



city council agenda

Agenda
August 04, 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 Ed Gold - District 1
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 would be considered immediately following approval of the remainder of the Consent Agenda. (5 minutes)

- a. Approval of the City Council meeting minutes - July 7, 2020
- b. Approval of the City Council meeting minutes - July 21, 2020

4. Citizen's Comments - The City Clerk email will be available beginning Friday, July 31st 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, August 4th, 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 20-08 Second Reading and Adoption: Electric Franchise Fee - AN ORDINANCE GRANTING TO DUKE ENERGY FLORIDA, LLC. d/b/a DUKE ENERGY, A NON-EXCLUSIVE ELECTRIC UTILITY RIGHTS OF WAY UTILIZATION FRANCHISE; PRESCRIBING THE TERMS AND CONDITIONS RELATED TO THE USE AND OCCUPANCY OF MUNICIPAL STREETS AND RIGHTS OF WAY IN THE CITY OF BELLE ISLE, FLORIDA, FOR THE PURPOSE OF PROVIDING ELECTRIC SERVICE; PROVIDING FOR FINDINGS, SHORT TITLE, DEFINITIONS, GRANT OF AUTHORITY, PAYMENTS, FAVORED NATION CLAUSE, INDEMNIFICATION, RECORDS AND REPORTS, PROVISIONS IN THE EVENT OF RETAIL WHEELING, SEVERABILITY OF PROVISIONS, GOVERNING LAW, DISPUTE RESOLUTION, ASSIGNMENT/DELEGATION, DEFAULT AND TERMINATION, SOVEREIGN IMMUNITY, STATUS OF GRANTEE, LIENS, INDEMNIFICATION, INSURANCE, AND OTHER TERMS; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND PROVIDING AN EFFECTIVE DATE (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

- b. Ordinance 20-09 Second Reading and Adoption: Repeal Electric Utility Tax - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTION 28-31 OF THE BELLE ISLE CITY CODE; PROVIDING FOR FRANCHISE FEE FOR ELECTRIC UTILITY SERVICES AS ALTERNATIVE TO PUBLIC SERVICE TAX; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (10 minutes)

6. New Business

- a. Presentation of FY20-21 Budget and Budget Message (10 minutes)
- b. Review Draft Ordinance for Use of Golf Carts (10 minutes)
- c. Ordinance 20-10 Bond Ordinance – First Reading and Consideration –AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING THE BORROWING OF MONEY AND THE ISSUANCE OF DEBT IN AN AMOUNT NOT TO EXCEED \$2,600,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION OF ONE OR MORE PARCELS OF LAND AND THE IMPROVEMENTS LOCATED THEREON AND/OR THE CONSTRUCTION, ACQUISITION, AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS OF THE ISSUER, INCLUDING, BUT NOT LIMITED TO, STORMWATER IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE (10 minutes)

7. Attorney's Report (5 minutes)

8. City Manager's Report

- a. Issues Log (5 minutes)
- b. Chief's Report (5 minutes)

9. Mayor's Report (5 minutes)

10. Council Report (20 minutes)

11. Adjournment

You are invited to a Zoom webinar.

When: Aug 4, 2020 06:30 PM Eastern Time (US and Canada)

Topic: City Council Virtual Conference

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89198358449?pwd=RGR6ZUVHMVJ0OHNSdIZWZytQNHFQdz09>

Passcode: 851077

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: 891 9835 8449

Passcode: 851077

"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



The Belle Isle City Council met in a Regular Session on July 7th, 2020, at 6:30 p.m. on a Virtual Webinar (zoom.us/j/86976620762).

Present was:

- Mayor Nicholas Fouraker
- Commissioner Ed Gold
- Commissioner Anthony Carugno
- Commissioner Karl Shuck
- Commissioner Mike Sims
- Commissioner Harv Readey
- Commissioner Jim Partin
- Commissioner Sue Nielsen

Absent was:

na

Also present were Attorney Ardaman, City Manager Francis, Chief Houston, and City Clerk Yolanda Quiceno.

CALL TO ORDER

Mayor Fouraker called the meeting to order at 6:30 pm and confirmed quorum. Comm Partin led the invocation and pledge to the flag.

CONSENT ITEMS

- a. Approval of the City Council meeting minutes – June 2, 2020
- b. Approve Resolution 20-02 Amend Personnel Policy for Drug-Free Workplace
- c. Approve Resolution 20-07 Budget Amendment
- d. Approve Resolution 20-08 Amend City Purchasing Policy
- e. Approve Resolution 20-09 Approve Non-Ad Valorem tax for Stormwater
- f. Approve Resolution 20-10 Approve Non-Ad Valorem tax for Solid Waste

**Comm Gold moved to approve the consent items as presented.
Comm Readey seconded the motion, which passed unanimously upon roll call, 7:0.**

CITIZEN COMMENTS

Mayor Fouraker opened for citizen comments.

City Clerk reported that she received five emails and read the following for the record,

- 1. Charlene Cross residing at 5260 Chiswich Circle shared her concerns and sent an email dated July 7, 2020, for the record. She referenced the loud music played by the street racers and motorcycles, becoming more of an issue, the use of the non-emergency number, and asked for an update on future enhancements to the Wawa/Commons entrance.

Chief Houston responded and said the loud music has been occurring in the unincorporated area of Orange County. Residents can call the non-emergency line at 407.836.4357 to report the noise. She said she could not speak about where the breakdown is in calling the non-emergency number as BIPD did not receive the call. If a resident needs to meet with an officer for an issue, other than just reporting the noise violation, ask the call taker to have the officer schedule a meeting. If the noise is coming from the County, a Belle Isle officer will not handle that call for service. The Belle Isle Police Department did a 24 hour a day assessment by all officers regarding motorcycles speeding through the City. There were no incidents reported. Orange County Sheriff’s Office has units monitoring motorcycle groups, and they could probably provide more information.

Bob Francis addressed the concern and said the real estate agent for Wawa said they would have to reconfigure the entrance directly across from the Belle Isle Commons. Due to the COVID pandemic, this may take up to 3-5 months to address. Wawa rep said they would like it to be a right-in/right-out and not allow left turns. Mr. Francis said if it is not done fairly soon, he will request the Council to close the entrance in the interim until a solution can be agreed upon by the City, County, and Property Owner. Discussion ensued.

2. Linda Chapin residing at 2022 Hoffner Avenue submitted an email dated July 6, 2020, and shared her support for keeping the Lancaster House and asked Council to table the discussion until the City can have in-person meetings.
3. Charline Kennedy resident of Belle Isle submitted an email dated July 7, 2020, and shared her support for keeping the Lancaster House and possibly starting a “Go Fund Me” account.
4. Kelly Harden residing at 6409 St. Partin Place submitted an email dated July 7, 2020, reported that she has been experiencing flooding in her driveways and yard after every rain and after sprinklers are used. It takes almost 14-16 hours for this water to filter out and she would like to have this issue resolved as soon as possible.
5. John West residing at 6504 St. Partin Place submitted an email dated July 7, 2020, and shared his concerns regarding the flooding problem that he and many of his neighbors have been living with since he moved into the home 14 years ago. He would like to see the project addressed and hopes that it will move forward.

Council discussed the St Partin project and agreed that the burden is on the homeowners. The challenge is the determination of where the public and private stormwater management collides. The City has requested from the homeowners a professional engineering determination for their purposes, not the City’s report to help determine, whether or not this is a City issue. He has submitted proposals for approval up to this point; however, he is not willing to ask Council to approve a project with a total cost of \$150,000 that may not provide an absolute solution.

Mr. Francis said the email received from Mr. West does not portray the existing problem. Mr. Francis shared a photo of a pipe in front of Mr. West’s home. It showed the pipeline full of sediment and an illegal PVC pipe going through the drain, which is causing most of the flooding. He further provided a map of the area showing the homes and the elevated swales not allowing them to convey water. Mr. Francis discussed a conservative plan to lower the swales, repair the storm drain, and remove a tree. After further discussion, he said he request the final determination report from Harris Engineering on a solution.

Comm Gold spoke on the use of the instant messaging feature during virtual meetings. Attorney Ardaman said concerning the virtual conferences if the public cannot see the messages, he recommends not using them, and all comments should be stated verbally for complete compliance and transparency.

UNFINISHED BUSINESS

- a. Ordinance 20-08 First Reading and Consideration: Electric Franchise Fee - AN ORDINANCE GRANTING TO DUKE ENERGY FLORIDA, LLC. d/b/a DUKE ENERGY, A NON-EXCLUSIVE ELECTRIC UTILITY RIGHTS OF WAY UTILIZATION FRANCHISE; PRESCRIBING THE TERMS AND CONDITIONS RELATED TO THE USE AND OCCUPANCY OF MUNICIPAL STREETS AND RIGHTS OF WAY IN THE CITY OF BELLE ISLE, FLORIDA, FOR THE PURPOSE OF PROVIDING ELECTRIC SERVICE; PROVIDING FOR FINDINGS, SHORT TITLE, DEFINITIONS, GRANT OF AUTHORITY, PAYMENTS, FAVORED NATION CLAUSE, INDEMNIFICATION, RECORDS AND REPORTS, PROVISIONS IN THE EVENT OF RETAIL WHEELING, SEVERABILITY OF PROVISIONS, GOVERNING LAW, DISPUTE RESOLUTION, ASSIGNMENT/DELEGATION, DEFAULT AND TERMINATION, SOVEREIGN IMMUNITY, STATUS OF GRANTEE, LIENS, INDEMNIFICATION, INSURANCE, AND OTHER TERMS; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

Mayor Fouraker read Ordinance 20-08 by title

Comm Nielsen moved to advance Ordinance 20-08 to second reading and adoption at the next City Council meeting.

Comm Gold seconded the motion which passed unanimously upon roll call, 7:0.

- b. Ordinance 20-09 First Reading and Consideration: Repeal Electric Utility Tax - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTION 28-31 OF THE BELLE ISLE CITY CODE; PROVIDING FOR FRANCHISE FEE FOR ELECTRIC UTILITY SERVICES AS ALTERNATIVE TO PUBLIC SERVICE TAX; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Mayor Fouraker read Ordinance 20-09 by title

Comm Sims moved to advance Ordinance 20-09 to second reading and adoption at the next City Council meeting.

Comm Readey seconded the motion, which passed unanimously upon roll call, 7:0.

c. Discuss disposition of Lancaster House

Bob Francis gave a brief update on the efforts over a year on saving this home. Mr. Francis reported Kimberly Stevens, contacted the City and stated she is having zoning and funding complications on the project and will have to forego the moving of the house.

Comm Readey said he has had numerous discussions on this project and was asked to start a fundraiser to accomplish the task. He said, he is not able to take on the responsibility but was hoping someone would step forward.

Comm Partin shared a statement on salvaging the Lancaster Home. He said he would support more time for the pursuit to allow Pine Castle Historical Society (PCHS) to attempt to raise funds needed and present a final plan to the City by September 1 with a deadline for the home to be moved by October 1, 2020. The statement was provided to the Clerk for the record.

Comm Nielsen shared her concerns with CCA’s response and lack of repair to the Lancaster House. She supports postponing the decision and destruction until September 1, 2020, and digital archiving the building and its contents.

Comm Gold shared a few options that will allow additional time to pursue a “Go Fund Me” campaign.

Discussion ensued.

Comm Shuck moved to direct the City Manager to salvage what can be sold and demolish the remainder of the house and garage located at 5903 Randolph Avenue.

Comm Sims seconded the motion with the addition of adding deadlines to the motion.

Comm Shuck asked for a second to the motion as initially read.

The motion failed 5:2 with Comm Gold, Comm Nielsen, Comm Carugno, Comm Readey, and Comm Partin, nay.

Comm Nielsen moved to delay the destruction of the house until these items can be accomplished, (1) complete a digital replica of the Lancaster House, and (2) inform all residents via alerts and a newsletter.

Comm Readey seconded the motion.

Comm Gold recommended an amended motion to delay until the City can have in-person meetings.

The motion failed 4:3 without the amendment with Comm Carugno, Comm Partin, Comm Sims, and Comm Shuck, nay.

Comm Partin moved to allow the PCHS, or other parties, to attempt to raise funds needed and present their relocation plan to The City of Belle Isle By September 1, with a deadline for the home to be moved by October 1. If the PCHS, or other parties, is unable to raise funds needed and or do not submit their plan for the relocation of the home by September 1, then the City is left with no other choice but to dismantle the house. To retain as much of this historical treasure as possible I would suggest the removal of the home be conducted in part as a salvage operation to be able to give as much of the reclaimed lumber and possible artifacts found to the PCHS, or other entity, to use in future endeavors, i.e., a museum, or restoration of current or future projects.

Comm Sims seconded the motion.

Comm Gold asked why to give the PCHS more time; it should be open to anyone.

The motion passed 5:2 with Comm Gold and Comm Shuck, nay.

d. Discuss Cornerstone Board Letter responding to Council Conditions for Refinancing 2012 Bonds

Mr. Francis provided a copy of the City Memorandum of Conditions and CCA’s response rejecting all Council conditions. He spoke with the Board Chairman and believes there are still some items that can be renegotiated. If this moves forward, the Bond Debt will not be on the City’s books when the bond paperwork is completed. The City will still own the property, and the refinancing will trigger a new lease.

Comm Gold said if CCA is not willing to work with the City, we should move on.

After discussion, Comm Sims moved to direct the City Manager to continue negotiations on the conditions with CCA Board Chair on some of the terms and refinance the bond issue.

Comm Partin seconded the motion.

Comm Carugno asked if this should go to the Budget Committee before the Council vote. Discussion ensued. Mr. Francis read a Chat message from Chairman Miller of the Budget Committee, which said, “not so fast, we still own the land which will be encumbered by the Bond and should come to the Budget Committee for financial impact.” Mr. Francis said in speaking with the Financial Advisors for the City, this bond will not encumber the

land, and the City will still own the property. If there is a default on the loan, the bondholders may want to place another charter school or some other entity on the property.

The motion passed 5:2 with Comm Gold and Comm Carugno, nay.

NEW BUSINESS

a. Budget Committee Recommendation to assess the vacant property for stormwater fee City Manager Francis said the Budget Committee discussed vacant properties in the City that are not currently assessed a stormwater fee. They made a recommendation that all vacant residential/commercial land should be evaluated for stormwater. Under Section 10-124G it states, "All vacant land separately taxed shall be exempt from the stormwater utility assessment fee." Mr. Francis said Comm Carugno is on that list and may need to recuse himself from the vote.

Attorney Ardaman said on the issue of conflict; there are approximately 30 vacant residential properties that are subject to the assessment. If any commissioner owns more than 1% of the total, he recommends that they recuse themselves from the vote; however, they can participate in the discussion.

Mayor Fouraker shared his opinion with the recommendation and said the policy overall does make sense as budget revenue.

Comm Carugno asked if it matters if the property had a residence or commercial building before being vacant. Attorney Ardaman said if the vacant parcel is part of a homestead, it may make a difference. Comm Carugno shared his concern with the proposed ordinance and said the City should be more focused on commercial impact fees. Comm Carugno recused himself from the vote.

After discussion, Comm Sims moved despite the Budget Committee’s recommendation the City does not access fees on a vacant property for stormwater.

Comm Nielsen seconded the motion, which passed 6:0 with Comm Carugno recusal from the vote.

Attorney Ardaman said the Commissioner should submit Form 8B to the City Clerk for the record.

ATTORNEY REPORT

Attorney Ardaman gave an update on the Lake Conway matters. He reported that County Comm Mayra Uribe requested the City to outline the points under consideration to present to the NAV Board and FWC for public comment as follows:

- Maximum speed on the lake of 50 mph
- Excluding bass fishing tournaments and barefoot skiing from interfering the events
- Life preservers to be optional for skiers who are training for competition
- Establishing 300 no vessel zone from the spillway on the south lake
- Establishing no-wake zone In the narrows on the north lake for a distance of 300 feet

CITY MANAGER REPORT

City Manager Francis reported on the following,

Issues Log

- Crosswalk on Hoffner & Monet - OC reported that they will work with the City to coordinate the installation of a rectangular beacon off of Hoffner & Monet.
- Bank of America Purchase – All references to the ATM on the property have been removed in the contract and will be forwarded to the City Attorney for review.

Chief's Report

Appointment of members to the Police Advisory Board

Comm Nielsen presented Charlotte Hobbs to the Police Advisory Board for consideration.

Comm Carugno asked if there will be a Sunshine Violation because her husband is on the Planning & Zoning Board.

Attorney Ardaman said no.

Comm Sims seconded the motion, which passed unanimously 7:0.

Comm Partin presented Alexa Dowlen to the Police Advisory Board for consideration

Comm Sims nominated Alexa Dowlen representing District 6.

Comm Gold said he would like to see other members of the Community presented for consideration rather than rotating the same individuals.

Comm Nielsen seconded the motion, which passed unanimously 7:0.

Comm Carugno motioned to extend the meeting for an additional 15 minutes.

Comm Gold seconded the motion, which passed unanimously 7:0.

Chief Houston reported on the following,

- Two officers have been quarantined and are COVID positive. Also, due to a COVID positive suspect apprehended last night, a few other officers will be tested for COVID.

MAYOR'S REPORT

Mayor Fouraker said he is challenged with allowing interjection of public chat comments on Council agenda items outside of the public comment section. Attorney Ardaman said the chat feature should not be permitted as the proper process for public comment. Mr. Francis said the City Clerk should turn off the function as a matter of practice.

Mayor Fouraker announced a Food Give Away sponsored by Action Church on Saturday, July 11th, at Regal Boats on Jetport Drive.

COUNCIL REPORT

- Comm Carugno reminded the residents that the FAA comments are due by July 10th regarding the MetroPlex Plan.
- Comm Partin asked if the City can push Wawa to complete the right-in & right-out exits sooner rather than later.
- Comm Readey said he would like to see the Police Payment Plan implemented now rather than the beginning of the fiscal year, if at all possible.

ADJOURNMENT

There being no further business, Mayor Fouraker called for a motion to adjourn. The motion was passed unanimously at 9:15 p.m.

Yolanda Quiceno, CMC, City Clerk



The Belle Isle City Council met in a Regular Session on July 21st, 2020, at 6:30 p.m. on a Virtual Webinar (zoom.us/j/84932764113).

Present was:

- Mayor Nicholas Fouraker
- Commissioner Ed Gold
- Commissioner Anthony Carugno
- Commissioner Karl Shuck
- Commissioner Mike Sims
- Commissioner Harv Readey
- Commissioner Jim Partin
- Commissioner Sue Nielsen

Absent was:

na

Also present were Attorney Ardaman, City Manager Francis, Chief Houston, and City Clerk Yolanda Quiceno.

CALL TO ORDER

Mayor Fouraker called the meeting to order at 6:30 pm and confirmed quorum.
Comm Nielsen led the invocation and pledge to the flag.

PUBLIC HEARING

Revocation of Occupational License: Belle Isle Paddle Board LLC, dba Lake Life Paddle, Jennifer Brown

City Manager Francis gave a brief overview of the initial complaints the City received regarding Lake Life Paddles LLC. The reports included damage to boats and docks from inexperienced paddlers, launching from private property, and possibly having some of the paddlers being intoxicated. He contacted the business owner on the same day of the complaints, and on May 28th Jennifer Brown responded and said she had a solution. Ms. Brown suggested that she will go mostly mobile and do smaller tours. She also noted in her email of June 1st that she also spoke with her neighbor—Mr. Heringhaus.

The City continued to receive complaints from others on the canal. On June 5th, he contacted the business owner about additional complaints received regarding launching in the canal. He said in talking with those who submitted the complaints he suggested the possibility of launching from another place to launch and the complaints may go away. He further reported on unsubstantiated rumors that alcohol was given away for donations. On June 8th, he sent a letter outlining the complaints and advised her of an in-person City Council meeting. At that time, the pandemic was on the decline, and there was a question whether or not the Governor would extend the order pass the end of July; the Executive Order was extended.

