



city council agenda

Updated Agenda
June 02, 2020 * 6:30 PM
City Council Meeting
Virtual Conference

Nicholas Fouraker Mayor	Kurt Ardaman City Attorney	Bob Francis City Manager	Ed Gold District 1	Anthony Carugno District 2	Karl Shuck District 3	Mike Sims District 4	Harv Readey District 5	Jim Partin District 6	Sue Nielsen District 7
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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.

1. Call to Order and Confirmation of Quorum

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

3. Consent Items - These items are considered routine and/or 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 was removed from the Consent Agenda, it will be considered immediately following approval of the remainder of the Consent Agenda.

4. Citizen's Comments - The City Clerk email will be available beginning Friday, May 29th, at 5 p.m., for members of the public to submit comments. These comments will be received by the City Commissioners and staff and will be read into the official record during the City Council Meeting. If you would like to provide comments prior to the meeting, please send them to yquiceno@belleislefl.gov.

If you do not have the ability to submit comments online, beginning at 5 p.m., Tuesday, June 2nd, the City will activate the public comment line 407-270-6233. These calls will be answered by city staff and your verbal comments will be entered into the online system on your behalf. Phoned-in comments will be read during the meeting as part of the official record. All comments will be screened and not be read into the record if they violate our normal City Commission decorum procedures. 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. Thank you.

5. Unfinished Business

- a. Ordinance 20-05 Non-Exclusive Franchise Waste Haulers – Second Reading and Adoption - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, GRANTING A NON-EXCLUSIVE FRANCHISE TO FRANCHISEES QUALIFIED TO PROVIDE "ROLL-OFF" CONTAINER COLLECTION AND DISPOSAL OF WASTE IN THE CITY OF BELLE ISLE, FLORIDA, PURSUANT TO CITY OF BELLE ISLE CHARTER, ARTICLE III, SECTION 3-12; PROVIDING FOR THE TERM OF YEARS FOR THE FRANCHISE; PROVIDING FOR FRANCHISE FEE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE (20 minutes)
- b. Update on Bank of America property purchase and approval of deposit (10 minutes)

6. New Business

- a. Recommendation from Budget Committee to replace Utility Tax for Electric with Franchise Fee for Electric Utility (20 Minutes)
- b. Accept donation of 1968 Ford Galaxy Police Car and consider 1968 Ford Galaxy Police Car as Surplus (10 Minutes)

"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

7. Attorney's Report

8. City Manager's Report

- a. Issues Log
- b. Appointment of Steve Jackson to the Solid Waste Committee
- c. Chief's Report

9. Mayor's Report

- a. Use of Golf Carts (10 minutes)

10. Council Report

11. Adjournment

You are invited to a Zoom webinar.

When: Jun 2, 2020 06:30 PM Eastern Time (US and Canada)

Topic: City Council Virtual Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82573537226?pwd=VUUvMS93NFJhYmVlMjd6amhwOTZ4QT09>

Password: 512890

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 825 7353 7226

Password: 512890

"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 2 of 2



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

Meeting Date: June 2, 2020

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 20-05 Non-Exclusive Franchise for Waste Haulers

Background: At the May 19th Meeting, Ordinance 20-05 was read for the first time. Although JJ’s Waste and Recycling has the exclusive franchise for hauling residential and commercial waste, the City does not have any agreements with waste haulers who provide large dumpsters or roll-offs for large projects. This proposed ordinance provides for provisions for other haulers to enter into an agreement with the City to provide this service. Currently we don’t charge a fee for commercial hauling with a large dumpster or roll-off. This ordinance allows fees to be charged. This ordinance and the subsequent agreement require vendors to have adequate insurance and to register with the City.

Staff Recommendation: Read the proposed ordinance for the 2nd time at the next available Council Meeting and adopt the ordinance after the 2nd reading.

Suggested Motion: **I move that we adopt Ordinance 20-05.**

Alternatives: Do not implement non-exclusive franchise and agreement

Fiscal Impact: TBD based on how many containers are rented.

