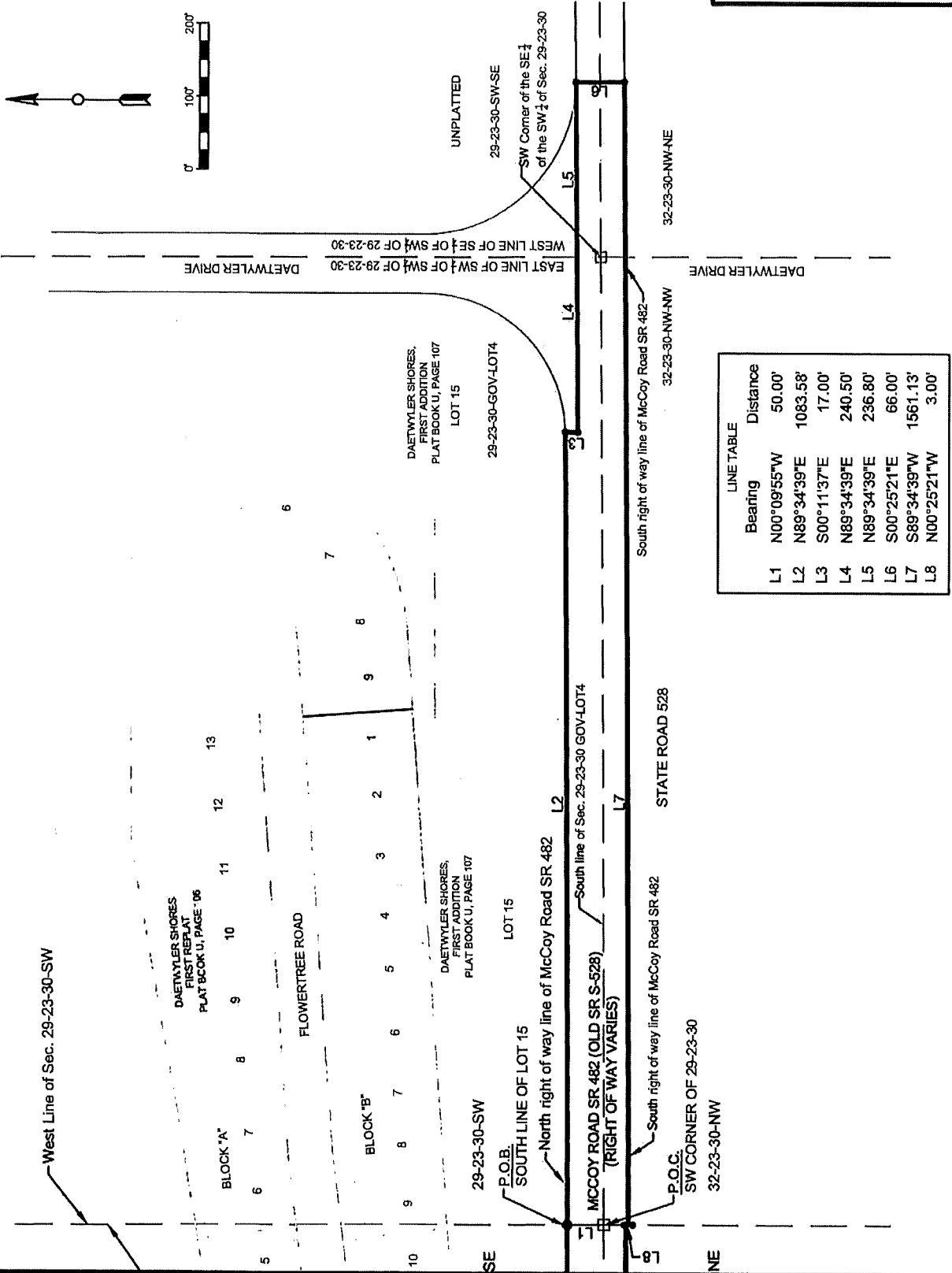
DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 29,30,31,32
CHECKED BY: Daynes	JOB No: 8305	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30
REVISION DATE: 11/01/19	8305 McCoy Rd	SHEET 2 OF 3

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION
4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-8205
(407) 836-7940



SCHEDULE "A" SKETCH OF DESCRIPTION

a.



LINE TABLE	
Bearing	Distance
L1 N00°09'55"W	50.00'
L2 N89°34'39"E	1083.58'
L3 S00°11'37"E	17.00'
L4 N89°34'39"E	240.50'
L5 N89°34'39"E	236.80'
L6 S00°25'21"E	66.00'
L7 S89°34'39"W	1561.13'
L8 N00°25'21"W	3.00'