On June 22nd, she said she had found a new place to launch and would move the rentals out of her home. She further stated that Comm Uribe was helping her with permits that may make it clear for her to work out of other lakes. She also planned to send a letter to her neighbors, letting them know of her new plans. He offered to help her and the possibility of launching from city public parks Peninsular, La Belle, or Delia. The business owner has not accepted the City’s offer. Since this situation has not been resolved, on July 7th, he advised her that on July 21st, a public hearing will be held.

The crux of the matter is that residents along the canal do not want the business to launch a large group of inexperienced paddle boarders from the owner’s residence on the canal. We have received many emails in support; however, it does not have anything to do with how good a community person she is, what she does for the community; but of the complaint received on her home-based business and disposition of the occupational permit. The City has provided adequate public notice, which is evident in the number of responses received.

Mayor Fouraker said the City Clerk has noted that she received a few request cards to speak.
Mayor Fouraker opened for public comment.

Jennifer Brown's business owner of Lake Life Paddle spoke on her business practice and typical small tours. The large groups were due to the COVID first opening commencing on Memorial Day and not before. She would like to go back to small groups/events out of her home. The paddle boarders, support local businesses, and bring value to the community. The complaints that have been made regarding the alcohol are not true. They do have giveaways, but alcohol is not one of them.

Richard Gallagher residing at 6906 Daetwyler Drive spoke about the complaints and bumping into boats. He stated once they were informed of the claim, they took it very seriously, and, as a solution, they positioned themselves between the paddle boarders and any boat on the canal. It was also mentioned that they were sitting on private docks; there are no docks in the Willoughby canal. They understand the importance of protecting property and would like the opportunity to continue their business out of their home while taking care of their family.

Attorney Matthew Petra, speaking on behalf of the business owner, with offices at Zimmerman Kiser Sutcliffe, 315 East Robinson Street, Suite 600, Orlando, FL 32801. He has reviewed some of the complaints and asks that the City's decision be based on substantiated evidence and testimony provided to all parties along with personal property damaged reports. It is his understanding that they do not engage in the sale of alcohol. He stated that COVID had reduced many occupational positions, and many have to work from home. He said losing the license is a very significant penalty and may harm personal liquidity.

Comm Gold shared his concern and motioned to table the Public Hearing until such time that the City Council can meet in person.

Comm Readey seconded the motion.

Comm Shuck said he has not heard from the business owner about the paddle boarders resting at the HOA Lake Lot, and do they have liability insurance for any boat/dock damage. He said out of the 48 public comments received, approximately 15 of them on the list are not Belle Isle residents and should be discounted.

Comm Carugno shared his concern and stated that the code is way too vague and should be revisited. He asked to amend the motion to revise the home occupational license for Jennifer Brown doing business as Lake Life Paddle, to include the following,

- Allow having an office space in her residence for taking reservations and payments**
- Immediately cease launching in the canal, but can launch at a public place on the main lakes**
- If she does not cease launching from the canal, her permit will be immediately revoked**
- Have the City Manager take a look at the Home Occupational Ordinance and make it more definitive involving businesses on the lake.**

Mayor Fouraker shared his concerns and said there are supports on both sides. He believes a business model with protocols should be in place to accommodate this type of business. The residents affected and not in support of this business should also be taken into consideration before a vote is made. He suggested a workshop if Council decides to allow the business the use of other City ramps for launching.

Comm Gold said he would like to move forward with his original motion.

After discussion, the motion failed 5:2 with Comm Shuck, Comm Carugno, Comm Partin, Comm Nielsen, and Comm Sims, nay.

Comm Carugno motioned to revise the home occupational license for Jennifer Brown doing business as Lake Life Paddle, to include the following,

- Allow having an office space in her residence for taking reservations and payments
- Immediately cease launching in the canal, but can launch at a public place on the main lakes
- If she does not cease launching from the canal, her permit will be revoked immediately
- Have the City Manager take a look at the Home Occupational Ordinance and make it more definitive involving businesses on the lake.

Comm Sims seconded the motion.

Comm Partin asked if the Council can move on the conditions of a business license without changing the overall Ordinance.

Attorney Ardaman suggested requesting from the business owner if the conditions are acceptable. If it is not, the Council should withdraw the motion, consider other actions, or revoke the license.

Jennifer Brown, the business owner of Lake Life Paddle, agreed to the motion. She shared her concerns with being under a microscope with unfounded allegations.

After discussion, the motion passed 4:3 with Comm Shuck, Comm Readey, and Comm Gold, nay.

CONSENT ITEMS

- a. Approval of the City Council meeting minutes – June 16, 2020
- b. June Monthly Reports: Finance Report, Code Enforcement, and OC Fire

Comm Sims moved to approve the consent items as presented.

Comm Gold seconded the motion, which passed unanimously upon roll call, 7:0.

CITIZEN COMMENTS

Mayor Fouraker opened for citizen comments.

City Clerk reported that she received numerous emails for the Public Hearing which was added to the agenda packet. No other Citizen Comment requests were received.

UNFINISHED BUSINESS

- a. Ordinance 20-08 Second Reading and Adoption: Electric Franchise Fee - AN ORDINANCE GRANTING TO DUKE ENERGY FLORIDA, LLC. d/b/a DUKE ENERGY, A NON-EXCLUSIVE ELECTRIC UTILITY RIGHTS OF WAY UTILIZATION FRANCHISE; PRESCRIBING THE TERMS AND CONDITIONS RELATED TO THE USE AND OCCUPANCY OF MUNICIPAL STREETS AND RIGHTS OF WAY IN THE CITY OF BELLE ISLE, FLORIDA, FOR THE PURPOSE OF PROVIDING ELECTRIC SERVICE; PROVIDING FOR FINDINGS, SHORT TITLE, DEFINITIONS, GRANT OF AUTHORITY, PAYMENTS, FAVORED NATION CLAUSE, INDEMNIFICATION, RECORDS AND REPORTS, PROVISIONS IN THE EVENT OF RETAIL WHEELING, SEVERABILITY OF PROVISIONS, GOVERNING LAW, DISPUTE RESOLUTION, ASSIGNMENT/DELEGATION, DEFAULT AND TERMINATION, SOVEREIGN IMMUNITY, STATUS OF GRANTEE, LIENS, INDEMNIFICATION, INSURANCE, AND OTHER TERMS; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

Mayor Fouraker read Ordinance 20-08 by title.

City Manager Francis requested Council consideration to table Ordinance 20-08 to August 4, 2020, to allow necessary changes by Duke Energy to the Ordinance.

Comm Sims moved to table the Ordinance to the next City Council meeting on August 4, 2020.

Comm Readey seconded the motion, which passed unanimously upon roll call, 7:0.

- b. Ordinance 20-09 Second Reading and Adoption: Repeal Electric Utility Tax - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTION 28-31 OF THE BELLE ISLE CITY CODE; PROVIDING FOR FRANCHISE FEE FOR ELECTRIC UTILITY SERVICES AS ALTERNATIVE TO PUBLIC SERVICE TAX; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Mayor Fouraker read Ordinance 20-09 by title.

Comm Sims moved to table to the adoption of Ordinance 20-09 to the next City Council meeting on August 4, 2020.

Comm Nielsen seconded the motion, which passed unanimously upon roll call, 7:0.

NEW BUSINESS

- a. Discuss responsibility for maintenance of city drainage swales

City Manager Francis reported that most of the grass swales are failing in that they are not channeling water. Most of the reason for this is that property owners have allowed their swales to become overgrown to the point that the grass now acts as a dam leaving the water to accumulate and not percolate. Either the homeowners must maintain the swales or the City needs to recondition the swales. Homeowners must stop watering their swales and mow the area a lot closer than their lawns. If a swale is to work correctly, it should have an under drain that collects the water. Many of the swales constructed are without this under drain, further causing the flooding problems, such as in Lake Conway Shores. If the City is going to maintain the swales, then the staff will contact the property owners and have them disconnect their sprinkler systems to allow us to cut back the swale below the driveway.

City Manager said the City should maintain the swales following Best Management Practices.

Mayor Fouraker reported that the Budget committee discussed a cost assessment, and how we prioritize the sections of the City. Mr. Francis said the Budget Committee did not address this because it will be completed by staff and funding in the operational budget. Discussion ensued on Section 10-32 and minimal residential requirements.

After discussion, Council consensus was to have the City move forward as proposed by City Manager Francis.

- b. Agreement with Regal Marine for the use of Venetian Ramp

City Manager Francis reported on the Agreement with Regal Marine. He said Regal Marine usually has a customer appreciation event every year and bring in larger boats than the City allows on the ramps. This causes them a few problems because they cannot launch out of the Randolph ramp. In the past, we have received complaints because most of the boats are over 25 feet. This agreement will allow for the use of the ramp by Regal Marine, and the agreement will memorialize the agreement. The agreement presented was reviewed by the City Attorney and shared with the homeowners in the Venetian gardens area.

Comm Carugno shared his concern with having another business operate on the lake. He said he would like to revisit the Ordinance in displaying company logos and flags on vessels. Comm Carugno moved to approve the Agreement with Regal Marine to allow Regal to launch their boats upon City Attorney review.

Comm Sims seconded the motion, which passed unanimously 7:0.

- c. Consider approval of Purchase and Sale Agreement with Bank of America (BOA)

City Manager Francis reported that there is not going to be an ATM on-site and will require a \$60,000- non-refundable escrow unless BOA defaults. He said he had a meeting with Chairman Brooks, who said since there is no ATM on the property, it may change the options for CCA. They spoke of CCA using the land and demolishing the building and give them a clean slate to rebuild. The Budget Committee recommended obtaining the BOA through eminent domain. Mr. Francis said he spoke with the City Attorney and found that it can be a lengthy process and is costly.

Comm Readey said he would like to see the ATM stay on the property and asked where the City is going to obtain the money to purchase the property.

Comm Sims shared his opinion and said the Council has deliberated and voted on this issue and does not think it appropriate for the Budget Committee to cause the Council to reopen a topic of eminent domain. He believes they are out of their lane. He would like to move forward on the Council deliberation and proceed with the negotiations.

Attorney Ardaman said if there is a Council member on the prevailing side that would like to reconsider; they can bring the motion forward. Discussion ensued on the eminent domain process.

Comm Nielsen said she would like to move forward with the purchase. She is not in agreement with condemning the building, as proposed by the Chairman of the Budget Committee.

Comm Partin shared his concern with the purchase price and the assessed value of the BOA building. However, not knowing what the future use will be and how it is going to be paid for is not being a good steward of the City.

Mayor Fouraker spoke on his professional opinion on the evaluation and purchase of the real estate.

Comm Shuck spoke on uses of the BOA building and said the Police Department has outgrown its current home and would be an excellent option for the City.

Comm Readey shared his concerns and said approval of this purchase would be a travesty.

**Comm Carugno moved to extend the meeting for 15 minutes.
Comm Nielsen seconded the motion, which passed 5:2 with Comm Readey and Comm Sims, nay.**

**Comm Shuck moved to accept the offer of the Bank of America located at 6300 Hansel Avenue and authorizes the Mayor to execute the contract.
Comm Sims seconded the motion.**

Attorney Ardaman said he does not believe the City has received the Phase 1 report, the survey, and title commitment, which are anticipated before the execution of the contract.

**Comm Shuck amended the motion to include receipt and review of the Phase 1 report, survey, and title commitment before executing the contract to the satisfaction of the City Manager and City Attorney.
Comm Sims seconded the motion.**

After further discussion, the motion passed 4:3 with Comm Gold, Comm Partin, and Comm Readey, nay.

ATTORNEY REPORT – No report.

CITY MANAGER REPORT

City Manager Francis said, according to the agreement with Cornerstone, the Council needs to review their conceptual plan for Wallace Park. In discussions with the Chairman, he also asked for the possibility of putting in artificial turf. Mr. Francis said the artificial grass is beneficial for the environment, and cost-saving on fertilizer, irrigation, and maintenance. Renderings were provided for comment. Council was in favor of the proposed artificial turf.

Comm Nielsen said the plans look good and would prefer not like to have the duck insignia on the City side of the building. She also asked if the underground drainage will be part of the plan. Mr. Francis said no; however, the City, County, and St. Johns River Management will work in partnership on a grant for irrigation before the start of construction.

Mayor Fouraker asked if Council would rather see artwork that will emulate the partnership with the City and the School on the side of the building facing the road. Discussion ensued.

Issues Log

Mr. Francis reported that the Wawa is working with Orange County to create the right-in, right-out only. Also, Orange County is going to allow the City to add a flashing beacon at the Monet crosswalk.

Chief's Report

Chief Houston said the health of Belle Isle officers seems to be improving. We expect officers to start returning in the next week. They had a great Police Advisory Board meeting last week with considerable discussion, including about some of the challenges facing police officers around the nation. She is looking forward to additional productive discussions.

MAYOR'S REPORT

Mayor Fouraker spoke on the proposed FAA MetroPlex Plan. He stated that comments are due on July 24th. He said they met with GOAA staff and pulled in some other stakeholders in the discussion. Mayor Fouraker asked all Commissioners to write a comment that they agree/disagree with the plan. After discussion, he suggested Council, independently, to send the following feedback to include, "I am the Comm of (City)(District), on behalf of my district we oppose/agree with this MetroPlex Plan. Comm Carugno gave an update and a summary of the proposed plan.

Comm Shuck moved to extend the meeting for 15 minutes.

Comm Nielsen seconded the motion, which passed 6:1 with Comm Readey, nay.

After discussion, Comm Nielsen moved to give the Vice Mayor authority to work with the City Manager to draft a letter that addresses the FAA MetroPlex Plan and have the Mayor sign on behalf of the City.

Comm Simms seconded the motion, which passed unanimously 7:0.

COUNCIL REPORT – No report.

ADJOURNMENT

There being no further business, Mayor Fouraker called for a motion to adjourn. The motion was passed unanimously at 9:22 p.m.

Yolanda Quiceno, CMC, City Clerk



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

Meeting Date: August 4, 2020

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinances to substitute Franchise Fee for Utility Fee for Electric Utility

Background: The Council adopted the Budget Committee recommendations to substitute 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. The Ordinances were drafted by the City Attorney.

Staff Recommendation: Read Ordinances 20-08 and 20-09.

Suggested Motion: I move that we adopt Ordinance 20-08 and Ordinance 20-09.

Alternatives: Do not move forward with the ordinances or adjust the tax from the recommended 3% to another %.

Fiscal Impact: Increase TBD based on the percentage of tax.

Attachments: Ordinances 20-08 and 20-09.

ORDINANCE # 20-08

AN ORDINANCE GRANTING TO DUKE ENERGY FLORIDA, LLC. d/b/a DUKE ENERGY, A NON-EXCLUSIVE ELECTRIC UTILITY RIGHTS OF WAY UTILIZATION FRANCHISE; PRESCRIBING THE TERMS AND CONDITIONS RELATED TO THE USE AND OCCUPANCY OF MUNICIPAL STREETS AND RIGHTS OF WAY IN THE CITY OF BELLE ISLE, FLORIDA, FOR THE PURPOSE OF PROVIDING ELECTRIC SERVICE; PROVIDING FOR FINDINGS, SHORT TITLE, DEFINITIONS, GRANT OF AUTHORITY, PAYMENTS, FAVORED NATION CLAUSE, INDEMNIFICATION, RECORDS AND REPORTS, PROVISIONS IN THE EVENT OF RETAIL WHEELING, SEVERABILITY OF PROVISIONS, GOVERNING LAW, DISPUTE RESOLUTION, ASSIGNMENT/DELEGATION, DEFAULT AND TERMINATION, SOVEREIGN IMMUNITY, STATUS OF GRANTEE, LIENS, INDEMNIFICATION, INSURANCE, AND OTHER TERMS; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1 - Findings

The City deems it necessary, desirable and in the interest of its citizens to establish by ordinance a rights of way utilization franchise (sometimes referred to herein as the “Franchise”) granting the Company permission to occupy the Rights of Way in the City of Belle Isle, Florida, for the purpose of providing electric services.

SECTION 2 - Short Title

This ordinance shall be known and may be cited as the “Duke Energy Rights of Way Utilization Franchise.”

SECTION 3 – Definitions

For the purposes of this ordinance, the following terms, phrases, words, and their derivatives shall have the meaning given herein. When not inconsistent with the context, words in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely permissive.

(A) “Adversely Affected” – For the Company, a loss of one percent (1%) or more of Base Revenues within the corporate City limits due to Retail Wheeling. For the City, a loss of one percent (1%) or more of franchise fees due to Retail Wheeling.

(B) “Agreement” or “Ordinance” or “Franchise Agreement” – This Ordinance, where appropriate based on the context.

(C) “Base Revenues” – All Company’s revenues from the retail sale of electricity, net of customer credits, to residential, commercial and industrial customers and City sponsored street lighting all within the corporate limits of the City.

(D) “Company” or “Grantee” – Duke Energy Florida, LLC d/b/a Duke Energy, its successors and assigns.

(E) “City” or “Grantor” – The City of Belle Isle, Florida.

(F) “Electric Energy Provider” – Every legal entity or association of any kind (including their lessees, trustees or receivers), including any unit of state, federal or local government (including City herein), which owns, maintains, or operates an electric generation, transmission, or distribution system or facilities, or which otherwise provides, arranges for, or supplies electricity or electric energy to the public, or which supplies electricity to itself utilizing Company’s distribution or other facilities. Without limitation of the foregoing, “Electric Energy Provider” shall also include every Electric Utility, electric power marketer or electric power aggregator. It shall also include every entity providing such services as metering, customer billing, payment collection and processing, and customer information and data processing.

(G) “Electric Utility” -- Shall have the meaning set out in Section 366.02(2), *Florida Statutes* (2019), and shall also include every electric “Public Utility” as defined in Section 366.02(1), *Florida Statutes* (2019). “Electric Utility” shall further include every investor owned, municipally or governmentally owned, or cooperatively owned electric utility (including their lessees, trustees or receivers), which owns, maintains, or operates an electric generation, transmission, or distribution system in any State or County.

(H) “Electric Utility System” – An electric power system installed and operated in the Franchise Area in accordance with the provisions of the Florida Public Service Commission establishing technical standards, service areas, tariffs and operating standards, which shall include but not be limited to electric light, heat, power and energy facilities, and a generation, transmission, and distribution system, with such extensions thereof and additions hereto as shall hereafter be made.

(I) “Franchise Area” – That area for which Company provides electric utility service within the corporate City limits of the City.

(J) “Facilities” – The meaning as set forth in Section 4.

(K) “Person” – Any person, firm, partnership, association, corporation, company or organization of any kind.

(L) “Public Service Commission” – The Florida Public Service Commission.

(M) “Rights of Way” – All of the public streets, alleys, highways, waterways, easements authorizing electric utilities (including those easements authorizing utilities in general), bridges, sidewalks and parks, and any other public ways or places owned by the City,

as they now exist or may be hereafter constructed, opened, laid out or extended within the present limits of the City, or in such territory as may hereafter be added to, consolidated or annexed to the City; provided, however, for public parks in which there are no existing Facilities, Company shall seek City’s written approval for the installation of new Facilities in such parks.

(N) “Retail Wheeling” – A customer/supplier arrangement whereby an Electric Energy Provider utilizes transmission and/or distribution facilities of Company to make energy sales directly to an end use customer located within the Franchise Area.