Attachments: Ordinance 20-05

ORDINANCE NO. 20-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTION 24-41 OF THE CITY CODE TO AUTHORIZE DUMPSTER OR ROLL-OFF CONTAINER SERVICES WITHIN THE CITY UPON EXECUTION OF A NON-EXCLUSIVE FRANCHISE AGREEMENT WITH THE CITY; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City wishes to allow providers of roll-off dumpster and solid waste container services to operate within the City upon execution of a non-exclusive franchise agreement with the City, in accordance with Ordinance No. 20-05; and

WHEREAS, in addition to the amendments to the City Code provided in Ordinance No. 20-05 related to this matter, the City wishes to amend Section 24-41 of the City Code to clarify that a provider of dumpster or roll-off container services must enter into a non-exclusive, instead of an exclusive, franchise agreement with the City.

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. Subsection 24-41(a) of the Belle Isle City Code is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions).

Sec. 24-41. - Temporary construction dumpsters.

(a) No person shall place or service a dumpster or roll-off container on residential or commercial property for the collection and removal of demolition, construction, or remodeling refuse within the city unless granted the authority and non-exclusive franchise by the city as memorialized in a non-exclusive franchise agreement executed by both parties.

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: MAY 19, 2020

SECOND READING: JUNE 2, 2020

ADOPTED this ____ day of _____, 2020, by the City Council of the City of Belle Isle, Florida.

CITY COUNCIL
CITY OF BELLE ISLE

Nick Fouraker, Mayor

ATTEST:

Yolanda Quiceno, City Clerk

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

ATTEST: _____

Yolanda Quiceno, CMC
City Clerk

Nicholas Fouraker, Mayor

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 20-05 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

\\server\users\DL\Clients\Belle Isle, City of\General B900-29001\Solid Waste\Non-Exclusive Franchise\Ordinance amencind City Code re. roll-off container franchise agreements.docx



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

Meeting Date: June 2, 2020

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: BOA Offer

Background: The City’s Broker was contacted by the BoA Broker regarding the purchase agreement. Part of this agreement was to provide a \$150,000 non-refundable deposit, if the City could not agree to terms of the purchase within 45 days of the date of the executed agreement (the City’s due diligence period). Through negotiations, BoA would lower this deposit to \$60,000. BoA also is amicable to a one-time relocation of the ATM and after 5 years, then BoA would pay the City a rental fee based on market rate for the ATM space. The cost to relocate the ATM is still being negotiated but looks favorable that BoA would pay for it. Sale Price remains at \$2,000,000.00

Staff Recommendation: The staff recommends that the City Council discuss the BOA offer and determine if they want to accept the BOA offer or have the Broker make another offer to BOA. Staff is concerned that to take on additional debt especially in light of the discussions regarding new revenues has been met with resistance and the current economy due to the pandemic. If the Council does not accept the offer, BoA will put the property out for public bid. The terms of a public bid off may be more favorable and the offer less expensive; however, there is no guarantee that BoA would accept another offer by the City.

Suggested Motion:

- 1.) I move to accept the offer of Bank of America for the property located at 6300 Hansel Avenue and authorize the Mayor to sign the agreement.
- 2.) I move that we do not accept the offer of Bank of America for the property located at 6300 Hansel Avenue.

Alternatives: N/A

Fiscal Impact: \$2,000,000.

Attachments: None



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

Meeting Date: June 2, 2020

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Budget Committee Recommendation to substitute Franchise Fee for Utility Fee for Electric Utility