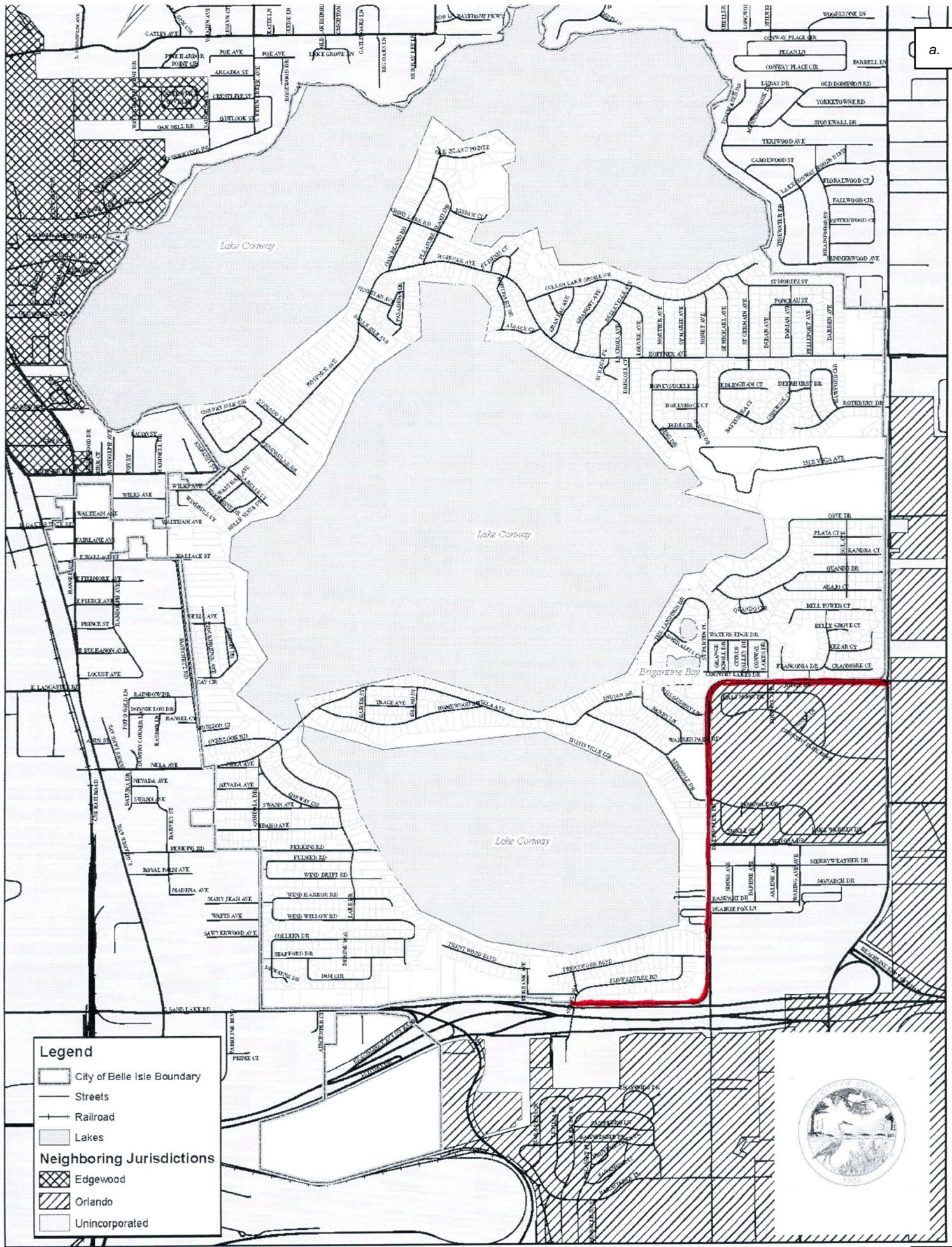
DRAWN BY: Alvarez	DATE: 10/16/19	SECTION: 29, 30, 31, 32
CHECKED BY: Daynes	JOB No: 8305	TOWNSHIP: 23
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 30
REVISION DATE: 11/01/19	8305 McCoy Rd	SHEET 3 OF 3

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY SECTION

ORANGE COUNTY GOVERNMENT
FLORIDA

4200 SOUTH JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32839-8205
(407) 836-7940

PREPARED FOR: Roads & Drainage
DRAWING SCALE: 1"=200'
PROJECT NUMBER 8305



Legend

- City of Belle Isle Boundary
- Streets
- Railroad
- Lakes

Neighboring Jurisdictions

- Edgewood
- Orlando
- Unincorporated

City of Belle Isle Base Map



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: April 6, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Impact Fee Study

Background: The City Council gave approval to develop and advertise a Request For Proposals (RFP) to conduct an Impact Fee Study which is required by the state to adopt a new impact fee or to change the current impact fee rate. Currently the City only charges an impact fee for residential development and the Council would like to see a study done for commercial, parks and public safety can be implemented. The City sent out three RFPs and received one response, Duncan Associates.

The Budget Committee reviewed the proposal from Duncan and recommends approval of the proposal. Funds for this study can be paid from the Impact Fee Fund.

Staff Recommendation: Approve the Proposal of Duncan Associates in the amount of \$49,525

Suggested Motion: I move we approve the proposal rom Duncan Associates in the amount of \$49,525 for an Impact Fee Study.

Alternatives: Do not do the study

Fiscal Impact: \$49,525

Attachments: Duncan Proposal



Proposal for

Submitted by

Impact Fee Study

Duncan Associates

**RFP # 2021-01
City of Belle Isle, Florida**

**14709 Rush Pea Circle
Austin, TX 78703**

Due February 9, 2021

**Clancy Mullen, President
clancy@duncanassociates.com
(512) 423-0480**

Tab 1. Table of Contents

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Tab 2. Letter of Transmittal



February 5, 2021

Yolanda Quiceno, City Clerk
City of Belle Isle
1600 Nela Avenue
Belle Isle, FL 32809

RE: Impact Fee Study, RFQ # 2021-01

On behalf of **Duncan Associates**, I am pleased to submit our proposal to update the City's transportation impact fee and develop additional impact fees for parks, public safety, and general government facilities.

We have extensive experience with impact fees in Florida, having prepared impact fee studies for 35 local governments in the state over the past 30 years. We are willing and able to complete the work requested in this RFP.

The authorized representative for this project is:

Clancy Mullen, President
Duncan Associates
17409 Rush Pea Circle
Austin, TX 78738
(512) 423-0480 (cell)
clancy@duncanassociates.com

We look forward to your review of our proposal. Please let me know if you have any questions.

Sincerely,
DUNCAN ASSOCIATES

A handwritten signature in black ink that reads "Clancy Mullen".

Clancy Mullen
President

Tab 3. General Information

1. Name of Business. The firm’s corporate name is James Duncan and Associates, Inc. We do business as Duncan Associates.

2. Mailing Address/Phone. Our main office is at 17409 Rush Pea Circle, Austin, TX 78738. Our phone number is (512) 423-0480.

3. Contact Person. Clancy Mullen, 17409 Rush Pea Circle, Austin, TX 78738, (512) 423-0480, clancy@duncanassociates.com.

4. Normal Business Hours. 8 am – 6 pm, Monday – Friday.

5. Legal Status. The firm has a national practice in the areas of impact fees and land development codes. It is incorporated as an S Corporation in Texas as James Duncan and Associates, Inc., doing business as Duncan Associates.

6. Date of Organization. The company was established as a sole proprietorship by James Duncan in 1987. It was incorporated in 1997.

7. Office Location/Staffing. The work will be led by our Austin, Texas office, and supported by our Chicago office. It will be staffed by two professionals in Austin and one in Chicago.

8. Parent/Subsidiary. The firm is not a subsidiary or division of a parent firm.

9. Authorization. James Duncan and Associates, Inc. is authorized to conduct business in Florida.

10. Licenses. All employees are professional planners or financial analysts with higher education degrees. No certification is required for impact fee analysis.