SECTION 4 - Grant of Authority

(A) This grant of authority is limited to the provision by Company to have, maintain, or place its Facilities within the Rights of Way for its electric utility services. Accordingly, the City hereby grants to the Company, its successors and assigns the non-exclusive right, authority, and franchise to lay, erect, construct, maintain, repair and operate its Facilities in, under, upon, over and across the present and future Rights of Way, as they now exist or may be hereafter constructed, opened, laid out or extended within the present and future limits of the City, including but not limited to conduits, cables, poles, wires, supports and such other structures or appurtenances as may be reasonably necessary for the construction, maintenance and operation of an electric generation (via solar panels on distribution poles), transmission and distribution system within the City, including information, telecommunication, and video transmission used solely for the provision of electric service (collectively the “Facilities”), provided that all portions of the same shall conform to accepted industry standards, including but not limited, to the National Electrical Safety Code. Nothing in this Ordinance shall require Grantee to remove, de-energize, or cease using any poles, wires, or other things or Facilities identified hereinabove that were in place under previous ordinances or permits prior to the Effective Date of this Ordinance, regardless of whether such poles, wires or other Facilities are located outside “Rights of Way” as defined herein. Nor shall anything in this Ordinance prohibit Company from performing upgrades, replacements, maintenance or servicing of such poles, wires, or other Facilities after the Effective Date of this Ordinance, provided that such activities do not unreasonably interfere with use of the public Rights of Way. Prior to performing any upgrades, replacements, maintenance or servicing of poles, wires, or other Facilities, Company shall notify and coordinate with the City regarding such activities, except in the case of emergencies, in which case Company shall notify the City of any actions it performs as soon as is practicable. Rather, all such preexisting poles, wires, or other Facilities which are located within the Rights of Way or are otherwise lawfully placed shall be authorized under this Ordinance. Because this Franchise is intended to grant Company the non-exclusive right to place its Facilities within the Rights of Way, the City expressly acknowledges and agrees that Company shall not be required to pull or pay for permits to place its Facilities or perform any work maintenance activities on or related to its Facilities within the Rights of Way, except as may be required by governmental entities not controlled by City.

(B) Annexation or Contraction. City and Company agree that the Franchise Area is subject to expansion or reduction by annexation and contraction of municipal boundaries. If City approves any Franchise Area expansion or reduction by annexation or contraction, City shall provide written notice to Company’s Annexation Coordinator, at the address provided below,

within sixty (60) days of such approval and this Franchise shall automatically extend to include any such annexed areas.

Additionally, within sixty (60) days of any such annexation or contraction, City shall provide to Company an updated list containing the new or removed street names, known street name aliases, street addresses, and zip codes associated with each street name. All notices of annexation or contraction and address listings shall be addressed to the Annexation Coordinator as follows with the address subject to change:

Duke Energy
Tax Team DT02-V
9700 David Taylor Drive
Charlotte NC 28262
Or by email to: TaxTeam@duke-energy.com

Company must revise its payments due to any annexation or contraction within a reasonable time after Company has received such notice and updated list from City, but no later than sixty (60) days after receipt of notice and the list. City understands and affirmatively acknowledges that the Company will exclusively rely upon the City to provide timely and accurate information to the Company regarding any such annexations or contractions, and that failure to do so will impair, inhibit, and/or preclude the Company’s ability to revise any payments due to the City that are impacted by such annexations or contractions. Further, City acknowledges that if such information is not timely furnished to Company as required herein, any related obligation to collect payments shall be suspended during the period of delay.

(C) Non-Exclusive Use. The Company’s right to use and occupy Rights of Way for the purposes herein set forth shall be non-exclusive as to entities not engaged in the provision of electric energy and service, and the City reserves the right to grant to others the right to utilize the Rights of Way, to any person at any time during the period of this Franchise so long as such grant does not create an unsafe condition or unreasonably conflict with the rights granted to Company herein.

SECTION 5 - Notice of Acceptance and Term of Franchise

This ordinance shall become effective upon being legally passed and adopted (“Effective Date”) by the City Commission; and it is further agreed that Grantee shall accept this Franchise as of the date of the passage and adoption by the City Commission and shall signify its acceptance in writing within thirty (30) days after the City Commission’s approval of this ordinance by filing its written acceptance with the City Clerk. If Grantee fails to accept and execute this franchise within thirty (30) days of its date of passage and adoption, then this Ordinance shall be null and void, and of no force and effect of any kind. Commencing on the Effective Date, the term of the Franchise granted herein shall be for a period of thirty (30) years.

SECTION 6 - Payment to City

(A) Effective the first day of the second month beginning after the Effective Date of this ordinance, City shall be entitled to receive from Company a monthly franchise amount that

will equal three percent (3%) of Company’s Base Revenues (the “Franchise Fee”) for the preceding month, which amount shall be the total compensation due City for any and all rights, authority and privileges granted by this Franchise, including compensation for any required permits, parking fees, or any other fee or cost related to the rights granted hereunder. Any franchise amounts that will be paid to the City will be collected by the Company from Company’s customers in the Franchise Area and passed through to the City in the manner described herein. The City expressly acknowledges that no additional or other amounts shall be due or remitted by Company for the exercise of its rights granted hereunder.

Notwithstanding anything to the contrary herein, City may adjust the Franchise Fee by giving written notice to the Company of the adjusted fee in a manner consistent with Section 16; provided that (i) in no event shall the Franchise Fee exceed six percent (6%) of Company’s Base Revenues for the preceding month (the “Franchise Cap”), unless the Franchise Cap is increased pursuant to Section 7(A) below, and (ii) City may not provide Company with notification of an adjustment to the Franchise Fee until at least twelve (12) months has elapsed since the prior Adjustment Date (as defined herein), unless such adjustment is made pursuant to Section 7(A) below. Grantee's obligation to pay such adjusted franchise fee to Grantor shall apply prospectively beginning with the next monthly franchise fee payment following Grantor's notice of its exercise of its adjustment right to which Grantee may collect such adjusted fee from its customers. The “Adjustment Date” shall be the date on which Grantee makes the first payment to City which incorporates an adjusted franchise fee requested by City under this paragraph.

Payment shall be made to City for each month no later than the twentieth (20th) day of the following month. The monthly payment shall be made by wire transfer. Any monthly payment or any portion thereof made twenty (20) days after the due date without good cause shall be subject to interest at the rate of ten percent (10%) per annum.

(B) Only disputed amounts shall be allowed to be withheld by Company, and any such amount shall not accrue any interest during the pendency of any such dispute.

(C) The City acknowledges that all classifications and categories of retail customers of Company shall be subject to the payment of the Franchise Fee due hereunder.

SECTION 7 - Favored Nations

(A) In the event Grantee shall hereafter accept an electric utility franchise ordinance from any municipality providing for the payment of a franchise fee in excess of that the Franchise Cap provided for in Section 6 above, Grantee shall notify Grantor, and Grantor reserves the right to amend this Ordinance to increase the Franchise Cap and franchise fee payable under this ordinance to no more than the greater franchise fee that Grantee has agreed to pay to such other municipality. Grantee's obligation to pay such greater franchise fee to Grantor shall apply prospectively beginning with the next monthly franchise fee payment following Grantor's timely notice of its exercise of its amendment right to which Grantee may collect such increased fee from its customers. Grantee's failure to notify Grantor of such additional payments does not limit Grantor's right to amend to require such additional franchise fees.

(B) It is the intent and agreement of Grantor and Grantee that Grantee shall not be required to pay Grantor a franchise fee under Section 6 of a percentage greater than that paid to Grantor by any other Electric Utility or Electric Energy Provider utilizing Grantor's Rights of Way on such Electric Utility's or Electric Energy Provider's revenues attributable to services that are the same or substantially the same as those performed by Grantee. It is further the intent and agreement of Grantor and Grantee that Grantee should not be placed at a competitive disadvantage by the payments required by Section 6 of this Ordinance in the event other Electric Utilities or Electric Energy Providers provide services in competition with Grantee without utilizing Grantor's Rights of Way.

(C) If Grantor imposes a lesser fee, or no fee, or is unable to impose a fee on another Electric Utility or Electric Energy Provider providing or seeking to provide services in competition with Grantee to the public within Grantor's municipal boundaries, whether utilizing Grantor's Rights of Way or not utilizing Grantor's Rights of Way, Grantee's fee under Section 6 for such services shall be automatically reduced to the lesser fee charged the other Electric Utility or Electric Energy Provider (or to zero (0), if no fee is charged such other Electric Utility or Electric Energy Provider). In all events, City shall not grant more favorable treatment to other Electric Energy Providers than is granted to Company under this ordinance, it being the intent of the parties that no future provider of electric service, be it generation, transmission or distribution service, to the public within the corporate limits of City shall be given a competitive advantage over Company.

SECTION 8 - Grantor Rights

The right is hereby reserved to the City to adopt such regulations as it shall find necessary or advisable in the exercise of its police power, provided that such regulations, by ordinance or otherwise, shall be reasonable, and shall not be in conflict with the laws of the State of Florida or the lawful regulations of any state agency possessing the power to regulate the activities of the Company, or conflict with or otherwise substantially interfere with the benefits conferred on the Company hereunder. In the event of a conflict between this Franchise Agreement and any other ordinance or regulation adopted by the City relating to Company's rights to perform work in and/or occupancy of the Rights of Way as permitted hereunder, the rights under this Franchise Agreement shall govern and control to the extent allowable under the law. This paragraph shall not be construed to limit the City's exercise of its legislative authority with respect to the adoption of ordinances for a valid public purpose.

SECTION 9 - Work In Rights of Way

The Company is hereby granted the right, authority and privilege to perform all necessary work and excavations in said Rights of Way of the City related to its Facilities and necessary or incidental to carrying out such rights and obligations as permitted hereunder. The Company shall have the right to fasten and to stretch and lay along the lines of said poles, conduits, pipes and cables necessary for transmitting and conveying the electric current to be used in the Company's business, together with all the rights and privileges necessary or convenient for the full use including the right to trim, cut and keep clear all trees and limbs near or along Company's Facilities that may in any way endanger the proper operation of same. Company represents that its tree trimming procedures meet or exceed the standards promulgated in ANSI A300 and that

its standards will continue to meet or exceed those standards unless ordered to modify its standards by the Florida Public Service Commission or other authority to which Company’s operations are subject. The Company shall provide notice to the City prior to performing any tree maintenance, pruning, or removal, except in case of emergency, in which case the Company shall provide notice to the City as soon as is practicable. Moreover, the Company shall have the right to construct, erect, operate and maintain within the City an electric system consisting of its Facilities for carrying on the Company’s business; provided that, in accomplishing these purposes, the streets of said City shall not be unnecessarily obstructed for an unreasonable amount of time, and work in connection therewith shall be done and carried on in conformity with (i) such reasonable rules, standards, regulations and local ordinances with reference thereto as may be adopted by the City for the protection of the public and which are not in conflict with or otherwise interfere with the benefits conferred on the Company hereunder and (ii) other applicable laws adopted by government entities not under the control of City.

SECTION 10 – Indemnification

(A) The acceptance and execution of this Franchise by Company shall be deemed an agreement on the part of Company to indemnify and hold harmless the City and its elected and appointed officials, employees, and officers, against any and all direct damages, claims, expenses, reasonable attorneys’ fees (including trial and appellate fees) and costs that City may incur to the extent arising out of or resulting from the negligence or willful misconduct of, or otherwise the fault of, Company, its contractors, subcontractors, employees, officers, and agents in the construction, repair, operation, or maintenance of its electric utility Facilities hereunder. In no event shall Company be liable to City for any consequential, incidental, punitive, exemplary, multiple, or indirect damages, lost profits or other business interruption damages, by statute, in tort (including negligence or strict liability), in contract, or under any indemnity provision or otherwise. This indemnification and hold harmless provision survives termination, expiration, repeal, or invalidation of this Ordinance.

(B) Company shall maintain throughout the term of this Franchise sufficient financial resources to provide self-insurance insuring City and Company with regard to all damages set forth in Section 10 (A) in the minimum amounts of:

- (i) \$1,000,000 for bodily injury or death to a person;
\$3,000,000 for bodily injury or death resulting from any one accident.
- (ii) \$50,000 for property damage resulting from any one accident.
- (iii) \$1,000,000 for all other types of liability.

(C) City acknowledges that Company provides its own liability insurance (self-insured).

(D) Whenever Company shall cause any opening, excavation, or alteration to be made in Right of Way in the construction, operation, or maintenance of any of its Facilities, Company shall cause such portions of the Right of Way to be restored to the same condition in which it found them as nearly as reasonably practicable. Additionally, if Company shall fail to restore (or commence to restore) the area to its approximate former condition within a reasonable period of time, but no less than thirty days after written notification by the City, the City may proceed to

restore such Right of Way as nearly as reasonably practicable to its original condition, and the City shall submit a statement of the reasonable costs for this restoration to Company. Company shall pay the City for such reasonable costs within thirty days.

SECTION 11 - Records and Reports

(A) Company Rules and Regulations. The following documents shall be available to City upon City's reasonable request: copies of rules, regulations, and procedures adopted by Company that relate to Company's use of City's Rights of Way.

(B) Accounting. Company shall use the system of accounts and the form of books, accounts, records, and memoranda prescribed by the Florida Public Service Commission or such other applicable governing agency having jurisdiction over Company as determined by Company.

(C) Reports. Company will submit monthly a statement of its estimated Base Revenues for the period on which such payment is based. The acceptance of any statement or payment shall not prevent the City from asserting that the amount paid is not the amount due, or from recovering any deficit by any lawful proceeding, including interest to be applied at the rate set forth in Section 6 (A).

(D) Availability of Records and Reports. Company shall supply information that City or its representatives may from time to time reasonably request relative to the calculation of franchise fees. Such records shall, on written request of City, be open for examination and audit by City and City's representatives at Company's headquarters in St. Petersburg, Florida, during ordinary business hours and such records shall be retained by Company for a period of three (3) years.

(E) Audit. City may require, upon prior written notice and during Company's normal business hours, an audit of Company's books related to this Agreement not more than once every three (3) years and then only for the preceding three (3) years. Company will reimburse City's audit costs if the audit identifies errors in Company's franchise Base Revenues of five percent (5%) or more for the period audited. If an underpayment of franchise fees has occurred due to the Company's error, interest will be calculated at the rate of ten percent (10%) per annum. Both the underpayment and interest shall be paid within ninety (90) days from completion of the audit.

(F) Customer Report. In addition to City's obligations in Section 4 (B), within ninety (90) days of the Effective Date of this Agreement, City shall provide to Company a report in a format acceptable to Company setting forth a listing of all addresses within the corporate limits of the City and annually thereafter a report identifying any changes to the address listing provided the previous year.

(G) Public Records. To the extent that Florida's public records laws and regulations apply to Company, Company shall comply with all such laws and regulations.

SECTION 12 - Retail Wheeling

In the event the appropriate governmental authorities authorize Retail Wheeling, then either party, if Adversely Affected thereby, may provide written notice to the other of its desire to renegotiate the Franchise Fee payments between the Company and the City. If the parties are unable to agree within ninety (90) days of such written notice, either party may declare an impasse, and may file an action in the Circuit Court in Orange County, Florida for declaratory relief as to the proper Franchise Fee in light of Retail Wheeling.

SECTION 13 - Severability

Should any section or provision of this Franchise ordinance or any portion thereof, the deletion of which would not adversely affect the receipt of any material benefits or, substantially increase the burden of any party hereunder, be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder, as a whole or any part thereof, other than the part declared to be invalid. In the event of any such partial invalidity, City and Company shall meet and negotiate in good faith to obtain a replacement provision that is in compliance with the judicial authority’s decision.

SECTION 14 - Governing Law and Venue

(A) This Franchise ordinance shall be construed and interpreted according to the laws of the State of Florida.

(B) In the event that any legal proceeding is brought to enforce the terms of this Franchise, the same shall be brought in Orange County, Florida, or, if a federal claim, in the U.S. District Court in and for the Middle District of Florida, Orlando Division.

SECTION 15 – Merger

This Franchise agreement is the full, complete and entire understanding and agreements of the parties as to its subject matter, and the written terms supersede all prior contemporaneous representations, discussions, negotiations, understanding and agreements relating to the subject matter of this agreement. The parties shall not be bound or liable for any statement, prior negotiations, correspondence, representation, promise, draft agreements, inducements, or other understanding of any kind or nature not set forth or provided herein.

SECTION 16 – Notices

Except in exigent circumstances, all notices by either City or Company to the other shall be made by depositing such notice in the United States Mail, Certified Mail return receipt requested or by recognized commercial delivery, e.g. FedEx, UPS or DHL or facsimile. Any notice served by certified mail return receipt shall be deemed delivered five (5) days after the date of such deposit in the United States mail unless otherwise provided. Any notice given by facsimile is deemed received by next Business Day. “Business Day” for purposes of this section

shall mean Monday through Friday, with Saturday, Sunday and City and Company observed holidays excepted. All notices shall be addressed as follows:

To City:
City Clerk
1600 Nela Avenue
Belle Isle, FL 32809
Phone: (407) 851-7730
Facsimile: (407) 240-2222
yquiceno@belleislefl.gov

To Company:
Gov't and Community Relations
Duke Energy
P.O. Box 14042
St. Petersburg, FL 33733-4042
Phone: (727) 820-5474
Facsimile: (727) 820-5715

SECTION 17 - Non-Waiver Provision

The failure of either party to insist in any one or more instances upon the strict performance of any one or more of the terms or provisions of this Franchise shall not be construed as a waiver or relinquishment for the future of any such term or provision, and the same shall continue in full force and effect. No waiver or relinquishment shall be deemed to have been made by either party unless said waiver or relinquishment is in writing and signed by the parties.

SECTION 18 - Repealer and Superseding Provision

This ordinance shall supersede, as to the rights, privileges and obligations between City and Company, all ordinances and parts of ordinances previously enacted by the City that granted electric franchise rights to the Company or its predecessors in interest. Ordinance No. 556-30 and any amendments thereto, are hereby deemed null and void and/or repealed upon the effective date of this ordinance and none of the provisions of such repealed Ordinance No. 556-30 and any amendments thereto shall have any further force and effect, except that Section 6 of Ordinance No. 556-30 providing for indemnification of the City by the Company shall continue in full force and effect.

SECTION 19 - Dispute Resolution

The parties to this Franchise agree that it is in each of their respective best interests to avoid costly litigation as a means of resolving disputes which may arise hereunder. Accordingly, the parties agree that prior to pursuing their available legal remedies they will meet in an attempt to resolve any differences. If such informal effort is unsuccessful, then the Parties may exercise any of their available legal remedies. In the event that a dispute arises between the City and the Grantee in any way relating to this Ordinance, regardless of the nature of the dispute, the Grantee shall continue to endeavor to provide safe and reliable electric service to its customers within the City.

SECTION 20 – Sovereign Immunity / Status of Grantee.

(A) Nothing contained in this Agreement and no actions or inactions by the City or its officers, elected and appointed officials, agents and representatives shall be considered or deemed a waiver of the City’s sovereign immunity or any other privilege, immunity, or defense available to the City or its officers, elected and appointed officials, agents, and representatives.

(B) Neither Grantee nor any of its officers, agents, employees, contractors, or sub-contractors shall constitute agents or employees of the City for any purpose. Grantee shall have no power or authority to bind the City to any obligation, agreement, or in any manner whatsoever.

SECTION 21 – Assignment/Delegation

Company shall not assign or transfer this Agreement or any right hereunder to any other person or entity without prior written consent of the City in the City’s sole discretion; provided, however, Company may assign this Agreement without the consent of the City if such assignment is to an entity that purchases all or substantially all of the assets of Company, an entity affiliated with Company or any assignment pursuant to a merger or re-organization of Company or any affiliate of Company..

SECTION 22 – Headings; Interpretation

The headings used in this Agreement are solely for the purpose of convenience and should not be construed to interpret the substance of this Agreement. The Parties have thoroughly read and reviewed the terms of this Agreement, acknowledge that it has been prepared after negotiations between the Parties, and agree that if any ambiguity is contained herein, then in resolving such ambiguity, no weight shall be given in favor of or against either party on account of its drafting of this Agreement.

SECTION 23 – Liens

Company acknowledges and agrees that the City is a Florida municipality, and as such, the City’s public property and various work site(s) involved are not subject to construction or mechanic’s liens or other liens to the extent prohibited or limited by Chapter 713, Florida Statutes.

SECTION 24 – No Pledge.