Background: The Budget Committee discussed substituting the current utility fee of 3% for a franchise fee of 3%. This is to provide a “wash” for residents paying the utility fee; however those entities currently exempt from paying a utility fee would not be exempt from paying the franchise fee. For example, CCA currently does not pay a utility fee but would be required to pay the franchise fee. It would involve an ordinance to rescind the utility tax and institute a franchise fee. In 2019, Electric Sales Revenue for the City was \$8,861,422. Of that \$2,584,132 was exempt resulting in the 3% Utility Tax being applied to \$6,277,290. After minor miscellaneous adjustments to this revenue, the City received \$186,570. If the 3% was applied to the entire \$8.8 million, the City would have received (with minor adjustments) \$264,095, an increase of \$77,525. For the current year, (October 2019-April 2020), the Electric Sales Revenue received is \$4,619,522. Of that \$1,222,205 is exempt resulting in the 3% Utility Tax being applied to \$3,397,317. After minor adjustments, the City has received \$103,931. If 3% was applied to the entire sales revenue of \$4.6 million, the revenue received by the City would be \$138,586, and increase of \$34,655.

Staff Recommendation: Council to discuss. Council should also discuss whether to keep the same % or consider raising the % another point or two. For every 1% raised, it will bring approximately \$88,600 in additional revenue (this is revenue is in addition to the aforementioned \$77,525 increase).

Suggested Motion: I move that we initiate the process to replace the electrical utility tax with an electrical franchise fee at the rate of 3%.

Alternatives: Do not accept the recommendation of the Budget Committee or accept the recommendation of the Committee and raise the tax from 3% to another %. Utility tax is capped at 10%.

Fiscal Impact: Increase TBD based on the percentage of tax. The 6% Franchise Fee is calculated by Duke to be over \$500,000.

Attachments: Email from Budget Committee Chair.

Franchise Fee

Rick Miller <rmiller1970@gmail.com>
To: Bob Francis <bfrancis@belleislefl.gov>

Mon, Jun 1, 2020 at 11:15 AM

Commissioners-

The Budget Advisory Committee (BAC) is recommending proceeding with the Franchise Fee with the following recommendations.

The BAC has recommended the Belle Isle City Commission repeal and replace the current Utility Tax with a new Franchise Fee. The reason for this action is that we have many "exempted" entities within the city that are currently not paying the Utility Tax, but would be subject to a Franchise Fee. In order to raise revenues and level the playing field (all entities and citizens would be taxed the same), the BAC made the following recommendation.

- Repeal the current 3% Utility Tax
- Replace with a 3% Franchise Fee

The net result will be a zero-cost change to homeowners. The change will allow us to collect taxes from currently exempted entities. Estimates have collections at nearly \$2.5m from currently exempted entities. By instituting a Franchise Fee equal to the current Utility Tax the city will be able to collect nearly \$75,000 annually in additional revenue.

--
Rick Miller
2001 Nela Ave. | Belle Isle, FL 32809



mobile 407 437 7505 | work 321 986 6600 e rmiller1970@gmail.com



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

Meeting Date: June 2, 2020

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Donation of Police Car/Surplus Police Car

Background: The City was notified that a vintage 1968 Ford Galaxy police car was donated to the BIPD from the Estate of BI Auxiliary Police Officer, Robert Picerne. This donation is valued over \$5,000. According to the City’s donation policy, unrestricted donations of more than \$5,000 and restricted donations of more than \$500 must be brought to the City Council for approval and acceptance. The Council also must declare the police car as surplus and sell it by sealed bid or by electronic posting.

Staff Recommendation: Approve the donation.

Suggested Motion: I move that we approve donation of the police car from the estate of Robert Picerne and declare the vehicle as surplus to be sold according to the process outlined in the BIMC.

Alternatives: Do not accept the donation or surplus the vehicle

Fiscal Impact: Potential of \$30,000 in revenue.

Attachments: Memorandum from Chief Houston
Copy of Executed Donation Agreement
Copy of Donation Receipt



Belle Isle Police Department

May 22, 2020

Interoffice Memorandum:



**TO: Bob Francis
City Manager**

FROM: Chief Laura Houston LH

RE: Request to Accept Donation and Surplus 1968 Ford Galaxy

The estate of deceased Belle Isle Auxiliary Officer Robert Michael Picerne has made an unrestricted donation of his 1968 Ford Galaxy VIN# 8P53P139327, which is an antique police car. Mr. Picerne purchased the vehicle approximately seven years ago for \$26,000. I am requesting permission to accept this donation and surplus the vehicle according to City of Belle Isle Code. I recommend offering the vehicle at a minimum price of \$30,000. Please let me know if you need any additional information.