11. RFP Notification. We were sent the RFP by the City Manager.

Tab 4. Project Approach

Understanding and Approach

The requested scope of services is generally a very reasonable one, although we would suggest approaching some of them a little differently. Our proposed approach is detailed below.

Types of Facilities

Transportation. The RFP requests an update of the current transportation impact fee. The current fees are assessed only on residential uses, and the City desires that the updated fees apply to nonresidential development as well. We believe this is appropriate, and in fact have never calculated transportation fees for residential uses only (although some clients have chosen to assess them only on new residential uses).

Other Facilities. The RFP also requests that the consultant develop impact fees for other types of facilities that might be appropriate. Potential additional facilities for which impact fees could be developed include parks, fire, police, general government, storm sewer, and affordable housing.

As part of our fixed-fee price, we propose to develop potential impact fees for parks, police, and general government facilities. We could also develop some additional fee types, as discussed below, but have not included them in our fixed-fee proposal.

Affordable housing. An impact fee for affordable housing would be the most difficult to develop. Impact fees are generally designed to fund the improvement or expansions of government-owned facilities or major equipment to ensure that new development does not reduce the level of service currently enjoyed by existing development. Affordable housing does not neatly fit into this framework, and developing impact fees to fund affordable housing initiatives raises complex legal issues. Another approach to developing more affordable housing would be to modify zoning and other development regulations to allow or encourage more housing options, such as accessory dwelling units and apartments.

Fire protection. It is our understanding that the City does not currently have its own fire department, and is presumably served by Orange County or a fire rescue district, both of which have the ability to assess impact fees on new development in Belle Isle. If the City desires to form its own fire department, it would start out with a very large capacity deficiency (the cost of the facilities and equipment to serve all existing development). Consequently, the City would need to use other funds to create a level of service for existing development before it would have a basis to assess fire impact fees on new development to maintain that level of service.

Stormwater. Impact fees could be developed for stormwater drainage, but we don't know enough now about the City's existing facilities or needs to include it in our fixed-fee proposal.

Methodology

There are two basic impact fee methodologies:

The demand-driven methodology calculates fees based on the average cost to accommodate an additional unit of demand (population, equivalent dwelling unit, vehicle-mile of traffic, etc.) at the existing level of service.

The alternative plan-based methodology is based on a long-range master plan. It calculates fees based on growth projections (new units of demand such as population, trips, etc.) over a time horizon and the cost of the planned improvements that would be necessary over that time period to maintain the current level of service.

We do not know if the City has recent long-range master plans for any of the facilities under impact fee consideration. The demand-driven methodology does not require such plans. Even if a master plan is available, the plan-based approach may still not be feasible unless the plan includes sufficient information about the existing level of service and existing capacity deficiencies. In addition, the plan-based approach would require the master plan to be updated to add or change planned improvements, as well as every time the impact fees are updated. It is for these reasons that the plan-based methodology is rarely used in Florida. We propose to use the demand-driven methodology for all the impact fee facility type.

Land Use Categories. The RFQ asks that the consultant address how multiple-bedroom and accessory dwelling units can be more equitably be assessed impact fees. Residential units can be assessed based on size, measured in terms of either number of bedrooms or square fee of floor area. There is little data on average household size or trip generation for accessory dwelling units, and they are often assessed the same as a multi-family unit, sometimes adjusted based on average unit size or occupancy limitations. We will discuss such options with the City if selected.

Draft Reports

The RFP requests three drafts of the impact fee study. We have included three drafts in the proposed scope: an initial staff review draft, a public review draft that responds to staff comments, and a final draft that responds to input from advisory committees, community groups, the public, and the governing body. We would also provide at least two status reports, whether in writing or orally.

Legal Support

We would not produce an impact fee study that we were not willing to defend in court if necessary. Of the more than 100 impact fee studies we have prepared in Florida, only one has been challenged in court. We assisted Lee County in the successful defense of the school impact fee study we had prepared for the county, which was challenged by the home builders association following adoption of the school fees in 2001. Clancy Mullen served as an expert witness at the trial court, which upheld the study and the fees.

Scope of Services

The following scope of services and timeline is suggested to implement the project approach described above.

Task 1: Project Organization/Data Collection

This task will involve data collection and project organization for the impact fee study update. Upon notice to proceed, the consultant will provide an initial data needs list and work with the City’s project manager to schedule a meeting with key members of City staff. Due to the pandemic, this meeting would be attended by the consultant remotely via teleconference or webinar. During the organizational meeting, the consultant will solicit direction on issues identified in the previous section. The City should provide the consultant, without charge, copies of all relevant plans, studies and documents needed to perform the scope of work. At the end of the task, the consultant will prepare a memorandum summarizing the organizational framework for the project and listing additional data needs

*Deliverables: Project Organization Meeting
Project Organization Memorandum*

Task 2: Staff Review Draft

This task entails working with staff to acquire required local data and preparing an initial draft of the impact fee study for City staff review. The study will be based on review of levels of service, land use trends and policies, master plans, planned capital improvements, growth projections, financial data, and other relevant information. It will include all the elements mandated by impact fee case law, including compliance with the dual rational nexus test. These elements will include an inventory of existing facilities; the cost of improvements required to remedy any existing service deficiencies; the proportionate share of the cost of improvements required to accommodate increased service demands; and appropriate revenue credits to ensure that new development is not charged more than its proportionate share of the cost of new facilities. It will include tables that identify the demand associated with different land use types. The study will culminate with a net cost schedule by land use for each fee type, which represents the maximum impact fees that could be charged based on the data, methodology, and analysis used in the study. It will also include growth projections and a comparison of the updated fees with those charged by surrounding jurisdictions, as requested in the RFP.

Deliverable: Staff Review Draft

Task 3: Public Review Draft/Ordinance

Following receipt of comments on the staff review draft, the consultant will make appropriate modifications to the impact fee study and provide a draft for public review. Concurrent with the public review draft, the consultant could provide draft ordinance amendments to implement the study findings. These amendments could include consolidating the four separate ordinances into a single ordinance if desired by the City.