In no event shall any obligation under this Agreement be or constitute: (i) indebtedness of the City within the meaning of the Constitution of the State of Florida, the City’s charter and ordinances or any other applicable laws, (ii) a pledge of ad valorem taxes or taxing power, non-ad valorem revenue or any other revenue source of the City, or (iii) a lien on any real or personal property of the City.

FIRST READING AND PUBLIC HEARING: _____ 20__.

SECOND READING, ADOPTION, AND PUBLIC HEARING: _____ 20__.

ATTEST:

Yolanda Quiceno, City Clerk

Nicholas Fouraker, Mayor

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

A. Kurt Ardaman, City Attorney

Catherine Stempien, State President
Duke Energy Florida, LLC d/b/a Duke Energy

ORDINANCE NO. 20-09

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AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTION 28-31 OF THE BELLE ISLE CITY CODE; PROVIDING FOR FRANCHISE FEE FOR ELECTRIC UTILITY SERVICES AS ALTERNATIVE TO PUBLIC SERVICE TAX; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Section 28-31 of the City Code provides for a three percent public service tax on purchases of electricity and other services; and

WHEREAS, the City has entered or is considering entering into a franchise agreement with Duke Energy for the provision of electric utility services, which franchise agreement provides for payment and collection of a franchise fee by Duke Energy based on a percentage of Duke Energy' revenues; and

WHEREAS, the City finds that it is necessary and appropriate to amend Section 28-31 of the City Code to provide that the public service tax on electricity shall not apply where a franchise fee is in effect for electric utility services.

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

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

3 SECTION 2. City Code Amendment. Section 28-31 of the Belle Isle City Code is
4 hereby amended as follows (words that are ~~stricken out~~ are deletions; words that
5 are underlined are additions).

6
7 Sec. 28-31. - Levied.

8
9 (a) There is hereby imposed and levied by the city a tax upon each and every
10 purchase of electricity, fuel oil, metered or bottled gas (natural, liquefied
11 petroleum gas or manufactured), within the city, in the amount of three percent of
12 each payment received by the seller, for such utility service or commodity; which
13 tax shall be paid by the purchaser to the seller, for the use of the city, at the
14 time of paying the charge therefore, but not less than monthly. The first 50
15 kilowatt hours per month of electricity purchased for residential use shall be
16 exempt from the tax hereby levied. Such exemption shall apply to each separate
17 residential unit, regardless of whether such unit is on a separate or central
18 meter. The tax hereby imposed shall not be applied against any fuel adjustment
19 charge.

20
21 (b) The tax imposed by this section shall not apply with respect to purchases of
22 electricity during the term of any electric utility franchise agreement between
23 the City and a provider of electric utility services if such franchise agreement
24 provides for a franchise fee of at least three percent of the revenues of the

25

1 electric utility provider. A franchise fee on electricity shall not be considered
2 a public service tax under this Article.

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

10
11 SECTION 4. Severability. If any section, subsection, sentence, clause, phrase,
12 word or provision of this ordinance is for any reason held invalid or
13 unconstitutional by any court of competent jurisdiction, whether for
14 substantive, procedural, or any other reason, such portion shall be deemed a
15 separate, distinct and independent provision, and such holding shall not affect
16 the validity of the remaining portions of this ordinance.

17
18 SECTION 5. Conflicts. In the event of a conflict or conflicts between this
19 Ordinance and any other ordinance or provision of law, this Ordinance controls to
20 the extent of the conflict, as allowable under the law.

21
22 SECTION 6. Effective date. This ordinance shall become effective immediately
23 upon adoption by the City Council of the City of Belle Isle, Florida.

24
25

1 FIRST READING: _____, 2020

2 SECOND READING: _____, 2020

3 **ADOPTED** this _____ day of _____, 2020, by the City Council of the City of Belle
4 Isle, Florida.

	YES	NO	ABSENT
5 Ed Gold	_____	_____	_____
6 Anthony Carugno	_____	_____	_____
7 Karl Shuck	_____	_____	_____
8 Mike Sims	_____	_____	_____
9 Harvey Readey	_____	_____	_____
10 Jim Partin	_____	_____	_____
11 Sue Nielsen	_____	_____	_____

13

14

City Council

15

City of Belle Isle

16 ATTEST: _____

17

Yolanda Quiceno, CMC

Nicholas Fouraker, Mayor

18

City Clerk

19

20

Kurt Ardaman, City Attorney

21

Approved as to form and legality for the

22

use and reliance of the City of Belle

23

Isle, Fl, only.

24

25

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that
4 the above and foregoing document ORDINANCE 20-09 was duly and legally passed by
5 the Belle Isle City Council, in session assembled on the ____ day of _____,
6 20____, at which session a quorum of its members were present.

7

8 _____

9 Yolanda Quiceno, CMC-City Clerk

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CITY OF BELLE ISLE, FLORIDA

1600 Nela Avenue
Belle Isle, Florida 32809
(407) 851-7730 • FAX (407) 240-2222
www.cityofbelleislefl.org

August 4, 2020

Honorable Mayor, Members of the City Council, and Citizens of Belle Isle:

I am pleased to submit the Fiscal Year 2020-2021 Preliminary Operating and Capital Budget in accordance with the City Charter.

We are in unprecedented times. It is important to note the FY20-21 proposed budget includes financial impacts as a result of the COVID-19 Pandemic. In fact, it is likely we will not know the financial impact of COVID-19 in time to alter the budget prior to the legally required deadline of September 30, 2020. We will also keep a close eye on the how resources from the Federal CARES Act legislation impacts the State of Florida and Orange County.

Notable Financial Assumptions:

- submit a balanced budget to the City Council
- maintaining current excellent levels of service to the community
- salaries are frozen for this year despite the passage of the Police Pay Plan
- hiring in new or vacant positions will not occur unless it will impact service delivery
- proposed revenues across all funds increase 1.5% from FY19-20 amended budget
- proposed expenditures across all funds decrease 8.6% from FY19-20 amended budget
- proposed revenues will exceed proposed expenditures by approximately \$600,000 across all funds
- funding for the Bank of America purchase will be included in this budget prior to adoption

As presented, this represents a balanced budget for the upcoming fiscal year without raising property taxes. Although the Council may have wanted to consider raising the millage rate this year, the City is required to certify the taxable value and proposed millage rate to the County by August 4th. This prevented the City from increasing the rate for this year; however the City can continue to discuss a millage increase for the FY21-22 year.

At the mid-point in the FY19-20 budget, the Council created a Budget Committee. This Committee, made up of citizens from each of the City’s seven voting districts, is responsible to

review and make recommendations on the annual operating budget as proposed by the city manager; to review and make recommendations on annual capital expenditures as proposed by the city manager; to review and make recommendations on supplemental appropriations and expenditures and other budgetary action whenever proposed by the city manager; to review any audit reports submitted on behalf of any auditor for the City as such report(s) become available and to review revenue and expenditure reports periodically as may be amended from time to time.

The Committee had three workshops to discuss the FY20-21 budget. At the final workshop held on July 24, 2020, the Committee recommended approval of the FY20-21 Budget to the City Council.

This budget calls for no new revenues but as part of the Committee’s recommendation, the 3% utility tax for the electric utility will be dropped and in its place, the Committee recommended a 3% franchise fee for electrical utility. The City will continue to account for expenses in the fund in which they occur. The FY19-20 budget was the first year that the City accounted for employee expenses in the fund where they occur which provides a more accurate accounting of expenses in the fund. For example, the City Manager, Finance Director, and Public Works provide services to stormwater and the charter school, and this budget distributes those costs to the other funds based on a percentage of time spent in those funds.

The City continues to look at repairing and replacing its aging infrastructure especially in the stormwater infrastructure. We continue to repair and replace much needed infrastructure and equipment that was in very poor shape; we completed projects that will benefit the citizens for years to come; we continued to fund many one-time projects. Last year, the Budget Committee and the Council approved a Stormwater Capital Improvement Program (CIP) that prioritizes what stormwater systems require repair or replacement based on the assessments made by the City Engineer. Associated with this CIP is a \$10 increase to the City’s stormwater non-ad valorem assessment for FY20-21 and an additional \$5 per year increase for the next 5 years. All city employees need to be commended for the accomplishments that we have done this past year by providing the highest level of service to the community.

Flooding problems, renovating the Bank of America property, annexation, and continuing to work with Cornerstone Charter Academy will be the focus for this fiscal year. The City has identified many places in the City where flooding continues due to inoperable grass swales or corroding pipes. This next year, the City public works will focus on reconditioning the grass swales and replacing pipes. The City will look to install Rectangular Rapid Flashing Beacons (RRFB) on Hoffner Avenue this year in the vicinity of Monet Avenue and Pleasure Island Road. The Monet RRFB is already approved by Orange County and we should have approval of the RRFB at Pleasure Island Road within this budget year.

This budget maintains the current level of service from FY19-20. Due to the continuing effects of the pandemic on the state and county, the City is not planning any large construction projects this year. We are concentrating our resources on maintaining our current level of

service, safety of our employees, and completing some smaller projects that may have been delayed from last year.

The budget is balanced with revenue from ad valorem and non-ad valorem taxes (franchise fees, state shared tax receipts; solid waste collection fees; fees for stormwater management; reimbursements for law enforcement; and development and review fees.

As a quick overview, here is the preliminary budget for FY20-21 for all funds compared to the FY19-20 amended budget (minus reserves):

FUNDS	REVENUES		EXPENDITURES	
	FY 19/20 AMENDED	FY 20/21 PROPOSED	FY 19/20 AMENDED	FY 20/21 PROPOSED
General Fund	6,546,826	6,731,045	6,541,367	6,226,062
Transportation Impact Fee Fund	2,300	5,300	60,000	35,000
Stormwater Fund	488,097	413,971	452,956	397,910
LE Education Fund	3,800	3,800	8,200	6,200
Charter Debt Service Fund	1,044,682	1,050,141	1,249,702	941,227
Equipment Replacement Fund	0	0	9,977	0
TOTALS	8,085,705	8,204,257	8,322,202	7,606,399

GENERAL FUND PRELIMINARY BUDGET

The General Fund provides approximately 84% of the total operating budget for all governmental funds. The total preliminary General Fund budget is \$9,107,527, an increase of \$189,678 (2%) from the FY19-20 amended budget.

FINANCIAL OUTLOOK

The City does not have many funds. The two main funds are the General Fund and the Stormwater Fund. General Fund revenues will decrease from the original FY19-20 budget. This is mostly due to a decrease in State Shared Revenues and sales tax due to the pandemic. We are not expecting these revenues to rebound at least in the first half of the fiscal year. We still expect that property values will increase, therefore increasing the Ad Valorem (property tax) by approximately 6% even though there is no millage rate increase again this year.

As stated above, the Council, on a recommendation from the Budget Committee, rescinded the Electrical Utility Tax of 3% and replaced it with an Electrical Franchise Fee of 3%. Although it appears that total “other taxes” decreased by 28%, the total Licenses and Permits increased by approximately 64%. Building permit fees are less in FY20-21 due to the building of a new hotel in FY19-20, but we expect to see an expansion of another hotel. The City approved a 3% increase for the solid waste and recycling company which is a contractual increase. Therefore, the residential rate will go from \$20.47 (\$245.64 annually) to \$21.07 (\$252.84 annually). There was a delay in getting the red light cameras installed in FY19-20, therefore we look at having them going at the beginning of this fiscal year. The City reestablished itself in MetroPlan

Orlando and continues to strengthen its partnership with Orange County. Doing so will provide the City with additional resources to continue to provide necessary services to the community at lower costs.

The Stormwater Fund does not have the stability that is in the General Fund, but with the adoption of the CIP, this fund, over the next few years will become more stable. Charges for services will increase by 20%. The City continues to repair and replace stormwater infrastructure to reduce or correct areas that flood during periods of high rain. The City is making progress in this area but we still have 3-5 years of repairs to get ahead of the problem.

HIGHLIGHTS OF THE PRELIMINARY BUDGET

The FY20-21 preliminary budget contains funding for on-going services to the community.

The following reflect some of the highlights and assumptions regarding the budget:

General Fund

- Millage to remain at 4.4018
- Increase in non-ad valorem assessments, garbage will increase to \$252.84 and stormwater to \$120/EDU
- Establish 3% Franchise Fees for Electric
- Rescind 3% Electric Utility Tax
- Increase in Fines with the addition of Red Light Cameras
- All employee salaries and benefits are “frozen” until further notice
- Reduction of Salaries and Benefits as they are accounted for in Stormwater Fund and Charter Debt Service Fund
- No transfers to Equipment Replacement Fund and Charter Debt Service Fund
- Debt for the purchase of the BoA property is not included

Transportation Impact Fees

- Traffic Improvements - \$35,000 for RRFB on Hoffner Ave.

Stormwater Fund

- Revenues increase \$67,700 due to \$10/EDU increase approved in CIP
- Stormwater CIP has four small longstanding projects
- Salaries and Benefits included for work done in this fund

Charter School

- Eliminate \$150,000 transfer from General Fund
- Roof Repairs to Field House

Capital Improvement Plan

- General Fund - Equipment
 - Police Department \$100,000 (New Vehicles)

- Police Department \$50,000 (New Boat)
- Public Works \$10,000 (Mini-Excavator)

- General Fund – Projects
 - Paving \$200,000 (Finish District 3 area)
 - Sidewalks \$25,000 (Various city-wide locations)
 - Cross Lake Park improvements \$15,000

- Stormwater Fund – Projects
 - St. Partin Drainage \$11,905 (6504 St. Partin pipe under street)
 - Seminole/Daetwyler \$20,000 (construct flumes)
 - Lake Conway Shores/Jade Circle \$65,000 (swales)
 - Trimble Park \$13,695 (conveyance)

- Charter School – Projects
 - Field House Roof \$114,000

REVENUES

Taxes and Fees

Revenue projections are based on historical data and financial forecasts provided by City staff, Orange County and the Florida League of Cities for state shared revenues.

Ad Valorem Taxes

The proposed property tax rate for FY20-21 remains unchanged at \$4.4018 per one thousand dollars (\$1,000) of assessed value. The current year taxable value for property in Belle Isle is \$842,860,574 (6% increase from \$794,985,303). The total budgeted ad valorem revenue, \$3,524,598 increased \$200,200 (6%) from last year (\$3,324,398). The current year’s budgeted tax receipts is based on the total valuation of property for purposes of taxation, the general economic environment, and a collection rate of 95%. The impact of the economic climate on the real estate market has resulted in a continued modest increase in property values, even with a pandemic.

Non-Ad Valorem Taxes

Other major source of General Fund revenues are in the form of non-ad valorem taxes including garbage. Also considered non-ad valorem are the gas tax, utility tax (electric) permit fees, franchise fees, state shared revenues, charges for services (solid waste), fines, and other miscellaneous revenues. Combined, these revenues make up \$3,206,447 or 48% of the General Fund Revenues.

Fund Balance Appropriated

There is a delicate balance between maintaining a healthy reserve and allocating the necessary funds to maintain systems; however a normal fund balance should range between 15-20% of

the operating budget. We expect that this budget will end the year with a fund balance in the general fund of \$2,881,465, which is 46% of the total general fund expenditures.

General Fund

The proposed General Fund budget is \$9,107,527, a 2% increase from the FY19-20 amended budget of \$8,917,849. The increase is mostly due to the increase in the ending fund balance of \$504,983 (revenues over expenses).

Other major sources of revenue are considered non ad valorem taxes and consist of State Revenue Sharing, Franchise Fees, Local Option Gas Tax, and Utility Service Tax, Permit and Special Assessments, grants, charges for services for solid waste, public safety, fines, and miscellaneous revenues.

The Chart below depicts the breakdown of various revenue types and compares FY2019-20 to the FY2020-21 budget (minus reserves).

Revenue	FY 19/20 AMENDED	FY 20/21 PROPOSED
Ad Valorem Taxes	3,324,398	3,524,598
Other Taxes	584,684	418,000
Licenses and Permits	254,400	418,000
Intergovernmental	1,498,229	1,283,460
Charges for Services	647,472	671,486
Fines and Forfeitures	115,000	382,500
Miscellaneous Revenue	122,643	33,000
TOTAL REVENUES	6,546,826	6,731,045

Stormwater Fund

Charges for Stormwater fees are assessed by the appraiser at Orange County in units and applied at \$120/unit. Even though the rate was increased, our stormwater infrastructure still needs major repairs and replacement. It will be necessary to raise stormwater fees next year.

Charter School Debt Service Fund

Revenue for this fund is derived from rent revenue received from Cornerstone Charter Academy and is based on the student enrollment count. This year, the count is anticipated to be 1,486. Each student is assessed \$700 which brings the total rent to \$1,040,141.

EXPENDITURES

General Fund

The General Fund is used to account for all expenditures that are not restricted to specific purposes or otherwise required to be accounted for in another fund. General fund dollars are used to support such City services as police, public works, as well as planning, and administrative support services. Services and programs currently budgeted have been maintained. In addition, funding is included for a new work order system and also for a financial “dashboard” information center that is on the City’s website under the finance department page, continued updating and rewriting of the City Code of Ordinances, Land Development Codes, and Comprehensive Plan, and replacement of equipment in the Public Works Department. Total General Fund expenditures are \$315,305 (5%) below the amended FY19-20 budget.

Police

The Belle Isle Police Department promotes public safety through service, integrity and professionalism and in partnership with the community and other governmental agencies to:

- Prevent and deter crime
- Enhance the safety of the traveling public through education and enforcement
- Safeguard property and protect individual rights
- Improve the quality of life of those the department is entrusted to serve.

The department consists of nineteen full-time certified police officers who are dedicated to keeping the citizens of Belle Isle safe. The force is comprised of one Police Chief, one Deputy Chief, two Patrol Sergeants, one Detective Sergeant, two Corporals, twelve Patrol Officers (three of which are marine patrol), one School Resource Officer, one Community Service Officer, one Administrative Assistant and five Crossing Guards. The School Resource Officer is primarily funded by the Cornerstone Charter Academy.

Belle Isle police officers are on duty 24 hours per day, seven days a week, every day of the year. Officers participate in continuous training to maintain their law enforcement skills, Florida Department of Law Enforcement certifications and to ensure they are up to date on the ever-changing state, federal and local laws. The Belle Isle Police Department contracts with the Orange County Sheriff’s Office Communications Division to provide dispatching services for our officers. Our Department works closely with the all law enforcement agencies in Central Florida and has current Memorandums of Understanding (MOU) with all agencies in Orange County and the Florida Department of Law Enforcement.

Over the past few years, the department has undertaken additional responsibilities without increasing staff. Four Belle Isle patrol officers are also certified Marine Patrol Officers. They work part-time in partnership with the Orange County Sheriff’s Office Marine Patrol Unit and the Florida Wildlife Commission to patrol the Conway Chain of Lakes and enhance the safety of all residents and visitors through education and enforcement. The Department participates in and/or sponsors numerous community events and safety campaigns including: Boater Safety Courses, Life Saver AED classes, Lake Conway lake cleanups, national traffic safety campaigns, annual DEA Drug Take Back Program, Senior Car Fit and Child Safety Car Seat services, Senior

Watch Program, Vacation House Check services as well as providing security services for a variety of businesses and events throughout the year.

Expenditures in Police

Projected operating expenditures for the Belle Isle Police Department are \$174,908 below the FY19-20 amended budget. Most of the reduction is due to a freeze for the one vacant officer position and less capital purchases.

Public Works Services

The Public Works Department ensures the health, safety and public welfare of the community by managing and maintaining infrastructure and coordination of the maintenance of other infrastructure in the City. Services also include maintaining streets, government facilities and public lands including the city’s park and greenway system, performing safety inspections, and staffing public events. The Department consists of 3 employees: 1 public works manager, and 2 public works technicians. In partnership with other agencies and through contracts, services also include solid waste management including trash and recycling collection, tree debris and limb collection, street sweeping and streetlights.