Bob Francis, City Manager

Approved 
Disapproved 

Sec. 2-225

(a). - Disposal when value \$5000.00 or more.

If any property determined by the council to be surplus is estimated to be of \$5,000.00 or more value, such property shall be sold by sealed bid auction to the highest responsible bidder after publication of three weekly notices, no one of which is published more than 30 days prior to the opening of the sealed bids nor less than one week prior to the opening of such bids.

(b)List of property to be sold. In the event of any sale of property determined by the council to be surplus, a list and description of the articles to be sold will be placed on the bulletin board in the city hall, and shall be made available to all persons requesting such list.

**IN THE CIRCUIT COURT FOR ORANGE COUNTY,
FLORIDA PROBATE DIVISION**

IN RE: ESTATE OF

**ROBERT MICHAEL PICERNE, File No. 2020-CP-
A/K/A ROBERT M. PICERNE, 000170-O**

Probate Division

Deceased.

**LETTERS OF ADMINISTRATION
(single personal representative)**

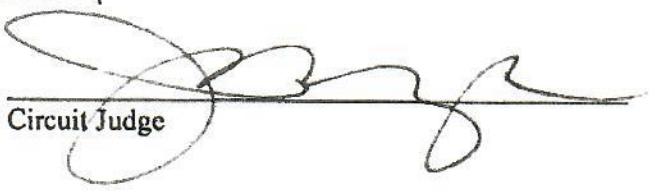
TO ALL WHOM IT MAY CONCERN

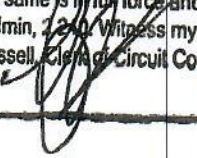

WHEREAS, ROBERT MICHAEL PICERNE, A/K/A ROBERT M. PICERNE, a resident of Orange County, Florida, died on January 5, 2020, owning assets in the State of Florida, and

WHEREAS, JAN HEFLINGER has been appointed personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned circuit judge, declare JAN HEFLINGER duly qualified under the laws of the State of Florida to act as personal representative of the estate of ROBERT MICHAEL PICERNE, A/K/A ROBERT M. PICERNE, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

ORDERED on 1/28 2020.


Circuit Judge

State of Florida, County of Orange
I hereby certify that the above and foregoing is a true and correct copy of the instrument filed in this office and the same is in full force and effect. Confidential items have been removed, as necessary, per Fla. R. Admin. 2.210. Witness my hand and official seal this 21 day of April 2020
Tiffany M. Russell, Clerk of Circuit Court
By  Deputy Clerk 

SUBMIT THIS FORM TO YOUR LOCAL TAX COLLECTOR OFFICE
www.flhsmv.gov/offices

**Notice of Sale and/or Bill of Sale for a Motor Vehicle,
Mobile Home, Off-Highway Vehicle or Vessel**

- Notice of Sale (Seller must complete sections 1 & 3). The purchaser's signature in section 3 is optional.
- Bill of Sale (Seller and purchaser must complete sections 1, 2 (when applicable) & 3).