Deliverables: Public Review Draft

*Final Study (if required)
Calculation Spreadsheet*

Task 4: Public Meetings

The consultant will attend public meetings to discuss the project and present the findings of the study as requested by the City. Given the current state of the pandemic, the consultant would need to attend remotely by audio/video link. If in-person consultant attendance becomes possible and is desired, it would be provided for additional compensation to cover travel time and expense. For the purposes of the fixed-fee proposal, attendance at three meetings is assumed.

Deliverable: Consultant Participation in up to Three (3) Meetings

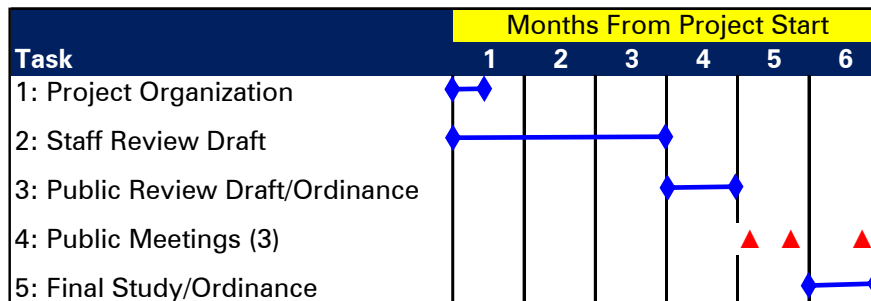
Task 5: Final Study/Ordinance

Following comments and guidance received during the review process, the public review draft and draft ordinance amendment would be revised as necessary. At the conclusion of the project, consultant will provide the City with the Excel spreadsheet used for the fee calculations.

*Deliverables: Final Study
Final Ordinance Amendments
Calculation Spreadsheet*

Project Schedule

The project is anticipated to take at least six months from project initiation to adoption. The consultant will complete the staff review draft within three months from the organizational meeting. The remainder of the schedule will be largely dependent on the City to review drafts, provide comments and schedule meetings.

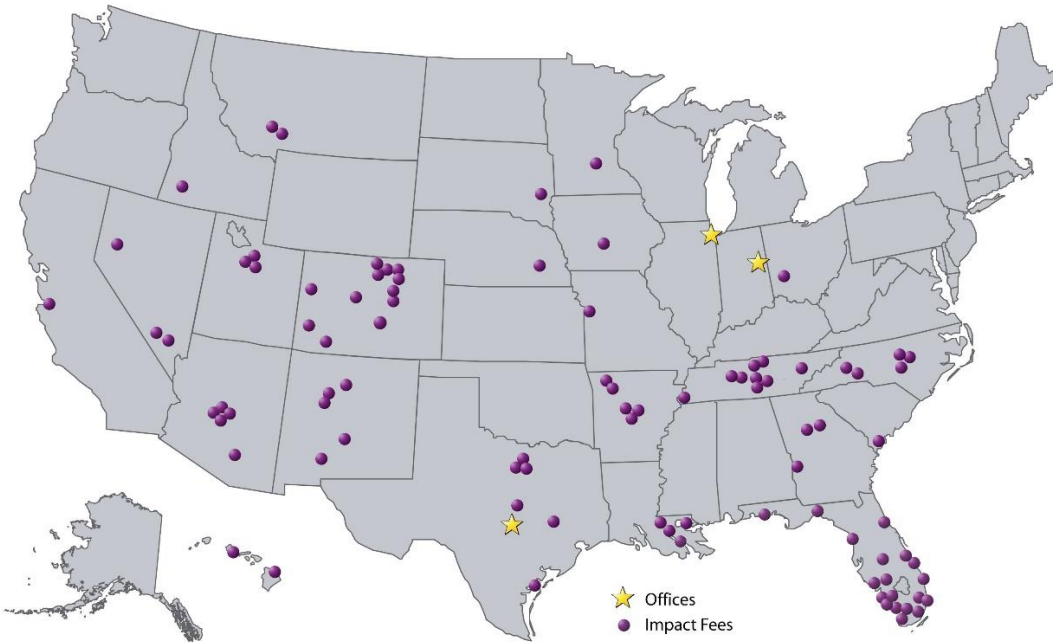


Tab 5. Experience and Qualifications

National Experience

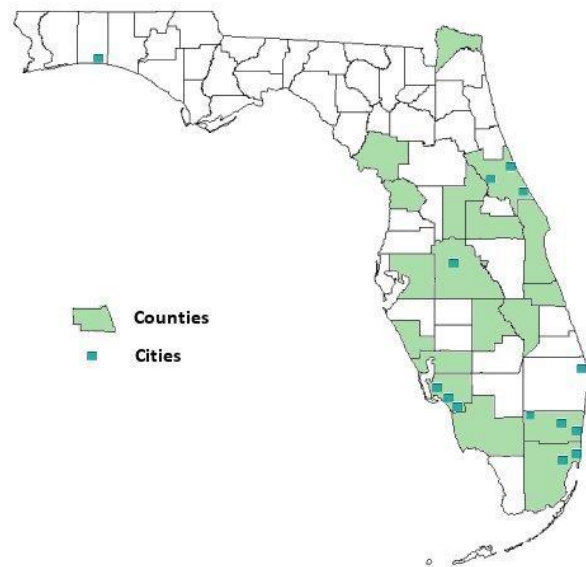
Duncan Associates has drafted over 400 impact fee studies for over 100 clients in 25 states (illustrated in the map below). These studies have covered the full range of impact fee facilities, using a variety of methodologies. About one-fourth of our clients have been Florida jurisdictions.

Duncan Associates Impact Fee Client Map



Florida Experience

Duncan Associates has prepared impact fee studies for 35 jurisdictions in Florida. The location of the local governments that are current or previous clients are illustrated in the map to the right. The types of facilities addressed in our Florida impact fee studies are summarized in the matrix below.