Expenditures in Public Works

The proposed Public Works Dept. budget decreased by \$146,038 from the amended FY19-20 budget primarily due to the major construction at Gene Polk Park being completed and the purchase of capital equipment. Capital outlay for equipment is for the purchase of a mini-excavator which will reduce the dependence on contractors for small excavations. Orange County continues to provide the majority of street sweeping services to the City as part of the Lake Conway Navigation Advisory Board budget. Capital projects scheduled for this year are to mill and pave certain streets in District 3 that were not done two years ago and improvements to Cross Lake Park.

Planning and Zoning

The City’s Planner works with issues of public interest in Belle Isle and the surrounding area that relate to short term and long term land use, transportation, zoning, comprehensive plan, and environmental concerns. This is a contracted position. In addition, the Planner provides technical assistance to the City Manager, P & Z board, and the general public in matters relating to the physical and strategic growth of the City. The Planning Department is further involved in the development, administration and enforcement of a wide variety of development ordinances (zoning, signage, subdivisions, watershed protection, floodplain prevention, etc.).

Expenditures in Planning and Zoning

As this is a contracted position, the proposed budget for this department remains the same. The contract for the Planner is \$6,250/month which includes assisting the City with annexation reports and procedures.

Other Departments in General Fund
Governing Board

These departments are budgeted approximately \$3,500 less than the current budget primarily due to the reduction in travel and per diem and the cost of the annual audit.

Administration

This department is budgeted approximately \$37,655 less than the current budget due to the elimination of the Social Media position and not budgeting capital equipment.

General Government

This department is budgeted approximately \$41,799 more than the current budget primarily due to the increase in the Fire Services payment (increase of \$95,580). The City recently contacted Orange County to see if the payment for this year could remain the same but the City was told that it would not stay the same.

General Fund Ending Fund Balance (Reserves)

It is projected that at the end of FY20-21 the City will have an unrestricted ending fund balance of approximately \$2,881,465, subject to economic shifts during the year. This is approximately \$500,000 more than the amended FY19-20 budget.

STORMWATER FUND

Annual Operations

Belle Isle’s Stormwater Fund consists of the equipment and projects necessary to maintain the City’s stormwater systems. Responding to an increase in the cost of stormwater maintenance and repairs, the City Council increased the stormwater rate by an additional \$10/EDU.

Expenditures

The proposed budget for this fund is \$473,239, a decrease of \$38,985 from the current budget. The City is having issues with the drainage swales that will be looked at this year with in-house forces. The projects scheduled for this year are listed above; however if any emergencies arise, then these projects may be delayed as funding will be used for the emergency. The fund’s reserve is still at a low level; however, we expect the reserves over the next few years to increase because the major one-time projects should be completed.

OTHER FUNDS

TRANSPORTATION IMPACT FEE FUND

The Transportation Impact Fee Fund receives revenue from development as development puts a strain on existing levels of service. An impact fee is a form of user fee for raising capital for future outlay of the cost of expanding facilities demanded by new development. In order to determine the future needs, a traffic study was done city-wide to determine where the City will need to expand its infrastructure and roadways in the future.

LAW ENFORCEMENT EDUCATION FUND

The Law Enforcement Education fund receives revenue from traffic violations. The fund can only be used for Police officer training.

CHARTER SCHOOL DEBT SERVICE FUND

The Charter School Debt Service Fund pays for the debt on the Cornerstone Charter Property and for major equipment repair and replacement. Revenue is received based on student count. The City developed a capital facilities plan and restricted use of finds to that plan. The City anticipates work on the Field House roof this year with a cost of \$114,000.

PERSONNEL & BENEFITS

Although the Budget Committee and Council approved a new Police Pay Plan to start at the beginning of this fiscal year, the City Manager froze all salaries and benefits for all employees and there will be no new hires this year. The only hiring will be to replace employees who leave during the year. There is additional reserve in the General Fund if the Council feels that the employees should see an increase; however in this economic and job climate due to COVID-19, this may not be prudent. If the economy increases and revenues come in more than anticipated, the Council could review the salary plan at the mid-year point and decide if increases are warranted.

CONCLUSION

This budget has been prepared in accordance with the provisions of the City Charter, Section 5.02. It includes details and explanations of proposed budget items as well as a line by line comparison of the proposed budget and current budget.

I would like to thank the Council for all of your efforts in this unprecedented year of change. Your commitment to our employees has been exceptional and the response of the community as a whole to the COVID-19 pandemic has been truly amazing.

The City is very fortunate to have a healthy reserve in the General Fund. Over the past few years, we used reserve for needed projects but we have rebuilt it to a good level. With little commercial property in the City, the City has to rely on residential property taxes to pay for these projects. Throughout the FY20-21 year the staff will present additional revenue sources to the Budget Committee for their review and recommendation to Council. One such revenue is additional road impact fees for commercial development and for residential development we will look at adding impact fees for Police, Fire and Parks.

In closing, I want to thank a great city team (administrative staff, Police and Public Works) for all the hard work during this pandemic to keep the City safe and operating.

A copy of this budget has been filed with the City Clerk and is available for inspection at City Hall. Notice of submission of this budget and the public hearing will be provided to the media as required by law. A copy of this budget will be available on the City’s website to facilitate its examination by our citizens. In closing, I would like to express my sincere thanks and

appreciation to the Mayor and Council and Budget Committee members for their input, to Finance Director Tracey Richardson for her exceptional institutional and financial knowledge, and to the department heads for their efforts in preparing this budget. I realize it may be disheartening to spend as much time and effort in developing the budget only to see we are likely to be making other reductions throughout the year due to the economic impacts of COVID-19 but we will get through this together.

Respectfully Submitted,

Bob Francis
City Manager

CITY OF BELLE ISLE, FLORIDA

FY 20-21 PROPOSED BUDGET DRAFT

OCTOBER 1, 2020 – SEPTEMBER 30, 2021



VERSION / DATE

V5.072920

FUND	General Fund (001)	Transportation Impact Fund (102)	Stormwater Fund (103)	Law Enforcement Education Fund (104)	Charter School Debt Service Fund (201)*	Capital Equipment Replacement Fund (301)	Grand Total
Projected Beginning Fund							
Balance October 1, 2020	2,376,482	146,874	59,268	11,000	5,000	17,023	2,615,647
Appropriation TO (FROM)							
Fund Balance	504,983	(29,700)	16,061	(2,400)	108,914	0	597,857
Projected Ending Fund							
Balance September 30, 2021	2,881,465	117,174	75,329	8,600	113,914	17,023	3,213,504

*Fund Balance for Charter Debt Service Fund (201) is shown without the amounts held by the trustee for budget preparation purposes only.

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
	Beginning Fund Balance	1,473,141	1,104,350	2,371,023	2,376,482	
	Transfers In	0	0	0	0	
	Ad Valorem Taxes					
001-311-100	AD VALOREM TAX	3,104,093	3,324,398	3,324,398	3,524,598	6%
	Total Ad Valorem Taxes	3,104,093	3,324,398	3,324,398	3,524,598	
	Other Taxes					
001-312-410	LOCAL OPTION GAS TAX	235,338	232,000	221,000	210,000	-5%
001-314-100	UTILITY SERVICE TAX - ELECTRICITY	186,574	150,000	150,000	0	-100%
001-314-800	UTILITY SERVICE TAX - PROPANE	5,530	4,300	4,800	5,000	4%
001-315-000	COMMUNICATIONS SERVICES TAXES	196,375	196,884	196,884	191,000	-3%
001-316-000	LOCAL BUSINESS TAX - OCCUPATIONAL LIC.	18,079	12,000	12,000	12,000	0%
	Total Other Taxes	641,896	595,184	584,684	418,000	
	Licenses and Permits					
001-322-000	BUILDING PERMITS	135,241	95,000	175,000	125,000	-29%
001-323-100	FRANCHISE FEE - ELECTRICITY	0	450,000	0	200,000	#DIV/0!
001-323-700	FRANCHISE FEE - SOLID WASTE	28,076	60,000	35,000	50,000	43%
001-329-000	ZONING FEES	29,798	25,000	25,000	20,000	-20%
001-329-100	PERMITS - GARAGE SALE	231	200	200	200	0%
001-329-130	BOAT RAMPS - DECAL AND REG	1,800	1,200	1,200	1,800	50%
001-329-900	TREE REMOVAL	5,775	0	0	3,000	#DIV/0!
001-362-000	RENTAL LICENSES	14,050	18,000	18,000	18,000	0%
	Total Licenses and Permits	214,971	649,400	254,400	418,000	
	Intergovernmental					
001-331-100	FEMA REIMBURSEMENT - FEDERAL	965,637	0	206,777	0	-100%
001-331-110	FEMA REIMBURSEMENT - STATE	106,689	0	-2,067	0	-100%
001-331-120	FDOT REIMBURSEMENT	6,614	0	0	0	#DIV/0!
001-334-396	OJP BULLETPROOF VEST GRANT	2,833	0	0	0	#DIV/0!
001-334-400	SRO REIMBURSEMENT - OCPS	56,250	0	0	0	#DIV/0!
001-334-410	FMIT SAFETY GRANT	2,500	0	0	0	#DIV/0!
001-334-560	FDLE JAG GRANT	0	0	21,737	0	-100%
001-335-120	STATE SHARED REVENUE	342,244	350,000	270,000	300,000	11%
001-335-150	ALCOHOLIC BEVERAGE LICENSE TAX	98	0	0	0	#DIV/0!
001-335-180	HALF-CENT SALES TAX	1,149,169	1,202,065	935,404	914,000	-2%
001-337-200	SRO - CHARTER CONTRIBUTION	67,112	66,378	66,378	69,460	5%
	Total Intergovernmental	2,699,146	1,618,443	1,498,229	1,283,460	
	Charges for Services					
001-341-900	QUALIFYING FEES	745	0	0	0	#DIV/0!
001-343-410	SOLID WASTE FEES - RESIDENTIAL	594,472	641,857	641,857	666,486	4%
001-347-400	SPECIAL EVENTS	275	500	5,615	5,000	-11%
	Total Charges for Services	595,492	642,357	647,472	671,486	
	Fines and Forfeitures					
001-351-100	JUDGEMENT & FINES - MOVING VIOLATIONS	11,279	15,000	15,000	20,000	33%
001-351-110	RED LIGHT CAMERAS	0	350,000	90,000	350,000	289%
001-354-000	JUDGEMENT & FINES - LOCAL ORDINANCE VIOL	0	0	0	5,000	#DIV/0!
001-358-200	SEIZED ASSETS	1,000	0	0	0	#DIV/0!
001-359-000	JUDGEMENT & FINES - PARKING VIOLATIONS	8,205	3,000	10,000	7,500	-25%
001-359-200	INVESTIGATIVE COST REIMBURSEMENT	1,984	0	0	0	#DIV/0!
	Total Fines and Forfeitures	22,468	368,000	115,000	382,500	
	Miscellaneous					

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
001-361-100	INTEREST - GENERAL FUND	1,553	1,000	2,300	3,000	30%
001-361-200	INTEREST - SBA	880	0	0	0	#DIV/0!
001-364-000	DISPOSITION OF FIXED ASSETS	4,000	0	0	0	#DIV/0!
001-366-000	CONTRIBUTIONS & DONATIONS	5,000	0	0	0	#DIV/0!
001-366-200	GRANT- COMMITTEE OF 100 OF ORANGE COUNTY	0	0	38,895	0	-100%
001-369-300	MISC REVENUE - SETTLEMENTS	18,000	0	0	0	#DIV/0!
001-369-900	OTHER MISCELLANEOUS REVENUE	11,033	3,000	30,000	10,000	-67%
001-369-905	POLICE OFF-DUTY DETAIL REIMBURSEMENTS	73,066	0	34,448	0	-100%
001-369-906	POLICE MARINE PATROL REIMBURSEMENTS	18,024	17,000	17,000	20,000	18%
001-369-910	VACANT FORECLOSURE	400	0	0	0	#DIV/0!
Total Miscellaneous		131,956	21,000	122,643	33,000	
Total Revenues		7,410,022	7,218,782	6,546,826	6,731,045	
Total Beginning Fund Balance, Revenues, & Transfers In		8,883,163	8,323,132	8,917,849	9,107,527	

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
Legislative						
001-511-00-2311	DENTAL & VISION INSURANCE - DISTRICT 1	0	500	0	500	#DIV/0!
001-511-00-2312	DENTAL & VISION INSURANCE - DISTRICT 2	454	500	500	500	0%
001-511-00-2313	DENTAL & VISION INSURANCE - DISTRICT 3	454	500	500	500	0%
001-511-00-2314	DENTAL & VISION INSURANCE - DISTRICT 4	0	500	0	500	#DIV/0!
001-511-00-2315	DENTAL & VISION INSURANCE - DISTRICT 5	454	500	500	500	0%
001-511-00-2316	DENTAL & VISION INSURANCE - DISTRICT 6	454	500	500	500	0%
001-511-00-2317	DENTAL & VISION INSURANCE - DISTRICT 7	454	500	500	500	0%
001-511-00-3150	ELECTION EXPENSE	9,462	12,000	1,543	1,500	-3%
001-511-00-3200	AUDITING & ACCOUNTING	25,288	24,000	28,460	24,000	-16%
001-511-00-3400	CONTRACTUAL SERVICES	8,345	0	0	0	#DIV/0!
001-511-00-4001	TRAVEL & PER DIEM - DISTRICT 1	0	750	250	250	0%
001-511-00-4002	TRAVEL & PER DIEM - DISTRICT 2	0	750	250	250	0%
001-511-00-4003	TRAVEL & PER DIEM - DISTRICT 3	0	750	250	250	0%
001-511-00-4004	TRAVEL & PER DIEM - DISTRICT 4	0	750	250	250	0%
001-511-00-4005	TRAVEL & PER DIEM - DISTRICT 5	0	750	250	250	0%
001-511-00-4006	TRAVEL & PER DIEM - DISTRICT 6	0	750	250	250	0%
001-511-00-4007	TRAVEL & PER DIEM - DISTRICT 7	0	750	250	250	0%
001-511-00-4100	COMMUNICATIONS - TELEPHONE	7,465	8,000	7,500	7,500	0%
001-511-00-4900	OTHER CURRENT CHARGES	604	500	250	250	0%
001-511-00-4920	REIMBURSEMENT OF ATTORNEY FEES	11,682	0	0	0	#DIV/0!
001-511-00-5100	OFFICE SUPPLIES	29	100	500	500	0%
001-511-00-5200	OPERATING SUPPLIES	30	100	100	100	0%
001-511-00-5401	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 1	210	200	200	200	0%
001-511-00-5402	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 2	210	200	200	200	0%
001-511-00-5403	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 3	210	200	200	200	0%
001-511-00-5404	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 4	210	200	200	200	0%
001-511-00-5405	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 5	210	200	200	200	0%
001-511-00-5406	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 6	210	200	200	200	0%
001-511-00-5407	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 7	210	200	200	200	0%
Total Legislative		66,645	54,850	44,003	40,500	
Executive Mayor						
001-512-00-2310	DENTAL & VISION INSURANCE	424	500	500	500	0%
001-512-00-4000	TRAVEL & PER DIEM	0	1,000	250	250	0%
001-512-00-4100	COMMUNICATIONS - TELEPHONE	1,062	1,100	1,100	1,100	0%
001-512-00-4900	OTHER CURRENT CHARGES	341	200	200	200	0%
001-512-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	488	500	500	500	0%
Total Executive Mayor		2,314	3,300	2,550	2,550	
Finance, Admin, & Planning						
001-513-00-1200	REGULAR SALARIES & WAGES	381,033	309,787	309,787	296,000	-4%
001-513-00-1220	LONGEVITY PAY	1,700	1,825	1,750	0	-100%
001-513-00-1250	VEHICLE ALLOWANCE - CITY MANAGER	8,400	8,400	8,400	8,400	0%
001-513-00-1400	OVERTIME PAY	344	500	500	500	0%
001-513-00-2100	FICA/MEDICARE TAXES	27,327	24,481	24,481	23,325	-5%
001-513-00-2200	RETIREMENT CONTRIBUTIONS	32,712	38,931	38,931	38,480	-1%
001-513-00-2300	HEALTH INSURANCE	68,040	64,789	64,789	65,000	0%
001-513-00-2310	DENTAL & VISION INSURANCE	3,245	3,120	3,120	3,200	3%
001-513-00-2320	LIFE INSURANCE	1,732	1,372	1,372	1,400	2%
001-513-00-2330	DISABILITY INSURANCE	5,167	4,440	4,440	4,440	0%
001-513-00-3100	PROFESSIONAL SERVICES	11,723	15,000	15,000	15,000	0%
001-513-00-4000	TRAVEL & PER DIEM	1,314	1,500	1,500	500	-67%
001-513-00-4600	REPAIRS & MAINTENANCE - GENERAL	0	1,000	0	500	#DIV/0!
001-513-00-4610	REPAIRS & MAINTENANCE - VEHICLES	550	500	1,000	500	-50%
001-513-00-4700	PRINTING & BINDING	0	500	500	500	0%
001-513-00-4710	CODIFICATION EXPENSES	4,853	3,500	3,500	3,500	0%

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
001-513-00-4900	OTHER CURRENT CHARGES	2,768	2,000	2,000	2,000	0%
001-513-00-4910	LEGAL ADVERTISING	1,383	2,000	2,000	2,000	0%
001-513-00-5200	OPERATING SUPPLIES	50	500	0	500	#DIV/0!
001-513-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	3,929	4,000	4,000	4,200	5%
001-513-00-6425	EQUIPMENT - CITY HALL	3,544	10,000	20,530	0	-100%
Total Finance, Admin, & Planning		559,813	498,145	507,600	469,945	
General Government						
001-519-00-1530	MERIT/BONUS PAY	10,000	10,000	0	0	#DIV/0!
001-519-00-2100	FICA/MEDICARE TAXES	765	765	0	0	#DIV/0!
001-519-00-3100	OTHER PROFESSIONAL SERVICES	2,860	0	0	5,500	#DIV/0!
001-519-00-3110	LEGAL SERVICES	192,323	125,000	125,000	115,000	-8%
001-519-00-3120	ENGINEERING FEES	46,588	60,000	45,000	45,000	0%
001-519-00-3130	ANNEXATION FEES	0	10,000	5,000	5,000	0%
001-519-00-3400	CONTRACTUAL SERVICES	70,150	64,000	81,000	75,000	-7%
001-519-00-3405	BUILDING PERMITS	120,972	76,000	140,000	100,000	-29%
001-519-00-3410	JANITORIAL SERVICES	2,808	3,000	3,000	3,000	0%
001-519-00-3415	WEBSITE/SOCIAL MEDIA	0	25,000	25,000	4,500	-82%
001-519-00-3440	FIRE PROTECTION	1,459,960	1,506,500	1,586,339	1,681,919	6%
001-519-00-4100	COMMUNICATIONS SERVICES	11,298	12,000	12,500	12,500	0%
001-519-00-4200	FREIGHT & POSTAGE	7,045	7,000	7,000	7,000	0%
001-519-00-4300	UTILITY/ELECTRIC/WATER	7,377	10,000	10,000	10,000	0%
001-519-00-4310	SOLID WASTE DISPOSAL/YARDWASTE	565,157	641,857	641,857	666,486	4%
001-519-00-4500	INSURANCE	70,684	120,000	120,000	120,000	0%
001-519-00-4600	REPAIRS & MAINTENANCE - GENERAL	3,019	5,000	5,000	5,000	0%
001-519-00-4700	PRINTING & BINDING	17,644	15,000	15,000	7,500	-50%
001-519-00-4800	SPECIAL EVENTS	7,343	10,000	10,116	12,000	19%
001-519-00-4900	OTHER CURRENT CHARGES	883	2,500	2,500	2,500	0%
001-519-00-4905	NON AD VALOREM ASSESSMENT FEE	2,867	3,000	2,904	3,000	3%
001-519-00-4906	GEOGRAPHIC INFORMATION SYSTEM INTERLOC	2,240	2,300	2,240	2,300	3%
001-519-00-4910	LEGAL ADVERTISING	6,046	3,200	5,200	5,000	-4%
001-519-00-5100	OFFICE SUPPLIES	9,005	7,500	7,500	8,000	7%
001-519-00-5200	OPERATING SUPPLIES	0	2,500	1,500	2,000	33%
001-519-00-5230	FUEL EXPENSE	332	500	500	500	0%
001-519-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	1,483	1,100	1,100	1,100	0%
001-519-00-6300	CAPITAL IMPROVEMENTS	44,417	0	0	0	#DIV/0!
001-519-00-6491	CITY HALL IMPROVEMENTS	12,785	25,000	21,000	0	-100%
001-519-00-8300	CONTRIBUTIONS & DONATIONS	1,350	1,500	1,750	0	-100%
001-519-00-8310	NEIGHBORHOOD GRANT PROGRAM	9,375	35,000	15,000	35,000	133%
Total General Government		2,686,775	2,785,222	2,893,006	2,934,805	
Police						
001-521-00-1200	REGULAR SALARIES & WAGES	1,010,008	1,064,153	1,064,153	1,008,000	-5%
001-521-00-1210	REGULAR SALARIES & WAGES - CROSSING GUARD	46,372	35,000	47,000	47,000	0%
001-521-00-1211	REGULAR SALARIES & WAGES - TEMPORARY SRO	36,780	0	0	0	#DIV/0!
001-521-00-1215	HOLIDAY PAY	13,493	20,000	16,000	20,000	25%
001-521-00-1220	LONGEVITY PAY	5,100	6,225	6,025	0	-100%
001-521-00-1400	OVERTIME PAY	13,334	12,000	12,000	15,000	25%
001-521-00-1500	INCENTIVE PAY	11,173	15,000	15,000	15,000	0%
001-521-00-1505	POLICE OFF-DUTY DETAIL PAY	67,005	0	63,233	0	-100%
001-521-00-1506	POLICE LAKE CONWAY MARINE PATROL PAY	14,798	15,000	15,000	15,000	0%
001-521-00-1519	HAZARD PAY - COVID19	0	0	26,100	0	-100%
001-521-00-1520	SPECIAL ASSIGNMENT PAY	11,190	11,000	11,000	11,000	0%
001-521-00-2100	FICA/MEDICARE TAXES	89,813	90,146	94,346	86,522	-8%
001-521-00-2200	RETIREMENT CONTRIBUTIONS	114,364	184,306	169,833	168,000	-1%
001-521-00-2300	HEALTH INSURANCE	194,596	229,675	200,000	200,000	0%
001-521-00-2310	DENTAL & VISION INSURANCE	6,718	7,854	7,854	7,500	-5%
001-521-00-2320	LIFE INSURANCE	4,624	5,293	5,293	5,000	-5%