1. Motor Vehicle, Mobile Home, Off- Highway or Vessel Description					
Year 1968	Make/Manufacturer Ford	Body Type	Model Galaxy	Color Black	
Certificate of Title Number 110844468		Vehicle/Vessel Identification Number 8P53P139327			
I/we do hereby sell or have sold and delivered the above described motor vehicle, mobile home, off-highway vehicle or vessel to:					
Print Name(s) of Purchaser(s) Belle Isle Police Department					
Address 1521 Nela Avenue		City Belle Isle	State FL	Zip Code 32809	
Date of Sale		Selling price \$ 0.00 Donation			
2. Odometer Disclosure Statement (Required For a Motor Vehicle)					
Federal and State law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.					
WE STATE THAT THIS MOTOR VEHICLE'S <input type="checkbox"/> 5 DIGIT OR <input type="checkbox"/> 6 DIGIT ODOMETER NOW READS <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> .xx (NO TENTHS) MILES, DATE READ _____ AND WE HEREBY CERTIFY THAT TO THE BEST OF OUR KNOWLEDGE THE ODOMETER READING:					
<input type="checkbox"/> 1. REFLECTS THE ACTUAL MILEAGE. <input type="checkbox"/> 2. IS IN EXCESS OF ITS MECHANICAL LIMITS. <input type="checkbox"/> 3. IS NOT THE ACTUAL MILEAGE.					
Affidavit (When applicable):					
3. Certification					
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.					
Seller's Signature		Seller's Printed Name Estate of Robert M Picerne		Date	
Seller's Address 247 N Westmotne Drive		City Altamonte Springs	State FL	Zip Code 32714	
Co-Seller's Signature (when applicable)		Co-Seller's Printed Name (when applicable)		Date	
Co-Seller's Address (when applicable)		City	State	Zip Code	
Purchaser's Signature		Purchaser's Printed Name		Date	
Co-Purchaser's Signature (when applicable)		Co-Purchaser's Printed name (when applicable)		Date	

* OWNERSHIP STATUS FOR THE ABOVE DESCRIBED MOTOR VEHICLE, MOBILE HOME, OFF-HIGHWAY VEHICLE OR VESSEL WILL NOT CHANGE UNTIL THE PURCHASER APPLIES FOR AND IS ISSUED A CERTIFICATE OF TITLE.

Check your local phone book government pages or visit the following website for current mailing addresses:

<http://www.flhsmv.gov/offices>



DONATION ACCEPTANCE AGREEMENT

This Donation Acceptance Agreement (the "Agreement") is made this 14th day of May, 2020 by and between the City of Belle Isle, a Florida municipal corporation whose mailing address is 1600 Nela Avenue, Belle Isle, FL 32809 (the "City"), and the Estate of Robert M. Picerne, whose mailing address is 247 N Westmonte Drive Altamonte Springs, FL 32714 (the "Donor"). The parties hereby agree as follows:

1. **Donation.** Donor wishes to donate certain property or funds to the City, described as follows: 1968 Ford, Black, Galaxy, 4-door, VIN# 8P53P139327 (the "Donation Property"). To the extent that the Donation is non-monetary, Donor's estimate of its current value is: \$ 20,000.

2. **Intended Use.** It is the intent of the parties that the Donation Property be used by the City for the following purpose: Use or Sale (the "Intended Use"). Donor acknowledges that the City's use of the Donation Property for the Intended Use may be contingent upon various factors including but not limited to budgeted funds, continuation of certain City programs or facilities, City plans, and other matters. The City's failure to use the Donation Property for the Intended Use for any reason shall not constitute a breach of this Agreement nor entitle Donor to return of the Donation Property.

3. **Acceptance and Delivery.** Upon execution of this Agreement by both parties (the "Effective Date"), the City hereby accepts and the Donor relinquishes all claims to and rights in the Donation Property. Donor shall take any and all additional actions necessary to deliver the Donation Property to the City, to relinquish any of Donor's claims and rights in the Donation Property, and to transfer ownership of the Donation Property to the City.

4. **Donor's Representations.** Donor hereby represents and warrants that Donor is the lawful owner of the Donation Property with full authority to donate the Donation Property to the City as provided in this Agreement. Donor further represents and warrants that all statements and assertions made by Donor to the City in this Agreement and otherwise in relation to the Donation Property are true and accurate to the best of Donor's knowledge.

5. **Indemnification.** Donor hereby indemnifies and holds harmless the City and its elected and appointed officials, employees, and agents, from and against any and all liabilities, claims, demands, losses, expenses, damages, fines, fees, penalties, suits, proceedings, actions, costs, and other liabilities, including without limitation litigation costs and attorney's fees for trials and appeals, claimed or asserted by or on behalf of any person who is the actual owner or co-owner of the Donation Property at the time this Agreement is executed. This paragraph shall survive termination, expiration, and completion of this Agreement.