Duncan Associates Florida Impact Fee Client Matrix

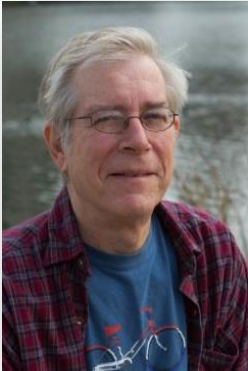
Client	Road	School	Parks	Library	Fire	EMS	Law	Jail	Ggov't
Bonita Springs	•		•						
Brevard County			•		•		•		
Broward County		•							
Cape Coral	•								
Charlotte County	•		•	•	•	•	•	•	•
Citrus County	•	•	•	•	•	•	•		
Collier County			•					•	•
Daytona Beach	•		•		•		•		
DeLand			•		•		•		•
Destin	•		•	•			•		•
Fort Lauderdale			•						
Highlands County	•	•	•	•	•	•	•	•	
Hillsborough County	•	•	•		•				
Indian River County	•	•	•	•	•		•	•	•
Lake County	•		•	•	•				
Lee County	•	•	•		•	•			
Levy County	•				•				
Martin County			•	•					•
Miami/Dade County		•	•						
Nassau County			•		•		•		•
New Smyrna Beach	•								
North Bay Village							•		
North Port	•		•		•		•		•
Okeechobee County	•	•			•	•	•		
Orange County	•	•	•		•		•		
Osceola County					•				
Palm Beach Gardens	•		•		•		•		
Plantation			•	•	•		•		•
Polk County	•	•	•	•	•	•	•	•	
Sarasota County	•		•	•	•	•	•	•	•
St. Johns County									
Sweetwater	•		•				•		•
Volusia County	•								
Weston			•		•		•		•
Winter Haven	•		•		•		•		
Total	22	10	26	10	22	7	20	6	12

Personnel/Resumes

The three current principals of Duncan Associates, who will also be the key personnel involved in this project, have been with the firm since the beginning of our impact fee practice. Clancy Mullen has been the project manager and primary author of most of the firm’s impact fee studies. Kirk Bishop and Jody Maas have provided planning, financial, and quality assurance assistance on most of the firm’s impact fee projects.

Clancy J. Mullen, Project Manager

Clancy Mullen is a principal of Duncan Associates and currently serves as president. He is one of the nation's most experienced impact fee specialists. Since joining Duncan Associates over 30 years ago, Clancy has managed most of the firm's impact fee studies, including all but one of the firm’s projects in Florida. In addition to over 400 studies for cities and counties from coast to coast, he has also prepared impact fee studies for the Florida Department of Community Affairs, the Hawaii Department of Education, the Louisiana Department of Transportation, the Maryland-National Capitol Park and Planning Commission, and the Minnesota Department of Agriculture.



CLANCY MULLEN

Education

M.S. in Community and Regional Planning
University of Texas at Austin

Impact fees must meet strict legal requirements, which in Florida is mostly case law. Clancy learned the Florida and national impact fee case law early in his career, through association with people like Dr. James C. Nicholas and professor Julian Juergensmeyer. He also served as an expert witness in the successful defense of a school impact fee imposed by Lee County, Florida in 2002.

The methodology used to calculate impact fees must meet these legal requirements, and state enabling acts seldom provide much guidance. By necessity, Clancy has explored issues related to impact fee methodology extensively and frequently lectures on impact fee methodology at professional conferences. He understands the fundamental requirements that a defensible methodology must meet. He has experience using a broad range of methodologies, including both standards-based (incremental expansion, buy-in, consumption-based, or demand-driven) and plan-based (improvements-driven).

Prior to joining Duncan Associates, Clancy served as a zoning planner for the City of Austin, Texas. He is a contributing author to two American Planning Association publications, *Impact Fees: Principles and Practice of Proportionate-Share Development Fees*, 2009 and *Growth Management Principles and Practices*, 1995, as well as the Island Press book *A Guide to Impact Fees and Housing Affordability*, 2008.

Clancy is a founding member of the Board of Directors of the Growth & Infrastructure Consortium (formerly National Impact Fee Roundtable). He was a National Merit Scholar at Rice University and has a master’s degree in community and regional planning from the University of Texas at Austin.

Kirk Bishop, Planner

Kirk has been with Duncan Associates since 1987. Kirk is in charge of the firm's regulatory review and revision services. In addition to his regulatory work, Kirk has provided planning and quality control assistance in numerous Florida impact fee projects, including projects for Citrus, Lee, Sarasota and Polk Counties, and has managed impact fee projects for the County of Hilton Head Island, South Carolina, the Telluride R-1 School District in La Plata County, Colorado, and the Miami-Dade School Board. Before joining Duncan Associates, Kirk was a senior planner with the city of Austin, where he was responsible for zoning and subdivision case review, and staff support for a citizen's code update panel. Earlier in his career, he was a senior associate with the American Planning Association, where he served as principal researcher for numerous studies and authored the Planning Advisory Services report, "Designing Urban Corridors." Kirk is a frequent speaker at conferences and a regular guest lecturer in the University of Illinois at Chicago's Urban Planning and Public Affairs program. He holds a master's degree in urban and regional planning and a bachelor's degree in political science from the University of Iowa.



KIRK BISHOP

Education

M.A. in Urban and Regional Planning, University of Iowa

Jody Maas, Financial Analyst

Jody Maas is a financial analyst who has worked on many impact fee projects since joining Duncan Associate in 1990, including the Florida counties of Citrus, Lake, Lee, Polk, Orange, Sarasota and Volusia. Her work on impact fee projects includes review of budgets and comprehensive financial reports, analysis of debt obligations, cash flow analysis, document editing and quality control. She also has 23 years' experience managing the business aspects of the firm. Jody's accountability extends to financial activities of the firm as well as human resources and managing the day to day office operations. Her responsibilities include payroll oversight, including federal and state payroll reporting, multi-faceted state compliance reporting, 401k reporting, accounts payable, accounts receivable, liaison with health/professional liability/commercial liability insurance companies, human resources management, tax planning, cash management, expense forecasting, and internal/external financial reporting. She has a degree in business with an emphasis in accounting from Nebraska Wesleyan University.



JODY MAAS

Education

B.S. in Business Administration
Nebraska Wesleyan University

References

Descriptions and references for recent projects are provided below. All these projects involved the same Duncan Associates’ personnel in the same roles: Clancy Mullen, project manager; Jody Mass, financial analyst; and Kirk Bishop, planner.