Account Id	Account Description	ACTUALS	ORIGINAL	AMENDED	PROPOSED	% CHG
		2018/2019	BUDGET 2019/2020	BUDGET 2019/2020	BUDGET 2020/2021	
001-521-00-2330	DISABILITY INSURANCE	16,573	18,168	18,168	17,500	-4%
001-521-00-3100	TECHNOLOGY SUPPORT/SERVICES	25,798	26,000	26,000	24,000	-8%
001-521-00-3110	LEGAL SERVICES	2,778	2,500	8,500	8,000	-6%
001-521-00-3120	PRE-EMPLOYMENT EXPENSE	1,932	1,500	1,500	1,000	-33%
001-521-00-3410	JANITORIAL SERVICES	1,512	1,600	1,600	1,600	0%
001-521-00-4000	TRAVEL & PER DIEM	2,150	2,000	500	2,000	300%
001-521-00-4100	COMMUNICATIONS SERVICES	20,218	20,000	24,000	20,000	-17%
001-521-00-4110	DISPATCH SERVICE	72,126	73,000	73,000	73,000	0%
001-521-00-4200	POSTAGE & FREIGHT	102	500	500	500	0%
001-521-00-4300	UTILITY/ELECTRIC/WATER	3,929	3,000	3,000	3,500	17%
001-521-00-4600	REPAIRS & MAINTENANCE - GENERAL	1,113	2,000	2,000	2,000	0%
001-521-00-4610	REPAIRS AND MAINTENANCE - VEHICLES	28,098	25,000	25,000	25,000	0%
001-521-00-4620	REPAIRS & MAINTENANCE - RADAR GUNS	2,295	3,000	2,000	3,000	50%
001-521-00-4700	PRINTING & BINDING	3,252	2,500	2,500	2,000	-20%
001-521-00-4800	COMMUNITY PROMOTIONS	2,495	1,000	1,000	1,000	0%
001-521-00-4900	OTHER CURRENT CHARGES	1,209	2,000	4,000	3,000	-25%
001-521-00-4910	LEGAL ADVERTISING	0	250	250	250	0%
001-521-00-4920	MARINE EXPENSES	4,125	5,000	3,500	3,000	-14%
001-521-00-5100	OFFICE SUPPLIES	4,001	2,500	2,500	3,000	20%
001-521-00-5200	OPERATING SUPPLIES	5,260	3,000	8,000	5,000	-38%
001-521-00-5205	COMPUTER AND SOFTWARE	540	1,500	1,000	1,000	0%
001-521-00-5210	UNIFORMS	12,300	8,000	8,000	6,000	-25%
001-521-00-5230	FUEL EXPENSE	43,531	40,000	35,000	40,000	14%
001-521-00-5300	POLICE ACADEMY SPONSORED EMPLOYEE EXP	3,864	0	0	0	#DIV/0!
001-521-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	689	1,000	1,000	800	-20%
001-521-00-5500	TRAINING - POLICE	645	3,000	3,000	1,500	-50%
001-521-00-6200	POLICE DEPT BUILDING IMPROVEMENTS/REPAIR	5,256	0	0	0	#DIV/0!
001-521-00-6400	CIP - EQUIPMENT	74,182	8,000	17,961	0	-100%
001-521-00-6415	CIP - EQUIPMENT - RED LIGHT CAMERAS/LPR	0	100,000	30,000	0	-100%
001-521-00-6417	VEHICLES - LEASE PURCHASE & REG	63,249	64,000	114,264	100,000	-12%
001-521-00-6418	CIP - EQUIPMENT - VESSELS	0	0	0	50,000	#DIV/0!
Total Police		2,042,591	2,115,670	2,170,580	1,995,672	
Public Works						
001-541-00-1200	REGULAR SALARIES & WAGES	102,695	66,196	66,196	66,200	0%
001-541-00-1220	LONGEVITY PAY	900	975	950	0	-100%
001-541-00-1400	OVERTIME PAY	442	1,500	1,500	500	-67%
001-541-00-2100	FICA/MEDICARE TAXES	7,892	5,253	5,253	5,064	-4%
001-541-00-2200	RETIREMENT CONTRIBUTIONS	8,956	8,800	8,800	8,606	-2%
001-541-00-2300	HEALTH INSURANCE	22,946	15,389	15,389	15,500	1%
001-541-00-2310	DENTAL & VISION INSURANCE	662	719	719	600	-17%
001-541-00-2320	LIFE INSURANCE	495	338	338	350	4%
001-541-00-2330	DISABILITY INSURANCE	1,812	1,309	1,309	1,320	1%
001-541-00-3100	PROFESSIONAL SERVICES	126	200	200	3,200	1500%
001-541-00-3140	TEMPORARY LABOR	7,064	10,000	2,500	2,000	-20%
001-541-00-3400	CONTRACTUAL SERVICES	8,378	7,500	7,500	7,500	0%
001-541-00-3420	LANDSCAPING SERVICES	82,406	45,000	45,000	45,000	0%
001-541-00-4100	COMMUNICATIONS	2,795	2,500	2,500	2,500	0%
001-541-00-4300	UTILITY/ELECTRIC/WATER	100,216	115,000	110,000	110,000	0%
001-541-00-4600	REPAIRS & MAINTENANCE - GENERAL	14,463	10,000	10,000	10,000	0%
001-541-00-4610	REPAIRS & MAINTENANCE - VEHICLES & EQUIP	5,800	10,000	10,000	10,000	0%
001-541-00-4670	REPAIRS & MAINTENANCE - PARKS	3,000	10,000	10,000	25,000	150%
001-541-00-4675	REPAIRS & MAINTENANCE - BOAT RAMPS	255	5,000	2,500	2,500	0%
001-541-00-4680	REPAIRS & MAINTENANCE - ROADS	10,054	12,000	32,000	30,000	-6%
001-541-00-4690	URBAN FORESTRY	84,630	60,000	110,000	60,000	-45%
001-541-00-5200	OPERATING SUPPLIES	5,345	5,000	5,000	5,000	0%
001-541-00-5210	UNIFORMS	688	1,500	1,000	1,000	0%
001-541-00-5220	PROTECTIVE CLOTHING	597	1,000	1,000	1,000	0%

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
001-541-00-5230	FUEL EXPENSE	3,719	6,000	6,000	6,000	0%
001-541-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	179	500	500	500	0%
001-541-00-5500	TRAINING	97	500	500	250	-50%
001-541-00-6320	CIP - RESURFACING & CURBING	312,132	0	0	200,000	#DIV/0!
001-541-00-6330	CIP - SIDEWALKS	26,568	0	0	25,000	#DIV/0!
001-541-00-6335	CIP - NELA BRIDGE REPAIRS	0	37,000	40,380	0	-100%
001-541-00-6365	CIP - ELECTRIC POLE HOLIDAY DECORATIONS	0	15,000	9,532	0	-100%
001-541-00-6380	CIP - PARK IMPROVEMENTS	0	348,000	254,942	15,000	-94%
001-541-00-6420	CIP - TRAFFIC CALMING	0	25,000	25,300	0	-100%
001-541-00-6430	CIP - EQUIPMENT	52,821	17,000	28,820	10,000	-65%
	Total Public Works	868,133	844,179	815,628	669,590	
	Debt Service					
001-584-00-7100	PAYMENT ON BOND - PRINCIPAL	85,000	90,000	90,000	95,000	6%
001-584-00-7200	BOND DEBT - INTEREST	23,868	18,000	18,000	18,000	0%
	Total Debt Service	108,868	108,000	108,000	113,000	
	Total Expenditures	6,335,140	6,409,366	6,541,367	6,226,062	
	Transfers					
001-581-00-9100	TRANSFER TO CAPITAL EQUIP REPL FUND 301	27,000	52,000	0	0	#DIV/0!
001-581-00-9110	TRANSFER TO RIGHT OF WAY FUND 302	0	400,000	0	0	
001-584-00-5810	TRANSFER TO CHARTER DEBT SERVICE FUND 201	150,000	150,000	0	0	#DIV/0!
	Total Transfers Out	177,000	602,000	0	0	
	Ending Fund Balance	2,371,023	1,311,766	2,376,482	2,881,465	
	Total Expenditures, Transfers Out, & Ending Fund Balance	8,883,163	8,323,132	8,917,849	9,107,527	

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
	Beginning Fund Balance	231,006	199,731	204,574	146,874	
REVENUES						
102-324-310	IMPACT FEES - RESIDENTIAL - TRANSPORTATI	4,290	3,000	0	3,000	#DIV/0!
102-361-100	INTEREST - TRANSPORTATION IMPACT	1,552	1,000	2,300	2,300	0%
	Total Revenues	5,842	4,000	2,300	5,300	
Total Beginning Fund Balance, Revenues, & Transfers In		236,848	203,731	206,874	152,174	
EXPENDITURES						
102-541-00-3120	ENGINEERING FEES	32,274	0	0	0	#DIV/0!
102-541-00-6425	ROADWAY IMPROVEMENTS	0	120,000	60,000	35,000	-42%
	Total Expenditures	32,274	120,000	60,000	35,000	
	Ending Fund Balance	204,574	83,731	146,874	117,174	
Total Expenditures, Transfers Out, & Ending Fund Balance		236,848	203,731	206,874	152,174	

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
	Beginning Fund Balance	306,979	295,404	24,127	59,268	
REVENUES						
103-331-100	FEMA REIMBURSEMENT - FEDERAL - FUND 103	76,313	0	142,367	0	-100%
103-331-110	FEMA REIMBURSEMENT - STATE - FUND 103	12,719	0	-570	0	-100%
103-343-900	SERVICE CHARGE - STORMWATER	356,223	370,000	344,000	411,671	20%
103-361-100	INTEREST - STORMWATER	1,553	1,000	2,300	2,300	0%
	Total Revenues	446,808	371,000	488,097	413,971	
Total Beginning Fund Balance, Revenues, & Transfers In		753,787	666,404	512,224	473,239	
EXPENDITURES						
103-541-00-1200	REGULAR SALARIES & WAGES	0	89,860	89,860	90,000	0%
103-541-00-2100	FICA/MEDICARE TAXES	0	6,874	6,874	6,885	0%
103-541-00-2200	RETIREMENT CONTRIBUTIONS	0	11,682	11,682	11,750	1%
103-541-00-2300	HEALTH INSURANCE	0	14,040	14,040	14,500	3%
103-541-00-2310	DENTAL & VISION INSURANCE	0	449	449	450	0%
103-541-00-2320	LIFE INSURANCE	0	427	427	450	5%
103-541-00-2330	DISABILITY INSURANCE	0	1,256	1,256	1,275	2%
103-541-00-3100	PROFESSIONAL SERVICES	0	0	0	3,000	#DIV/0!
103-541-00-3110	LEGAL SERVICES - STORMWATER FUND	0	0	2,368	3,000	27%
103-541-00-3120	ENGINEERING FEES	48,267	50,000	50,000	50,000	0%
103-541-00-3430	NPDES	10,766	15,000	15,000	15,000	0%
103-541-00-3450	LAKE CONSERVATION	8,931	15,000	15,000	15,000	0%
103-541-00-4600	REPAIRS & MAINTENANCE	20,347	70,000	70,000	75,000	7%
103-541-00-4900	OTHER CURRENT CHARGES	286	1,000	1,000	1,000	0%
103-541-00-6300	CIP - CAPITAL IMPROVEMENTS	641,063	350,000	175,000	110,600	-37%
	Total Expenditures	729,660	625,588	452,956	397,910	
Transfers						
103-581-00-9100	TRANSFER TO CAPITAL EQUIP REPL FUND 301	0	10,000	0	0	#DIV/0!
	Total Transfers Out	0	10,000	0	0	
	Ending Fund Balance	24,127	30,816	59,268	75,329	
Total Expenditures, Transfers Out, & Ending Fund Balance		753,787	666,404	512,224	473,239	

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
	Beginning Fund Balance	13,047	7,347	15,400	11,000	
REVENUES						
104-351-200	JUDGEMENT & FINES - LE EDUCATION FUND	1,597	1,500	1,500	1,500	0%
104-361-100	INTEREST - EDUCATION FUND	1,554	1,000	2,300	2,300	0%
	Total Revenues	3,151	2,500	3,800	3,800	
Total Beginning Fund Balance, Revenues, & Transfers In						
		16,198	9,847	19,200	14,800	
EXPENDITURES						
104-521-00-5500	TRAINING	798	8,000	8,000	6,000	-25%
104-541-00-4900	OTHER CURRENT CHARGES	0	200	200	200	0%
	Total Expenditures	798	8,200	8,200	6,200	
	Ending Fund Balance	15,401	1,647	11,000	8,600	
Total Expenditures, Transfers Out, & Ending Fund Balance						
		16,198	9,847	19,200	14,800	

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
	Beginning Fund Balance	1,335,572	1,106,848	1,179,291	5,000	
REVENUES						
201-331-100	FEMA REIMBURSEMENT - FEDERAL - FUND 201	38,018	0	2,147	0	-100%
201-331-110	FEMA REIMBURSEMENT - STATE - FUND 201	6,336	0	-4,105	0	-100%
201-361-100	INTEREST - CHARTER FUND	22,295	1,000	10,000	10,000	0%
201-362-000	RENT REVENUE	1,018,908	1,029,700	1,036,640	1,040,141	0%
	Total Revenues	1,085,557	1,030,700	1,044,682	1,050,141	
Transfers						
201-381-000	TRANSFERS IN FROM GENERAL FUND 001	150,000	150,000	0	0	#DIV/0!
	Total Transfers In	150,000	150,000	0	0	
Total Beginning Fund Balance, Revenues, & Transfers In		2,571,129	2,287,548	2,223,973	1,055,141	
EXPENDITURES						
201-569-00-1200	REGULAR SALARIES & WAGES	0	67,495	67,495	68,000	1%
201-569-00-2100	FICA/MEDICARE TAXES	0	5,163	5,163	5,202	1%
201-569-00-2200	RETIREMENT CONTRIBUTIONS	0	9,668	9,668	10,000	3%
201-569-00-2300	HEALTH INSURANCE	0	8,808	8,808	8,850	0%
201-569-00-2310	DENTAL & VISION INSURANCE	0	360	360	375	4%
201-569-00-2320	LIFE INSURANCE	0	321	321	350	9%
201-569-00-2330	DISABILITY INSURANCE	0	928	928	950	2%
201-569-00-3100	PROFESSIONAL SERVICES - CHARTER	5,800	0	5,500	5,500	0%
201-569-00-3110	LEGAL SERVICES - CHARTER	2,320	0	8,000	8,000	0%
201-569-00-4600	MAINTENANCE - CHARTER SCHOOL	10,155	20,000	20,000	20,000	0%
201-569-00-6210	CIP - CHARTER ROOF	0	276,000	276,000	114,000	-59%
201-569-00-6320	CIP - HVAC REPLACEMENT	341,585	22,000	13,895	0	-100%
201-569-00-6410	CHARTER SCHOOL BUILDING REPAIRS	71,500	0	5,739	0	-100%
201-569-00-7100	PRINCIPAL	415,000	300,000	300,000	185,000	-38%
201-569-00-7200	INTEREST	545,478	527,825	527,825	515,000	-2%
	Total Expenditures	1,391,838	1,238,568	1,249,702	941,227	
	Ending Fund Balance	1,179,291	1,048,980	974,271	113,914	
Total Expenditures, Transfers Out, & Ending Fund Balance		2,571,129	2,287,548	2,223,973	1,055,141	

*The Fund Balance for this fund is shown for FY 20-21 without the amounts held by the trustee for budget preparation purposes only

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
	Beginning Fund Balance	0	27,000	27,000	17,023	
REVENUES						
301-361-100	INTEREST - CAP EQUIP REPL FUND	0	0	0	0	#DIV/0!
	Total Revenues	0	0	0	0	
Transfers						
301-381-000	TRANSFER FROM GENERAL FUND 001	27,000	52,000	0	0	#DIV/0!
301-381-103	TRANSFER FROM STORMWATER FUND 103	0	10,000	0	0	#DIV/0!
	Total Transfers In	27,000	62,000	0	0	
Total Beginning Fund Balance, Revenues, & Transfers In		27,000	89,000	27,000	17,023	
EXPENDITURES						
301-521-00-6410	CIP - POLICE COMMUNICATIONS EQUIPMENT	0	10,000	9,977	0	-100%
	Total Expenditures	0	10,000	9,977	0	
	Ending Fund Balance	27,000	79,000	17,023	17,023	
Total Expenditures, Transfers Out, & Ending Fund Balance		27,000	89,000	27,000	17,023	

Account Id	Account Description	ACTUALS 2018/2019	ORIGINAL BUDGET 2019/2020	AMENDED BUDGET 2019/2020	PROPOSED BUDGET 2020/2021	% CHG
	Beginning Fund Balance	0	0	0	0	
REVENUES						
301-361-100	INTEREST - RIGHT OF WAY FUND	0	0	0	0	#DIV/0!
	Total Revenues	0	0	0	0	
	Transfers					
302-381-000	TRANSFER FROM GENERAL FUND 001	0	484,000	0	0	#DIV/0!
	Total Transfers In	0	484,000	0	0	
Total Beginning Fund Balance, Revenues, & Transfers In		0	484,000	0	0	
EXPENDITURES						
302-541-00-6320	CIP - RESURFACING & CURBING	0	350,000	0	0	#DIV/0!
302-541-00-6330	CIP - SIDEWALKS	0	50,000	0	0	#DIV/0!
	Total Expenditures	0	400,000	0	0	
	Ending Fund Balance	0	84,000	0	0	
Total Expenditures, Transfers Out, & Ending Fund Balance		0	484,000	0	0	

CITY OF BELLE ISLE
 FISCAL YEAR 2020/2021
 BUDGET

CAPITAL OUTLAY DETAILS

ALL F a. \$

				FY 20/21
GENERAL FUND (001)				
POLICE DEPARTMENT				
CIP - Equipment - Vehicles	001-521-00-6417	(2) Police Department Vehicles		100,000
CIP - Equipment - Vessels	001-521-00-6418	Marine Patrol Boat		50,000
Total Police Department				150,000
PUBLIC WORKS				
CIP - Resurfacing & Curbing	001-541-00-6320	Gondola/Lake/Swann/Idaho/Nevada/Perkins		200,000
CIP - Sidewalks	001-541-00-6330	Sidewalk Replacement		25,000
CIP - Park Improvements	001-541-00-6380	Cross Lake Improvements		15,000
CIP - Equipment	001-541-00-6430	Portable Excavator		10,000
Total Public Works Department				250,000
Total General Fund				\$ 400,000
TRANSPORTATION IMPACT FUND (102)				
Roadway Improvements	102-541-00-6425	Ped Crossing @ Hoffner/Pleasure Island		35,000
Total Transportation Impact Fund				\$ 35,000
STORMWATER FUND (103)				
CIP - Capital Improvements	103-541-00-6300	Seminole/Daetwyler		20,000
		Jade Circle		65,000
		6504 St. Partin Place		11,905
		Trimble Park Area		13,695
				110,600
Total Stormwater Fund				\$ 110,600
CHARTER SCHOOL DEBT SERVICE FUND (201)				
Roof Repair/Replacement	201-569-00-6210	Roof - Field House		114,000
Total Charter School Debt Service Fund				\$ 114,000
Total All Funds				\$ 659,600



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

Meeting Date: August 4, 2020

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Proposed Ordinance to Allow Use of Golf Carts

Background: The Council directed the City Staff to draft an ordinance to allow the use of golf carts on City streets. The proposed ordinance provides for definitions, operations of carts on certain streets, a “Golf Cart Community”, process for creating the Golf Cart Community, age regulations, street signage, operator indemnity, cart registration, parking, enforcement, penalties, and appeals.