6. **Sovereign Immunity.** Nothing contained in this Agreement nor in any instruments executed pursuant to the terms of this Agreement shall be construed as a waiver or attempted waiver by the City of its sovereign immunity protections or of any other privilege, immunity or defense afforded to it or any of its officials, employees and agents under the Constitution and laws of the State of Florida.


7. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties and supersedes all previous promises, negotiations, representations, and statements with respect to its subject matter. This Agreement may not be modified or amended except by a written instrument equal in dignity herewith and executed by the parties to be bound thereby.

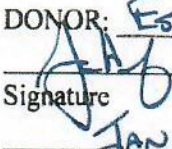
8. **No Third Party Beneficiaries.** This Agreement is intended solely for the benefit of the parties hereto, and their respective successors in interest and title. No right or cause of action shall accrue under or by reason of this Agreement to or for the benefit of any third party. Nothing contained in this Agreement, whether expressed or implied, is intended, nor shall be construed, to confer upon or give to any person or entity not a party hereto any right, remedy or claim under or by reason of this Agreement or any particular term, provision or condition of this Agreement other than the parties hereto and their respective successors in interest and title.

9. **Governing Law: Venue.** This Agreement is governed by and construed in accordance with the laws of the State of Florida, and venue for any action arising out of or related to this Agreement shall be in Orange County, Florida.

10. **Severability.** If any particular term, provision or condition of this Agreement, the deletion of which would not adversely affect the receipt of any of the material benefit of this Agreement by either party hereto or substantially increase the burden of this Agreement upon either party hereto, shall be held to be invalid or unenforceable to any extent by a court of competent jurisdiction, the same shall not affect in any respect whatsoever the validity or enforceability of the remaining terms, provisions and conditions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the Effective Date.

CITY OF BELLE ISLE

Signature
ROBERT FRANCIS
Print Name
CITY MANAGER
Position
5/28/20
Date

DONOR: ESTATE OF ROBERT M PICCANA

Signature
JAN HEFLINGER
Print Name
PERSONAL REPRESENTATIVE FOR THE ESTATE
Position/Title (If Donor is an entity) ROBERT M PICCANA
5/28/2020
Date



City of Belle Isle Donation Receipt

This is to confirm that on May 14, 2020 the City of Belle Isle received from the

Estate of Robert M. Picerne, 247 N Westmonte Drive Altamonte Springs, FL 32714

a monetary contribution of \$ _____

a non-monetary contribution consisting of a 1968 Ford, Black, Galaxy, 4-door,
VIN# 8P53P139327

No goods or services were provided by the City of Belle Isle in return for the contribution.

The City sincerely appreciates your donation.

Bob Francis
City Manager
City of Belle Isle

**Belle Isle Issues Log
6/2/20**

a.