Polk County, FL. Duncan Associates recently completed its third project for Polk County. The County assesses impact fees for transportation, school, park, library, law enforcement, fire rescue, EMS, and correctional facilities. In 2010, Duncan Associates, in association with Dr. James C. Nicholas, prepared a study updating Polk County’s impact fees for all fee types except transportation and schools. The second update, completed in 2015, updated all the fees, including transportation and schools. The updated transportation fee provided greater flexibility to fund multi-modal transportation facilities. The County Commission adopted the updated fees. The third update was completed in 2019.

Contact: Todd Bond, Director, Budget and Management Services
330 West Church Street, Bartow, FL 33831-9005
863-534-6576
toddbond@polk-county.net

Hillsborough County, FL. Duncan Associates first impact fee project for Hillsborough County was completed in 2004. This study updated fees for roads, right-of-way, parks, and fire facilities, updated school fees in lieu of land dedication, and calculated alternative school impact fees. The County did not take action on the report at the time, but did adopt school impact fees based on the study in 2006. We are recently completed separate studies for fire and school facilities. The updated study for fire incorporated EMS costs, while the school update included the options for assessing fees by either a flat rate per dwelling unit or by dwelling unit size. The updated fire impact fees were adopted in 2019, and school impact fees were adopted in 2020.

<u>Contacts:</u>	<u>Fire Fee Update</u> Thomas Fass, PE Assistant County Administrator 601 E. Kennedy Blvd. Tampa, FL 33602 (813) 614-2196 fassst@HCFLgov.net	<u>School Fee Update</u> Richard Ranck, PE Principal Planner, Public Works Dept. 601 E. Kennedy Blvd. Tampa, FL 33602 (813) 635-1625 RanckR@HillsboroughCounty.org
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DeLand, FL. Duncan Associates recently completed its first impact fee assignment for the City of DeLand in 2019. It updated the City’s four impact fee types: parks, fire, police and general government. The fees were based on studies prepared in 2002 and 2004. The updated study proposed to simplify land use categories (the general government fee schedule had 42 nonresidential land uses) and changed the service unit for fire and police fees to functional population, which results in fees that are similar to but more stable over time than the current calls-per-service-unit approach. The City Commission accepted the study and adopted the update fees in 2019.

Contact: Mike Grebosz, Assistant City Manger
City of DeLand
120 S. Florida Ave.
DeLand, FL 32720
(386) 626-7110
Greboszm@deland.org

Volusia County, FL. Duncan Associates recently completed an update of Volusia County’s thoroughfare road impact fees. The previous fees were based on studies prepared in 1999 (trip data) and 2003 (cost and revenue data). The fees were 79% of the maximum amounts calculated in the 2003 study. The thoroughfare road fees are county-wide. They are collected by the County in the unincorporated area and by all the municipalities. The County was not interested in exploring geographic fee differentials or funding stand-alone multi-modal improvements. Three modifications were made to the previous methodology: (1) exclude municipal roads and collectors that do not provide regional connectivity; (2) calibrate travel demand to current observable traffic; and (3) provide a credit for outstanding road debt. A draft was prepared for staff review in 2016, but the project was put on indefinite hold due to the magnitude of the potential fee increases. The project came back to life when the County proposed a sales tax referendum to fund transportation improvements. Given the time that had elapsed since the original draft, the study was updated to incorporate the most current data, including current cost/revenue data as well as new trip generation data from the 2017 10th edition of the ITE manual. The project included an evaluation of the current impact fee system, which resulted in consultant recommendations for simplification of land use categories in the fee schedule, consolidation of the four benefit districts from four to two, and potential ordinance amendments relating to eligibility for developer credits. The update study was presented at numerous community meetings throughout the County. The recommended fees were adopted at 100% in March 2019.

Contact: Clay Ervin, Director
Volusia County Growth & Resource Management
123 West Indiana Ave., Room 200
DeLand, Florida 32720
(386) 822-5013 ext. 12000
cervin@volusia.org

Sarasota County, FL. In 2016, Duncan Associates completed an update of Sarasota County’s impact fees for parks, library, fire, EMS, law enforcement, justice, and general government facilities. The most recent studies for these fees had been prepared by our firm in 2006 and 2007, so it had been about ten years since the last updates for these seven fees. The studies for transportation fees (mobility fees) and school fees were prepared by other consultants and were not part of our work for the County. Due to the recent recession, time limits for fee expenditures had become an issue. The County had gone through a period of scarce revenues (including impact fees) and had not been able to fund any but the most critical capital improvements. The mobility fee ordinance that had recently been adopted provided for refunds if the revenues were not expended within ten years, but for other fees it was five years. The study recommended that the time limit for expenditures be extended to seven years, with the possibility of an additional three-year extension. The County Commission adopted the recommendations in November 2016, and the updated fees went into effect in April 2017.

Contact: Tom Polk, Impact Fee Coordinator
1001 Sarasota Center Boulevard
Sarasota, Florida 34240
(941) 650-78966613
tpolk@scgov.net

Lee County, FL. Duncan Associates has been Lee County’s impact fee consultant since 1998. In 2001, Clancy Mullen served as an expert witness in the County’s successful legal defense of its new school impact fee. We were last retained in 2017 to update all the County’s fees, including roads, fire, EMS, community parks, regional parks and schools. Four separate reports were prepared, covering roads, schools, parks, and fire/EMS facilities. The County Commission adopted the updated fees as the new base rate. The adopted collection rate phases in the updated fees over four years, starting at 45% and increasing to 55% in 2022.

Contact: David Loveland, Director
Lee County Community Development
1500 Monroe St., 2nd Floor
Fort Myers, FL 33901
(239) 533-8509
dloveland@leegov.com

Tab 6. Pricing and Payment Terms

The fixed-fee costs for each task described in the scope of service total \$49,525, as shown in the following budget. The City would be billed monthly, based on the percentage completion of individual tasks.

Task	Budget
1: Project Organization	\$1,400
2: Staff Review Draft	\$26,250
3. Public Review Draft/Ordinance	\$10,500
4: Public Meetings (3)	\$5,250
5: Final Study/Ordinance	\$6,125
Total Fixed Fee	\$49,525

Additional meeting attendance would be billed at a flat rate of \$1,750 per meeting for remote attendance. If in-person meetings become possible during the course of the project, in-person attendance could be provided at a cost of \$3,750 per meeting. Other additional services could be provided on a time-and-expense basis or for a fixed-fee, as may be negotiated with the City. Duncan Associates' hourly rate is \$175.