Once the final ordinance is ready the staff will prepare a registration packet with will include an information brochure.

Staff Recommendation: Discuss the proposed ordinance and make any necessary changes.

Suggested Motion: I move that we read the Ordinance for the first time at the August 18, 2020 Council Meeting.

Alternatives: Do not move forward with the ordinance.

Fiscal Impact: TBD based on the number of carts to register.

Attachments: Proposed Ordinance

ORDINANCE

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADOPTING A NEW ARTICLE V OF CHAPTER 30 OF THE CITY CODE AUTHORIZING THE USE OF GOLF CARTS ON WITHIN CERTAIN COMMUNITIES AND STREETS DESIGNATED IN RESOLUTIONS ADOPTED BY THE CITY COMMISSION; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE REGULATION OF GOLF CARTS, INCLUDING THE HOURS OF OPERATION; PROVIDING FOR THE ESTABLISHMENT OF AN APPLICATION PROCESS, AGE REGULATIONS FOR THE OPERATION OF GOLF CARTS, REQUIRED SIGNAGE, VIOLATIONS AND PENALTIES, AND APPEALS TO THE HEARING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, citizens of the City have expressed an interest in allowing golf carts to be driven upon certain streets subject to City jurisdiction; and

WHEREAS, the operation of golf carts upon streets subject to City jurisdiction is ordinarily prohibited unless otherwise authorized by the City pursuant to Section 316.212, Florida Statutes; and

WHEREAS, the City Commission desires to amend the City's Code of Ordinances to allow for the City Commission to consider and approve resolutions authorizing the operation of golf carts within specified residential communities and on roadways meeting threshold safety requirement under State and Municipal law; and

WHEREAS, to protect the health, safety, and welfare of its citizens, the City desires to prohibit the operation of golf carts along roads and thoroughfares incompatible with such operation and regulate the manner and times of the operation of golf carts upon streets subject to City jurisdiction where such operation is authorized.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY OF BELLE ISLE ,
FLORIDA, AS FOLLOWS:**

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. Authority. The City of Belle Isle has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida, Chapter 166, Florida Statutes, and Section 316.212, Florida Statutes.

SECTION 3. A new Article V of Chapter 30, Traffic and Vehicles, of the Code of Ordinances of the City of Belle Isle Code, Florida, is hereby adopted as follows:

ARTICLE V

GOLF CARTS ON PUBLIC STREETS

Sec. 30-170. TITLE; AUTHORITY.

- A. This Article shall be known and may be cited as the "Belle Isle Golf Cart Ordinance".
- B. The city has the authority to adopt this article pursuant to Article VIII of the Constitution of the State of Florida, Chapter 166, Florida Statutes and Section 316.212, Florida Statutes.

Sec. 30-171. DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. "Golf cart" means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty (20) miles per hour.
- B. "Golf Cart Community" means a subdivision or community within the corporate limits of the city within which the Belle Isle City Commission has by resolution authorized the operation of golf carts on designated municipal streets within such subdivision or community.
- C. "Golf Cart Permitted Street" means a municipal street within the corporate limits

of the city which has been designated by resolution of the Belle Isle City Commission for use by golf carts.

- D. "Applicant", for the purposes of this article, means a person or entity (including a homeowner's association) who is requesting that the Belle Isle City Commission adopt a resolution designating one or more Golf Cart Communities and/or one or more Golf Cart Permitted Streets.

Sec. 30-172. GOLF CART OPERATION.

- A. It shall be unlawful to operate a golf cart on any street within the corporate limits of the City, except for a golf cart which may, subject to the provisions of this article, be operated on Golf Cart Permitted Streets and municipal streets within a Golf Cart Community.
- B. It shall be unlawful to operate a golf cart upon a state highway unless otherwise authorized pursuant to Section 316.212(2), Florida Statutes, or any other applicable State statute.
- C. A golf cart may be operated between Golf Cart Communities that are adjacent, only if such provision is specifically included by the Belle Isle City Commission in the resolution approving the Golf Cart Community.
- D. A golf cart being operated on a Golf Cart Permitted Street with a posted speed limit of twenty-five (25) miles per hour or less may, for the sole purpose of continuing travel along such street, be operated across an intersecting street with a posted speed limit in excess of twenty-five (25) miles per hour but not to exceed thirty-five (35) miles per hour only if such intersection is governed by a 4-way stop sign or traffic signal; otherwise, a golf cart may not be operated across any intersecting street with a posted speed limit in excess of twenty-five (25) miles per hour.
- E. Unless otherwise expressly authorized pursuant to general law or the enabling resolution, it shall be unlawful to operate a golf cart upon a street with a posted speed limit in excess of twenty-five miles per hour.
- F. Except as provided in Section 153-19(G) below, golf carts shall only be permitted to operate within a Golf Cart Community or on a Golf Cart Permitted Street during the hours between sunrise and sunset.
- G. A golf cart which is equipped with headlights, brake lights, turn signals and a windshield may also be operated within a Golf Cart Community or on a Golf Cart Permitted Street during the hours between sunset and sunrise.
- H. All golf carts operated within a Golf Cart Community or on a Golf Cart Permitted Street shall have efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and reflective warning devices in both the front and rear as required by Section 316.212(6), Florida Statutes.

- I. The Florida Uniform Traffic Control Law, Chapter 316 of the Florida Statutes, as amended and as it may be amended in the future, is applicable within the City. The operation of golf carts shall comply with all applicable traffic laws as provided in the Florida Statutes.

Sec. 30-173 APPLICATION FOR APPROVAL OF A GOLF CART COMMUNITY AND/OR GOLF CART PERMITTED STREETS.

- A. The City Commission may, upon its own initiative or upon petition of an Applicant, direct City staff to create a map or other diagram delineating the boundaries of a Golf Cart Community and/or Golf Cart Permitted Streets and to prepare the appropriate resolution to be presented to the City Commission. Any such resolution shall be acted upon only following an advertised public hearing preceded by at least seven (7) days' notice thereof.
- B. Any resolution adopted under this Article must include the requisite legislative findings as required by Section 316.212, Florida Statutes, and a plan for the placement of the requisite signage within the Golf Cart Community and the Golf Cart Permitted Streets.
- C. The City Commission may approve or disapprove any resolution presented under this article based upon its legislative determination as to whether golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume and character of motor vehicles using the road or street and such other factors as the City Commission may deem appropriate, including input received at any public hearing.
- D. The City Commission may by resolution rescind a previously adopted resolution if the City Commission determines that the operation of golf carts within any such Golf Cart Community and/or Golf Cart Permitted Streets would constitute or has become a danger or detriment to the health, safety, welfare, or character of the community or the surrounding area. Any such resolution shall be acted upon only following an advertised public hearing preceded by at least seven (7) days' notice thereof.

Sec. 30-174. AGE REGULATION.

- A. An unlicensed driver must be 18 years of age or older or possess a valid state-issued learner's driver license.
- B. When operating a golf cart, the unlicensed driver must be accompanied at all times by another person who holds a valid state-issued driver's license, is at least 21 years of age, and occupies the closest seat to the right of the unlicensed driver of the golf cart.
- C. An unlicensed driver shall not operate a golf cart between sunset and sunrise.
- D. Except for the licensed occupant described in section 30-174 B, an unlicensed driver shall not operate a golf cart occupied by passengers.

Sec. 30-175. REQUIRED SIGNAGE.

- A. The City will provide proper signage pursuant to Section 316.212(1), Florida Statutes, within thirty (30) days of approval of a resolution to allow golf carts to be operated within a Golf Cart Community or on a Golf Cart Permitted Street.

Sec. 30-176. OPERATOR TO ASSUME RISK, INDEMNIFY AND HOLD HARMLESS

- A. Each person operating or riding on a golf cart on city streets and all person who are passengers in such golf carts does so at his own risk and must operate such vehicle with due regard for the safety and convenience of other motor vehicles, bicyclists and pedestrians.
- B. The City in so designating certain City streets for the operation of the golf carts extends such operating privileges on the express condition that the operator of such golf carts undertakes such operation at his own risk and assumes sole liability for operating the vehicle on City streets and by such operation shall be deemed to agree to defend, release, indemnify and hold harmless the City of Belle Isle, its officials and employees for and regarding any and all claims, demands or damages of any nature whatsoever arising from such operation by any person against the City of Belle Isle.

Sec. 30-177. REGISTRATION

- A. Each owner of a golf cart that is to be operated on the streets of the City of Belle Isle must register the golf cart with the City, pay an annual registration fee in an initial amount of \$25.00, or in an amount set by a resolution of Council, and receive and display at all times on the lower left of the front windshield of the golf cart the registration decal issued by the City. The registration decal shall be non-transferable to another golf cart or to another owner
- B. A seller of a registered golf cart shall remove any registration decal from the golf cart prior to transferring the golf cart to a new owner. Furthermore, in consideration of and in return for the privilege of operating said golf cart on the permitted streets of the City of Belle Isle, the owner shall sign a defense release, indemnity and hold harmless agreement as set forth above.

Sec.30-178. PARKING OF GOLF CARTS

- A. Golf carts shall comply with all parking regulations set forth in this Chapter 30.
- B. At no time and under no circumstances shall golf carts, low-speed vehicles or mini trucks be parked or left unattended in or upon a city streets, right-of-way, sidewalk, or public park, or private property that is not owned or leased by the owner of such golf cart without the permission of such private property owner.

Sec.30-179. Compliance; Enforcement.

- A. Violations of this article shall constitute a non-criminal infraction punishable pursuant to the provisions of §316.212(9), Florida Statutes. The use of a golf cart, low-speed vehicle or mini truck resulting in violations of the Florida "Uniform Traffic Control" statute and the Florida "Uniform Disposition of Traffic Infractions Act" are punishable pursuant to chapters 316, 318, and 319, Florida Statutes, as applicable.

- B. All other city ordinances pertaining to the use of motor vehicles within the city, including, but not limited to Chapter 30, shall also apply to this article.

Sec. 30-180. VIOLATIONS AND PENALTIES.

- A. The City of Belle Isle Police Department shall enforce the provisions of this article.
- B. Any person violating Section 30-174 hereof, except where a penalty is specifically prescribed for that particular violation, shall be issued a City of Belle Isle Civil Citation (or notice of violation) with a fine in the amount of \$100.00.
- C. A violation of Section 30-172(A) through (F), inclusive, and Section 30-174 hereof shall be a noncriminal traffic infraction, punishable pursuant to Chapter 318, Florida Statutes, as a moving violation.
- D. A violation of Section 30-172(G) and (H) hereof shall be a noncriminal traffic infraction, punishable pursuant to Chapter 318, Florida Statutes, as a nonmoving violation.
- E. In addition to any fine levied under this section, the city may bring civil suit to restrain, enjoin or otherwise prevent the violation of this Article in a court of competent jurisdiction. If the city brings suit to restrain or enjoin or to otherwise prevent the violation of this article, the city is entitled to recover its reasonable attorneys' fees and court costs from the named defendant in the action.
- F. Any person receiving civil citation pursuant to this article shall, within 21 days of the date of the notice of violation:
 - 1. Pay the assessed civil penalty pursuant to instructions on the notice of violation; or
 - 2. Contest (or appeal) the notice of violation pursuant to the procedures set forth in the notice of violation.
- G. The failure to timely comply with the provisions of Section 30-180(D) shall constitute a waiver of the right to contest the notice of violation and will be considered an admission of liability.
- H. A late fee in the amount of \$25.00 will be imposed upon any person not complying with the provisions of Section 30-180(D).

Sec. 30-181. APPEALS

- A. The Chief of Police may void or dismiss the notice of violation being appealed if the Chief of Police or his designee determines based on a review of the appeal that there does not exist probable cause to believe that the appellant committed a violation of this Article.
- B. If the Chief of Police voids or dismisses the notice of violation as aforesaid, then written notice of such action shall be provided to the person filing the appeal.
- C. If the decision of the Chief is appealed, the appeal will follow the procedures pursuant to Sec. 30-76.

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

SECTION 4. Codification. It is the intention of the City Commission of the City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter," "section," "article," or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical errors which do not affect the intent may be authorized by the City Manager, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION 5. Effective Date. This Ordinance shall become effective ten (10) days after its passage and adoption.



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

Meeting Date: August 4, 2020

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 20-10, 2020 Bond Issue (First Reading)

Background: The Council approved the purchase of the BoA property. The City staff has been working with the City Attorney and members of the Florida League of Cities to borrow the funds needed for the purchase. An RFP, reviewed by the City staff and City Attorney was issued in the amount of \$2.6 million. The City will use the proceeds of the 2020 Loan to finance the acquisition of one or more parcels of land and the improvements thereon and/or capital projects including but not limited to stormwater improvements (collectively, the “Project”) along with the costs of issuance related to the 2020 Loan.

Staff Recommendation: Discuss the proposed issue and provide direction to the staff.

Suggested Motion: I move that we read Ordinance 20-10 for a second time at the August 18, 2020 meeting

Alternatives: Do not move forward with the ordinance.

Fiscal Impact: \$2.6 million (\$160,000-\$167,000 annually for 20 years)

Attachments: Ordinance 20-10
Draft Timetable and debt service requirement
RFP to Provide a Fixed Rate Bank Loan

ORDINANCE NO. 20-10

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING THE BORROWING OF MONEY AND THE ISSUANCE OF DEBT IN AN AMOUNT NOT TO EXCEED \$2,600,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION OF ONE OR MORE PARCELS OF LAND AND THE IMPROVEMENTS LOCATED THEREON AND/OR THE CONSTRUCTION, ACQUISITION, AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS OF THE ISSUER, INCLUDING, BUT NOT LIMITED TO, STORMWATER IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, participating governmental units have created the Florida Municipal Loan Council (the "Council") pursuant to a certain Interlocal Agreement and pursuant to Chapter 163, Part I, Florida Statutes, for the purpose of issuing its bonds to make loans to participating governmental units for the financing or refinancing of qualified projects; and

WHEREAS, the Council administers a financing program within the State of Florida (the "State") whereby funds are provided by a qualified lending institution and loaned directly to the participating local government to finance, refinance, or reimburse the costs of qualifying projects and secured by a debt obligation issued by such participating local government (the "Program"); and

WHEREAS, through the Program, participating local governments receive access to the Council's team of professionals and pre-reviewed set of form financing documents, and the Council coordinates the financing process and professionals through loan closing; and

WHEREAS, the City of Belle Isle, Florida (the "Issuer") is a municipal corporation duly created and existing pursuant to the Constitution and laws of the State of Florida; and

WHEREAS, the Issuer has determined that it is necessary and desirable and in the best interest of the inhabitants of the Issuer to finance the acquisition of one or more parcels of land and the improvements located thereon and/or the construction, acquisition, and equipping of certain capital improvements of the Issuer, including, but not limited to, stormwater improvements (collectively, the "Project"), and that the Project serves a public purpose; and

WHEREAS, the Issuer is authorized pursuant to the provisions of the Constitution of the State, Chapter 166, Florida Statutes, the Charter of the Issuer, and other applicable provisions of law, each as amended, to participate in the Program and borrow funds to finance the Project (the "Loan"); and

WHEREAS, in connection with the borrowing of funds to finance the Project, the Issuer desires to issue its not to exceed \$2,600,000 City of Belle Isle, Florida Capital Improvement Revenue Note, Series 2020 (the "Note"); and

WHEREAS, amounts due under the Note will be secured by a covenant to budget and appropriate legally available non-ad valorem revenues of the Issuer (the "Non-Ad Valorem Revenues"); and

WHEREAS, the Issuer anticipates that the Note will be issued in a single series in calendar year 2020; and

WHEREAS, Part I, Article III, Section 3.12(F) of the Charter of the Issuer requires the City Council of the City of Belle Isle, Florida (the "City Council") to authorize by ordinance the borrowing of money; and

WHEREAS, the City Council now wishes to authorize the borrowing of money to finance the Project and the transaction costs associated therewith and authorize the issuance of the Note for such purposes, which Note may be sold at a public or private sale, in connection therewith.

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

SECTION 1. ADOPTION OF REPRESENTATIONS. The above stated recitals are hereby incorporated as part of this Ordinance.

SECTION 2. AUTHORITY FOR THIS ORDINANCE. This Ordinance is enacted pursuant to the provisions of Chapter 166, Part II, Florida Statutes; the Charter of the Issuer; and other applicable provisions of law.

SECTION 3. AUTHORIZATION OF THE PROJECT. The Issuer does hereby authorize the Project.

SECTION 4. AUTHORIZATION OF THE BORROWING OF MONEY. The issuance by the Issuer of not exceeding \$2,600,000 City of Belle Isle, Florida Capital Improvement Revenue Note, Series 2020, for the purpose of financing the Project, to be secured by a covenant to budget and appropriate legally available Non-Ad Valorem Revenues, to be dated, to bear interest at a rate or rates not exceeding the maximum legal rate per annum, to be payable, to mature, to be subject to redemption, and to have such other characteristics as shall be provided by subsequent resolution of the City Council prior to its delivery, is hereby authorized. The City Council may adopt a specific note resolution (including any resolutions supplemental to the note resolution), supplemental to this Ordinance, which sets forth the fiscal details of the Note and other covenants and provisions necessary for the marketing, sale, and issuance of the Note.

SECTION 5. DECLARATION OF INTENT. The City Council hereby expresses its intention to be reimbursed from proceeds of the Note. The City Council expects to use legally available funds to pay for costs of the Project, including, but not limited to, capital expenditures, costs of design and engineering, and other costs associated with the incurrence of debt. This Ordinance is intended to constitute a "declaration of official intent" within the meaning of Section 1.150-2 of the Income Tax Regulations, which were promulgated pursuant to the Internal Revenue Code of 1986, as amended, with respect to the debt incurred to finance the Project.