<u>Issue</u>	<u>Description</u>	<u>Start Date</u>	<u>POC</u>	<u>Expected Completion Date</u>	<u>Completed Action</u>	<u>Next steps</u>
Street Paving	Council approved project for paving several streets in the City. Middlesex Paving is the contractor	8/12/2017	PW/CM	9/30/2020 Completed for 2019	Paving to start mid-April. Area: City parking lot; Overlook, Lake Dr. (Nela - Swann), Nela to Bridge; Nela (Matchett - Gondola) Gondola (Nela - Perkins) Conway Cir, Jetport. Paving to start April 14; new door hangers out for residents in the area; E-Alert and FB Posts made.	Getting estimate on next project as stated in budget CIP. Estimates will be used for next budget year. Unless directed by Council, paving will not occur this fiscal year.
Storm Drainage	Several individual projects are being looked at to complete. St. Partens, Nela , Wind Drift, and Seminole/Daetwyler.	4/3/2017	PW/ENG	8/31/2020	Derine Way, Wind Drift, and chiswick completed	St. Partin Plan is on hold pending further items to be completed by the property owners. No update
Traffic Studies	Council allocated funds for traffic study at Trentwood/Daetwyler Rd. Council directed city-wide traffic study to improve traffic flow.	4/3/2017	CM/Eng.	1/31/2020	Trentwood issues completed. Met with WaWa Rep regarding redesign of entrance. Plan Adopted. Hoffner Crosswalks and Hoffner construction at Conway tentatively to be funded in FY2019.	Hoffner median project started. WaWa to do after COVID. Metroplan Consultant to work toward finalizing report.
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	9/30/2020	Fence installed. Zoning changed to OS. Agreement for CCA use of the field being reviewed by school. Trees planted as part of Arbor Day Celebration. Workshop held on development. CCA and City to review CCA draft plan. All changes sent to CCA Board for review. Possibility to be on their June 26 agenda. CA rejected change in Use Agreement regarding by-laws and rejected by-law changes suggested by the City.	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. No update
City acquisition of Property	Council discussed possibility of acquiring parcels within the City and directed City staff look at	3/20/2018	CM	8/31/2020	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. Gold met with Oak Island HOA for property off Kissam Court.	1. Cross Lake Property waiting on Governor to sign deed. 2. City sent back offer to BoA that the ATM is to be moved at BoA expense if it is to stay on the Property. CCA declined use of BoA property.

**Belle Isle Issues Log
6/2/20**

a.

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	Ongoing	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. Waiting for letter from CCA Board.
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	Ongoing	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	On-going as needed.

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	Ongoing	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	2/28/2020	Council determined the priority to annex.	Planner completed 1st report. City Staff reviewing. City now controls Judge, Daetwyler, Seminole, and McCoy. Enforcement started.
Sustainability	Council discussed sustainability and energy initiatives.	4/3/2017	CM	12/31/2020	Look at LED lighting and Solar power for city facilities. Look at Community Garden (possibly at Wallace/Matchett)	No update, but will now be an item for next fiscal year budget if a Council goal.



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

Meeting Date: June 2, 2020

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Solid Waste and Recycling Committee Appointee

Background: The Solid Waste and Recycling Committee had one seat that was vacant (2-year term). The City received an application from Steven Jackson, 5826 Woodbine Dr. (District 2).

Also Greg Gent resigned from the Committee, so there is still a vacancy.

Staff Recommendation: Appoint Steven Jackson to the Committee for the 2-year term and accept, with regret, the resignation of Greg Gent.

Suggested Motion: I move we appoint Steven Jackson to the Committee for the 2-year term. I also move the accept, with regret, the resignation of Greg Gent from the Committee.

Alternatives: None

Fiscal Impact: None as these are voluntary positions

Attachments: Steven Jackson Application

CITY OF BELLE ISLE
SOLID WASTE COMMITTEE MEMBER APPLICATION

It is the purpose of the Solid Waste and Recycling Advisory Board to act in an advisory capacity to the City Council by bringing to their attention feed-back from the community concerning the solid waste and recycling program and to establish and maintain a comprehensive program for solid waste handling, and solid waste recovery and/or recycling. (Resolution 19-11)

Please email the City Clerk a completed application at yquiceno@belleislefl.gov.

Name: Steven Jackson
Home Address: 5826 Woodbine Drive Belle Isle
Home Phone: N/A Cell Phone: 407.758.3119
Email: Sjac1010@yahoo.com Fax: N/A

- 1. Will you have time to fulfill the duties of this committee? Yes No
- 2. Are you able to attend the necessary meetings? Yes No
- 3. Describe your community involvement experience and or any special expertise you have which would be applicable to this committee.

I've been the lead for our
Company GREEN INITIATIVE FOR
THREE YEARS WAITING FOR
CERTIFICATION...

- 4. Describe why you are interested in serving on the Solid Waste Committee:
This would allow me additional
Knowledge with Recycleables

By signing below, you are affirming to the best of your knowledge that the information you have provided on this form is true and complete.

Signature: Steven Jackson Date: 5/15/20