Required Forms

NON-DISCRIMINATION AFFIDAVIT

I, the undersigned, hereby duly sworn, depose and say that the organization or business entity represented herein shall not discriminate against any person in its operations, activities or delivery of services under any agreement it enters into with the City of Belle Isle. The same shall affirmatively comply with all applicable provisions of federal, state and local equal employment laws and shall not engage in or commit any discriminatory practice against any person based on race, age, religion, color, gender, sexual orientation, national origin, marital status, physical or mental disability, political affiliation or any other factor which cannot be lawfully used as a basis for service delivery.

It is the policy of the City of Belle Isle that Minority/Women- Owned Business Enterprises (MWBE) shall have the maximum opportunity to participate in all contracts. The City of Belle Isle will accept MWBE certifications from Orange County and any State of Florida certification.

Further, the City of Belle Isle requires that all contracting agencies of the City, or any department thereof, acting for or on behalf of the City, shall include in all contracts and property contracts hereinafter executed or amended in any manner or as to any portion thereof, a provision obligating the contractor not to unlawfully discriminate (as proscribed by federal, state, county, or other local law) on the basis of the fact or perception of a person’s race, color, creed, religion, national origin, ancestry, age above the age of 21, sexual orientation, gender identity or expression, marital status, pregnancy, familial status, veterans status, political affiliation, or physical or mental disability and such person’s association with members of classes protected under this chapter or in retaliation for or opposition to any practices forbidden under this chapter against any employee of, any City employee working with, or applicant for employment with such contractor and shall require such contractor to include a similar provision in all subcontracts executed or amended there under.

By: 

Title: President, James Duncan and Associates, Inc., dba Duncan Associates

[Notary requirement waived per City Manager, 1/15/2021 email]

NON-DEBARMENT AFFIDAVIT

Clancy Mullen, Being first duly sworn, deposes and says that:

He is President of the Proposer (“Respondent”) that has submitted the attached Proposal. By offering a submission to this RFP, the Respondent certifies and affirms that to the best of his/her knowledge and belief, that:

- 1. The Respondent is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any transaction of any Federal, state or local agency; and
- 2. The Respondent has not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property; and
- 3. The Respondent is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 2 of this affidavit; and
- 4. The Respondent has not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default; and
- 5. The Respondent will submit a revised Debarment Affidavit immediately if the status changes.

By: *Clancy Mullen*

Print Name: Clancy Mullen

Title: President, Duncan Associates

Date: February 5, 2021

[Notary requirement waived per City Manager, 1/15/2021 email]

DRUG-FREE WORKPLACE CERTIFICATION

Preference must be given to vendors submitting a certification with their bid/proposal certifying they have a drug-free workplace in accordance with Section 287.087, Florida Statutes. This requirement affects all public entities of the State and becomes effective January 1, 1991. The special condition is as follows:

IDENTICAL TIE BIDS - Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

James Duncan and Associates, Inc, dba Duncan Associates
COMPANY NAME



VENDOR'S SIGNATURE

Must be executed and returned with attached proposal to be considered.

NON-COLLUSIVE AFFIDAVIT

Clancy Mullen, being first duly sworn deposes and says that:

- (1) He/she is the president (Owner, Partner, Officer, Representative or Agent) of James Duncan and Associates, Inc., the Proposer that has submitted the attached Proposal;
- (2) He/she is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal;
- (3) Such Proposal is genuine and is not a collusive or sham Proposal;
- (4) Neither the said Proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Proposer, firm, or person to submit a collusive or sham Proposal in connection with the Work for which the attached Proposal has been submitted; or to refrain from proposing in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Proposer, firm, or person to fix the price or prices in the attached proposal or of any other Proposer, or to fix any overhead, profit, or cost elements of the Proposal price or the Proposal price of any other Proposer, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;
- (5) The price or prices quoted in the attached Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Proposer or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

By: 

Title: President

Company: James Duncan and Associates, Inc., dba Duncan Associates

[Notary requirement waived per City Manager, 1/15/2021 email]

Belle Isle Issues Log
4/6/21

a.

Issue	Description	Start Date	POC	Last Completed Action	Next steps
Street Paving	The City staff will conduct a street assessment to determine the pavement conditions and determine if the prior assessment is still valid. When complete, the staff will set-up a Capital Improvement Program for street paving. Program	7/1/2020	PW/CM	The City has been successful in paving several streets over the past few years; most recently the area around City Hall.	2021 Goal: City to conduct Pavement Assessment and develop CIP for paving (next Fiscal Year). Continue to work toward goal
Storm Drainage	The City Engineer recently completed an assessment of the storm system. Some trouble spots have been corrected (Wind Drift, Derine, Chiswick) CM and Finance Director developed Storm Water CIP	4/3/2017	ENG/CM	Stormwater CIP was developed and reviewed by Budget Committee, who recommend approval. City staff to start reconditioning swales in trouble areas. Work at Jade Circle Swales done. 1631 Wind Willow (completed). Pipe lining on St. Moritz and Jade completed.	Plans still being developed for Sol avenue, St. Partin Outfall and Stafford& Pam drainage and Barby Lane drainage. Working with Nav Bd staff for some funding for projects. Locates for Stafford called in.
Traffic Studies	Increased traffic in and through Belle Isle prompted the Council to allocate funds for city-wide traffic study to improve traffic flow. Study was done and resulting Traffic Master Plan was adopted by Council. Due to the City's membership in Metroplan Orlando, they are conducting additional studies focusing on Hoffner Ave.	4/3/2017	CM/Eng.	City's TMP completed and adopted. Metroplan study is nearing completion. Hoffner median constructed but still needs additional work. WaWa to reconfigure entrance (Working on permit with OC). Citizen feedback sent back to MetroPlan. Metroplan Consultant to work toward finalizing report.	RRFB installed and is functional at Monet/Hoffner crosswalk. Staff incorporated comments from open house in TMP. Next step is to plan for improvements and funding through long term budgeting. Staff considers this issue closed. (See New Item Below)
Wallace Field	City purchased large area at Wallace/Matchett for open space. Issues with Wallace Street Plat in this area with people trespassing on private property. District 2 Comm. And CM met with residents to discuss solutions. Council met on June 14 and issues was discussed. Council directed that a fence would be erected around property. Dist. 2 Comm. and CM to meet with residents to discuss options for Wallace Street plat. Area is still zoned R-2.	6/14/2017	Dist.2 Comm and CM	Use Agreement adopted. CCA planning park site plan. CCA/City staff met to go over site plan requirements. CCA working with City Planner for site plan submission. CCA completed site plan. Council approved site plan concepts.	P&Z decision granting special exception was approved by City Council. The site plan was approved with conditions. Staff is preparing documents to address the conditions.
City acquisition of Property	Council discussed possibility of acquiring parcels within the City and directed City staff look at options on how to acquire property.	3/20/2018	CM	Cross lake purchase is on hold until County reschedules PH. Mayor/CM to meet with Commissioner Uribe and Adjacent property owner on Cross Lake on March 4. CM/Comm. Cross Lake Property deed recorded and improvements made (closed). BoA agreement finalized.	Financing complete. PSA executed by Mayor and BoA. BoA is now owned by the City. No Updates
Charter School (CCA)	There has been infrastructure issues at Cornerstone for some time. The City owns the property and leases it to CCA. The City is responsible for replacing major systems at CCA according to the lease.	4/3/2017	CM	Capital Facility Plan complete. CCA considering purchase of property. Roofs are being patched, not replaced at this time. Letter was sent to CCA Board asking for joint meeting and other Board issues. CM sent memorandum to CCA outlining conditions for refinancing. CCA discussed and rejected all the conditions sent by Council.	New Lease draft sent to Budget Committee for review. Budget Committee reviewed draft lease. Market Rent Study completed. Being reviewed by Budget Committee.