SECTION 6. LIMITED OBLIGATION. THE FULL FAITH AND CREDIT OF THE ISSUER, THE STATE, OR ANY POLITICAL SUBDIVISION THEREOF, ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE NOTE, AND ALL OTHER AMOUNTS DUE UNDER THE LOAN, AND HOLDERS SHALL NEVER HAVE THE RIGHT TO REQUIRE OR COMPEL THE EXERCISE OF ANY TAXING POWER OF THE ISSUER, THE STATE, OR ANY POLITICAL SUBDIVISION THEREOF, TO THE PAYMENT OF SUCH PRINCIPAL OR INTEREST, OR ALL OTHER AMOUNTS DUE UNDER THE LOAN. THE NOTE AND THE OBLIGATION EVIDENCED THEREBY SHALL NOT CONSTITUTE A LIEN UPON ANY PROPERTY OF THE ISSUER, AND SHALL BE PAYABLE FROM AND SECURED SOLELY BY THE NON-AD VALOREM REVENUES ACTUALLY BUDGETED, APPROPRIATED, AND DEPOSITED INTO A DEBT SERVICE FUND ESTABLISHED FOR SUCH PURPOSE, ALL IN THE MANNER AND TO THE EXTENT DESCRIBED IN A SPECIFIC NOTE RESOLUTION SUPPLEMENTAL TO THIS ORDINANCE. THE NOTE SHALL NOT BE OR CONSTITUTE A GENERAL OBLIGATION OR INDEBTEDNESS OF THE ISSUER AS "BONDS" WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION.

SECTION 7. GENERAL AUTHORITY. The City Manager and the Finance Manager are hereby authorized to do all acts and things required of them or that may otherwise be desirable or consistent with accomplishing the financing of the Project and to cause to be done any and all acts and things necessary or proper for moving forward with the financing of the Project.

SECTION 8. NO PERSONAL LIABILITY. No recourse under or upon any obligation, covenant or agreement of this Ordinance, the Note, any specific note resolution or supplemental note resolution, or for any claim based thereon or otherwise in respect thereof, shall be had against any official, officer, or employee of the Issuer or any member of the City Council, as such, past, present, or future, either directly or through the Issuer, it being expressly understood that (a) no personal liability whatsoever shall attach to, or is or shall be incurred by, any official, officer or employee of the Issuer or members of the City Council, as such, under or by reason of the obligations, covenants, or agreements contained in this Ordinance, the Note, any specific note resolution or supplemental resolution, or implied therefrom, and (b) that any and all such personal liability, either at common law or in equity or by constitution or statute, of, and any and all such rights and claims against, any official, officer, or employee of the Issuer or member

of the City Council, as such, are waived and released as a condition of, and as a consideration for, the adoption of this Ordinance and the issuance of the Note on the part of the Issuer.

SECTION 9. SEVERABILITY. If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion thereto.

SECTION 10. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its enactment.

FIRST READING AND PUBLIC HEARING: _____, 2020.

SECOND READING, ADOPTION, AND PUBLIC HEARING _____, 2020.

ATTEST:

Yolanda Quiceno, City Clerk

Nicholas Fouraker, Mayor

Approved as to form and legality
For the use and reliance of the
City of Belle Isle, Florida, only:

A. Kurt Ardaman, City Attorney

DRAFT TIMETABLE

**Florida Municipal Loan Council
City of Belle Isle
July 24, 2020**

July 2020						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August 2020						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September 2020						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Date	Action	Responsible Party	Status
Tuesday, July 28	Circulate Draft Bank Loan RFP for comments	FA	
Tuesday, July 28	Agenda Deadline for Documents	BC	
Thursday, July 30	Comments Due re: RFP	FMLC, BO, BC, FA	
Friday, July 31	Distribute RFP to Lenders	FA	
Tuesday, August 4	City Council Meeting; First reading/Introduction of Ordinance Authorizing Borrowing	BO, BC	
Tuesday, August 18	City Council Meeting; Second reading/Adoption of Ordinance Authorizing Borrowing	BO, BC	
Friday, August 21	Written Proposals due from Lenders	Lender	
Tuesday, August 25	Conference call to discuss RFP results; Notify Lender; Begin document negotiation	FMLC, BO, BC, FA	
Wednesday, August 26	Circulate draft Award Resolution and Loan Agreement for comments	BC	
Thursday, September 3	Final Comments due re: Award Resolution and Loan Agreement	FMLC, BO, FA, Lender	
Monday, September 7	<i>Labor Day Holiday</i>	<i>All</i>	
Tuesday, September 8	Agenda deadline for documents	BC	
Tuesday, September 15	City Council Meeting; Approval of Lender and Resolution; pre-closing (TENTATIVE)	BO, BC	
Tuesday, September 22	Loan Closing (TENTATIVE) [contingent upon property purchase due diligence completion]	All	

Key		
FMLC: Facilitator	Florida Municipal Loan Council	Lender: TBD
BO: Borrower	City of Belle Isle	
FA: Financial Advisor	Public Resources Advisory Group	
BC: Bond Counsel	Bryant Miller Olive	

Term	15-year	20-year
Par Amount of the Loan	\$2,546,000	\$2,546,000
Final Maturity	10/1/2035	10/1/2040
Interest Rate range	2.00%-2.50%	2.25%-2.75%
Avg. Annual Debt Service range	\$198,000 - \$205,000	\$160,000 - \$167,000



Request for Proposals



Tax-Exempt Bank Loan in the amount of up to \$2,600,000 for the City of Belle Isle, FL

RFP Date: July 31, 2020
Response Due Date: August 21, 2020 (3pm ET)

Table of Contents

Section	Page
Introduction	1
Description of the City of Belle Isle	1
Description of Pledged Revenues	1
Description of the 2010 Loan Agreement and Refunding Plan	2
Loan Request Terms	2
Documentation and Other Matters	3
Terms and Conditions of Bank Proposals	3
COVID-19	5
Submission of Proposal	5
Tentative Timeline	6
Appendices	
Appendix A: Preliminary Loan Principal Amortization	7
Appendix B: Outstanding Parity Debt Service	8



**Request for Proposals to
Provide a Fixed Rate Bank Loan
City of Belle Isle, Florida**

Introduction

Public Resources Advisory Group (“PRAG”), working as advisor to the City of Belle Isle (the “City”), is seeking proposals from banks to make a fixed rate loan (the “2020 Loan”) in the amount up to \$2,600,000 to the City. The City will use the proceeds of the 2020 Loan to finance the acquisition of one or more parcels of land and the improvements thereon and/or capital projects including but not limited to stormwater improvements (collectively, the “Project”) along with the costs of issuance related to the 2020 Loan. The 2020 Loan will be secured by a Covenant to Budget and Appropriate from Non-Ad Valorem Revenues. The 2020 Loan will not be a general obligation of the City.

I. Description of the City of Belle Isle

The City is located in Orange County, Florida approximately six miles southeast of Orlando, FL and is part of the Orlando-Kissimmee-Sanford Metropolitan Statistical Area. The City’s estimated population is 7,240 and the median household income is estimated at \$85,973, or 142.6% of the national median household income (data.census.gov).

Financial Information

Copies of the City’s Annual Budgets and Comprehensive Annual Financial Reports are available on the City’s website at the following URL:

<https://www.cityofbelleislefl.org/finance>

II. Description of Pledged Revenues

The 2020 Loan will be a limited obligation of the City secured and payable from a Covenant to Budget and Appropriate legally available Non-Ad Valorem Revenues.

Outstanding Parity Debt The City has one (1) outstanding debt obligation secured and payable from its Covenant to Budget and Appropriate legally available Non-Ad Valorem Revenues. The City’s portion of the FMLC Refunding and Improvement Revenue Bonds, Series 2016 was originally issued at a par amount equal to \$935,000; these existing bonds will mature on October 1, 2026 and \$685,000 is currently outstanding. See Appendix B of this RFP for a detailed debt service schedule.

Anti-Dilution The Anti-Dilution Test for the 2020 Loan is expected to require non-ad valorem revenues (prior two year average) to cover projected maximum annual debt service on non-ad valorem revenue debt by at least 1.5x and projected maximum annual debt service for all debt secured by and/or payable solely from non-ad valorem revenues will not exceed 20% of Governmental Fund Revenues (prior two year average).



III. Description of the Project

On July 21, 2020, the City Council approved the City’s purchase of real property located at 6300 Hansel Avenue (the “Property”) for \$2,000,000. The City expects to finalize and sign the Purchase and Sale Agreement with Bank of America (the “Seller”) in early August 2020. The City has committed to pay a \$150,000 escrow deposit toward the purchase of the Property, \$60,000 of which will be non-refundable upon execution of contract except for Seller default. The City’s preliminary plans for the Property include converting the existing building into a police station or an educational facility. Separately, the City seeks to finance the acquisition of additional parcel(s) and/or fund capital improvements including, but not limited to, stormwater improvements in the amount of \$500,000.

IV. Loan Request Terms

Loan Amount	Up to \$2,600,000.
Purpose	To fund (i) acquisition of the Property in the City, ii) additional property acquisition and/or capital improvements including but not limited to stormwater improvements (ii) the costs of issuance related to the 2020 Loan.
Rate	Fixed rate for entire term of the 2020 Loan.
Term	The City encourages proposals for each of the following final maturities: 1) October 1, 2035 and 2) October 1, 2040.
Amortization	Preliminary loan principal amortizations for each option noted above are shown in Appendix A. Annual debt service will be substantially level.
Repayment Provisions	Principal payable annually beginning on October 1, 2021. Interest payments, to commence April 1, 2021, may be monthly, quarterly or semiannually at the preference of the Bank.
Prepayment Options	Options for 5-year par call, non-callable and any other alternatives proposed by bidder.
Security	Covenant to Budget and Appropriate from Non-Ad Valorem Revenues.
Bank Qualified	Loan is anticipated to be “bank-qualified” under Section 265(b)(3) of IRS code.



V. Documentation and Other Matters

Documentation for the 2020 Loan will be provided by Bryant Miller Olive P.A. (“BMO”), bond counsel to the Florida Municipal Loan Council, and their fees will be paid by the City. PRAG is acting as financial advisor to the City in connection with this loan and is not acting as a placement agent for the 2020 Loan.

The successful bidder will be required to deliver certain certificates at closing including:

- That it is a qualified institutional investor having knowledge and experience in financial and business matters and is capable of evaluating the merits and risks of lending funds to the City;
- That it has had access to and has reviewed such information concerning the City as it has deemed necessary;
- That it understands the 2020 Loan is not a general obligation of the City, but is payable solely by the revenues described in the 2020 Loan agreement;
- That it is not relying on disclosures from the City and that it is making the 2020 Loan for its own accounts and not with a view to resale or redistribution.

The 2020 Loan may be transferred in whole but not in part and only to qualified institutional investors who will provide the same certification at the time of transfer. The successful bidder must fund the 2020 Loan from its own capital and must agree not to place the 2020 Loan in any type of trust or other derivative financial product. No CUSIP numbers will be obtained and the 2020 Loan will be evidenced by a certificated promissory note registered in the successful bidder’s legal name (i.e., no “street name” and no book-entry registration or registration to “Cede & Co.”).

VI. Terms and Conditions of Bank Proposals

Please provide a proposal which includes the terms and conditions of each of the proposed bank loans. All proposals must include, but are not limited to, the information listed below:

1. The Bank's name, address, telephone number and fax number
2. Primary contact(s) concerning your proposal
3. Not to exceed loan amount
4. Loan Terms
 - a. Proposed interest rates and prepayment options
 - b. Rate Lock Period
 - c. Formula for determining rate if closing extends beyond Rate Lock Period
5. Debt service schedules
6. Covenants
7. Proposed upfront and annual fees
8. Bank’s current long and short-term ratings, including outlooks



9. Borrower’s Counsel will prepare loan documentation. Please list your proposed Bank Counsel and a not-to-exceed amount for their fees.
10. Maximum time allowed between date of proposal and loan closing date.

Only proposals including fixed interest rates will be considered. Terms requiring principal acceleration, depository requirements, regulatory fee reimbursement, yield protection for reasons other than for taxable events caused by the action or inaction of the City, will not be considered. Any gross up provision for taxable events must include a statement of the maximum taxable rate that would be charged.

The City reserves the right, in its sole discretion, to accept or reject any and all proposals, to waive any irregularities or informalities in any proposal or in the proposal process, and to accept or reject any items or combination of items. If the City determines to move forward with the 2020 Loan and select a bank financing proposal, the award will be to the financial institution whose proposal best complies with the requirements set forth in this RFP and whose proposal, in the opinion of the City and PRAG is best, taking into consideration all aspects of the offeror's response and City’s determination of its best interest. Changes to this RFP may be made by, and at the sole discretion of, the City. The City is not obligated to accept the lowest interest rate or proposal. If the City rejects all proposals, the City reserves the right at any time, including after the opening and review of the proposals, to ask proposers questions and seek clarification and additional information regarding the proposals submitted. The award is subject to approval by the City Council and contingent upon execution of a note, loan agreement and other closing documents acceptable to the City. The City reserves the right to rescind the award at any time prior to execution and closing of the note and loan agreement.

The City shall not be liable for any expenses incurred in connection with the preparation of a response or proposal to this RFP. By submitting a proposal in response to this RFP, proposers waive and release any and all right to make claims for reimbursement of proposal preparation costs against the City and its officers, officials, employees, attorneys and agents.

In accordance with Chapter 119, Florida Statutes, the Public Records Act, all proposers should be aware that this Request for Proposals and proposals submitted in response thereto are made in the public domain and are subject to disclosure, except to the extent expressly exempted or made confidential under the Public Records Act. If your proposal contains information that you assert is exempt or confidential from public disclosure, you are required to advise the City with specificity the applicable law making those provisions exempt or confidential from disclosure. A generic notation that information is “exempt” or "confidential" will not suffice. Failure to provide a detailed explanation and justification including statutory cites and specific reference to your proposal detailing what provisions, if any, you believe are exempt from disclosure, may result in your proposal or any portion thereof, being subject to disclosure in accordance with Chapter 119 of the Florida Statutes. If the City determines that the cited provisions of law are inapplicable or otherwise do not justify exemption or confidentiality, the City shall have the right to release such information and records for public inspection and copy in accordance with the Public Records Act. By submitting a proposal, the proposer holds the City and its officers, employees, attorneys and agents harmless concerning the disclosure of information contained within the proposal.



VII. COVID-19

The outbreak of COVID-19, a respiratory disease caused by a novel strain of coronavirus, has been declared a pandemic by the World Health Organization. On March 9, 2020, Florida’s Governor Ron DeSantis declared a state of emergency due to COVID-19. The extent of the impact resulting from COVID-19 on the City’s operational and financial performance will depend on certain developments, including the duration and spread of the outbreak, impact on citizens, employees, vendors, and economical mitigation measures to be taken by federal and state government, all of which are uncertain and cannot be predicted. The City has been proactive in dealing with the economic effects of COVID-19. The City formed a Budget Committee to review the FY2020 budget to see where reductions in expenses were necessary to meet a reduction in state shared revenues (e.g. Sales Tax, Gas Tax, Franchise Fees) resulting from the COVID-19 disruption. The City submitted requests for \$67,600 in CARES Act reimbursements and received 100% of the amount requested. In addition, the City received a grant in the amount of \$50,000 to pay first responders. The City plans to continue to apply for COVID-19 related reimbursements as expenses are incurred. For the FY2021 budget, the City “froze” all pay and benefits for employees and instituted a hiring freeze for new and vacant positions. The City will also reduce capital improvement projects such as pavement resurfacing and traffic projects and will delay the purchase of capital equipment including vehicles. Throughout next year, the Budget Committee will meet monthly to determine future reductions in revenues and expenses. For FY2021, the City projects to have a reserve of \$3,039,000 available at its discretion.

VIII. Submission of Proposal

Please e-mail your written proposal by 3pm (ET), Friday, August 21, 2020 to the following contacts:

Marianne Edmonds
Senior Managing Director
PRAG
medmonds@pragadvisors.com
727-822-3339

Mickey Johnston
Vice President
PRAG
mjohnston@pragadvisors.com
727-822-3339

Molly Button
Assistant to the Comptroller
Florida Municipal Loan Council
mbutton@flcities.com
850-701-3681

All questions and requests for additional information should be directed to Marianne Edmonds, Mickey Johnston or Molly Button at the email addresses and phone numbers shown above.



IX. Tentative Timeline

Date	Action
Friday, July 31	Distribute RFP for Bank Loan to Lenders
Friday, August 21	Written Proposals due from Lenders
Tuesday, August 25	Staff selection of Lender; begin document negotiation
Tuesday, September 8	Agenda deadline for documents
Tuesday, September 15	City Commission Meeting; Approval of Lender and Resolution; pre-closing (tentative)
Tuesday, September 22	Closing (tentative/ to follow the completion of Property purchase due diligence period)

Appendix A

*Preliminary** Loan Principal Amortization

Payment Date	Option 1 (15-yr)	Option 2 (20-yr)
10/1/2021	\$146,048	\$100,857
10/1/2022	150,242	104,559
10/1/2023	153,247	106,911
10/1/2024	156,312	109,317
10/1/2025	159,438	111,776
10/1/2026	162,626	114,291
10/1/2027	165,879	116,863
10/1/2028	169,197	119,492
10/1/2029	172,581	122,181
10/1/2030	176,032	124,930
10/1/2031	179,553	127,741
10/1/2032	183,144	130,615
10/1/2033	186,807	133,554
10/1/2034	190,543	136,559
10/1/2035	194,351	139,632
10/1/2036	-	142,773
10/1/2037	-	145,986
10/1/2038	-	149,270
10/1/2039	-	152,629
10/1/2040	-	156,064
Total	\$2,546,000	\$2,546,000
Average Life	8.4 years	11.3 years

**Preliminary, subject to change*

Appendix B

Outstanding Parity Debt Service (CB&A)

FMLC Revenue Refunding Bonds, Series 2016 (Belle Isle Portion Only)

Period Ending	Principal	Interest	Total Debt Service
10/1/2020	\$90,000	\$17,975.00	\$107,975.00
10/1/2021	95,000	15,275.00	110,275.00
10/1/2022	95,000	12,425.00	107,425.00
10/1/2023	95,000	8,625.00	103,625.00
10/1/2024	100,000	6,725.00	106,725.00
10/1/2025	105,000	4,725.00	109,725.00
10/1/2026	105,000	2,362.50	107,362.50
	<u>\$685,000</u>	<u>\$68,112.50</u>	<u>\$753,112.50</u>

**Belle Isle Issues Log
8/4/20**

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	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	TBD	The City has been successful in paving several streets over the past few years; most recently the area around City Hall.	City to conduct Pavement Assessment and develop CIP for paving (next Fiscal Year). \$200,000 Allocated for District 3 in FY20-21 Budget
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	TBD	StormWater CIP was developed and reviewed by Budget Committee, who recommend approval.	City staff to start reconditioning swales in trouble areas
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.	Sept. 2020	City's TMP completed and adopted. Metroplan study is nearing completion. Hoffner median constructed but still needs additional work. Met with WaWa Rep regarding redesign of entrance.	WaWa to reconfigure entrance (Working on permit with OC). Metroplan Consultant to work toward finalizing report. OC/City working together to install RRFB at Monet/Hoffner crosswalk
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.	CCA completed site plan. Council approved site plan concepts. City to talk to County on a joint drainage plan in the area.

**Belle Isle Issues Log
8/4/20**

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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	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. Cross Lake Property deed recorded by City (Closed)	Agenda Item.
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. CM and CCA Chair met to discuss working on conditions.
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. Drafting additional impact fee language for development to the Land Development Code. Drafting language for Home Occupation.
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.	
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.	CM to contact property owners to set up meeting.