**Belle Isle Issues Log
4/6/21**

a.

Municipal Code Update	The City Council contracted with a planner to update the municipal code. This process was not completed and needs to be completed. There have been significant code changes in the past few years that need to be in the code.	4/3/2017	CM/CC	Meet with consultant to determine what was done and what is left to do. P&Z Board looking at possible changes to fence/wall requirements. Discussion of sidewalk maintenance. Ordinance adoption for Home Occupation and Golf Carts.	On-going as needed. New Sign Ordinance (Agenda Item). Ordinance on at-large appointments (Agenda Item).
Comp Plan Updates	The comp plan is reviewed every 7 years to see if it needs to be updated. The City Council contracted with a planner to update the comprehensive plan.	3/1/2017	Council Planner CM	Meet with consultant to determine what was done and what is left to do.	City Manager and Planner to review 2009 Comp Plan for errors discovered in Zoning Map. No Update
Annexation	Council discussed the desire to annex contiguous property in order to build the tax base and possibly provide more commercial development in Belle Isle.	4/3/2017	Council CM	Council determined the priority to annex. Planner completed 1st report. City Staff reviewing.	CM and Mayor met with Management Company for Publix Shopping Center. CM to met with private owner for annexation of 5 acres. Sienna place to discuss with residents at April 8 HOA meeting
Lake Conway Issues	Residents have complained that Lake Conway is unsafe due to speeding of PWCs and issues with wake boats. Council would like more local control over the lake.	6/1/2019	CM, CA, Chief	City Attorney looking at how other communities have control of lakes. Staff drafting an ordinance for No Wake Zones. City waiting for County to meet with stakeholders.	Draft ordinance is put on hold for now. City/OCSO looking at other avenues to allow enforcement. Lobbyist Presentations to BC on April 8. CM received information from FWC on Canoe Trail & Swim Areas. City staff to get public input on both.
IT Issues	City Council wants Staff to research changes in IT from Gmail back to Outlook	8/6/2019	City Clerk Chief	City staying with Gmail. City has new pages on website for financial transparency and new work order tracking program.	City doing ADA conversion. City Clerk working with ADA compliance company. New website developed & ADA compliant Issue Closed). RFP out for Chambers A/V (Bids due March 31). Council action on April 20
Grady (Lancaster) House	PCHS requested the Council not demolish Grady House and give up to a year to have it moved.	2/5/2019	CM	Discussion at PCHS. CM contacted State Historic Office on house and homestead and getting it registered on National Registry. Council directed PCHS top provide dates for moving the house and for renovations. PCHS responded to council stating they will not be moving or taking the house. Council set deadline of July 1, 2020 to have the house removed. Neighbor is working to get approvals to move the House to 5817 Randolph so it can be donated to her. Council extended deadline until September 1. Duke contacted for moving wires; quotes received for moving house; met with possible new owner; National Registry Application moving forward. Need cooperation of County to annex property across Waltham.	Comm. Uribe will work with property owner to get OC variances. Private property owner was contacted by OC District 3 Office. City will assist where possible. Private property owner applying to County for variances to relocate the house. (No update)

Belle Isle Issues Log
4/6/21

a.

Sidewalk at BI Commons	Resident requested a sidewalk be installed from the public sidewalk on Hoffner to the Shopping Center promanade so residents don't have to walk in the driveway.	3/16/2021	CM	CM contacted BI Commons Management Company to request sidewalk	Management Company will review request but has concerns.
New City Zip Code	Council directed that the City Manager research the possibility of applying to the USPS for a new zip code. Realtors state that proeprty values may increase if the City has its own zip code and possibility insurance rates may also change.	3/16/2021	CM and Comm. Shuck	CM and Comm. Reviewed USPS informaiton necessary for changing zip code. CM reached out to OCPA to see if Belle Isle could substitute for Orlando on property page which may lessen confusion.	Discuss response from OCPA. Develop "pro/con" list for Council review. Check with service providers to see if utility taxes are being sent to Orlando for homes in BI.
Traffic Calming Requests/Projects	With the completion of the TMP as well as other traffic requests, the staff will track them here for Council information.	4/6/2021	CM, CE, PW, BIPD	Speed Humps Requested: Seminole, Cullen Lake Shore Drive, Oak IslandRoad, LCS, Daetwyler Shores. Speed Limit Reduction: Judge Rd, Daetwyler Shores All-Way Stop on Via Flora	Seminole in data gathering (temp. speed humps in place). Indian Drive and Barby Lane depend on Seminole decision. Daetwyler Shores scheduled for next budget year; CLSD and OIR were sent application packets. Speed reduction on Judge to start in May. Message Board warning of change. All-Way stop waiting materials.