



# city council agenda

## Agenda September 04, 2018 \* 6:30 PM City Council Budget Hearing City Hall Chambers, 1600 Nela Avenue

Lydia Pisano Mayor	Kurt Ardaman City Attorney	Bob Francis City Manager	Ed Gold District 1	Anthony Carugno District 2	Jeremy Weinsier 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](http://cityofbelleislefl.org).

1. Call to Order and Confirmation of Quorum
2. Invocation and Pledge to Flag - Sue Nielsen, Commissioner District 7
3. Life Saving Award Presented to Deputy Chief Grimm
4. Consent Items
  - a. Approval of the City Council regular session minutes – August 21, 2018 – Page 2
5. First Public Budget Hearing
  - a. First Public Budget Hearing– Page 8

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

7. Unfinished Business
8. New Business
  - a. ORDINANCE 18-10 - FIRST READING AND CONSIDERATION: AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, REGARDING VACATION RENTALS; CREATING A NEW ARTICLE III, CHAPTER 7 OF THE CITY CODE REGULATING VACATION RENTALS; PROVIDING FOR DEFINITIONS, PENALTIES, ENFORCEMENT, RESPONSIBILITIES OF DEPARTMENTS, APPEALS, NOTICE, IMMUNITY FROM PROSECUTION, CONSTRUCTION OF ARTICLE; PROVIDING FOR LICENSE REQUIREMENTS AND PROVISIONS INCLUDING BUT NOT LIMITED TO PROCEDURES, APPLICATIONS, MODIFICATIONS, DURATION, RENEWALS, AND NONTRANSFERABILITY; PROVIDING FOR VESTED RIGHTS/WAIVER/ESTOPPEL; PROVIDING FOR DUTIES OF VACATION RENTAL OWNER; PROVIDING FOR INSPECTIONS; PROVIDING FOR STANDARDS AND REQUIREMENTS FOR VACATION RENTALS INCLUDING BUT NOT LIMITED TO SAFETY, OCCUPANCY, BEDROOMS, FIRE SAFETY, PARKING, QUITE HOURS VIOLATIONS OF THE LAW, ADVERTISING, PROHIBITION OF OCCUPANCY, POSTING OF INFORMATION, AND OTHER PROVISIONS; PROVIDING FOR THE CONTINUED VALIDITY OF SECTION 7-30, CITY CODE; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. – Page 22
  - b. Discuss/Approve Proposal to Resolve the Appeal of the P&Z Board on 6820 Seminole Drive– Page 36
  - c. Social Media Policy– Page 38

9. Attorney's Report
10. City Manager's Report
11. Mayor's Report
  - a. Approval of events from Special Events Committee– Page 48
12. Council Reports
13. Adjournment

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"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 48



# city council minutes

MINUTES  
August 21, 2018  
City Council Regular Session:  
Regular Session 6:30 pm

The Belle Isle City Council met in a regular session on August 21, 2018, at 6:30 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Mayor Lydia Pisano  
Commissioner Gold  
Commissioner Anthony Carugno  
Commissioner Jeremy Weinsier  
Commissioner Harv Readey  
Commissioner Jim Partin  
Commissioner Sue Nielsen

Absent was:

Commissioner Mike Sims

Also present was City Manager Bob Francis, Attorney Kurt Ardaman, Deputy Chief Grimm and City Clerk Yolanda Quiceno.

## CALL TO ORDER

Vice Mayor Readey called the regular session to order at 6:30 pm and the City Clerk confirmed quorum.

Commissioner Partin gave the invocation and led the Pledge to the flag.

Mayor Pisano reported that Commissioner Sims will not be able to attend and asked for a motion to excuse his absence.

Vice Mayor Readey motioned to excuse Commissioner Sims absence.

Commissioner Gold seconded the motioned which passed unanimously 6:0.

## CONSENT ITEMS

- a. Proclamation – 2019 Election
- b. Approval of the City Council Regular Session minutes – July 17, 2018
- c. Approval of the City Council Regular Session minutes – August 7, 2018

**Comm Gold moved to pull items b and c from the consent agenda for discussion.**

**Comm Weinsier seconded the motion which passed unanimously 6:0.**

**Comm Weinsier moved to approve item a - Proclamation for the 2019 Election.**

**Comm Gold seconded the motion which passed unanimously 6:0.**

Mayor Pisano read the Proclamation for the record.

Council discussed the format to which the minutes should be recorded during public comments. Comm Gold said he would like to see a summary of the public comments that were raised and discussed. After discussion, Council consensus was to approve the edited minutes as follows,

Page 1 of 5 reads, "Comm Clarke responded to questions and concerns from the following attendees;

- Trish Russell residing at 1128 Nela Avenue spoke in opposition to the proposed plans.
- Lisa Newman residing at 1115 Nela Avenue spoke in opposition to the proposed plans.
- Gary Meloon residing at 6101 Matchett Road spoke in opposition to the proposed plans.
- Holly Bobrowski residing at 2400 Hoffner Avenue spoke in opposition to the proposed plans.
- Emily Wakley residing at 3019 Indian Drive spoke in opposition to the proposed plans.
- Beth Lowell residing at 2416 Homewood Drive said better communication between Orange County and the City would be beneficial."

Should read, "Comm Clarke responded to questions and concerns from the following attendees;

- Trish Russell residing at 1128 Nela Avenue ~~spoke in opposition to the proposed plans.~~

- Lisa Newman residing at 1115 Nela Avenue ~~spoke in opposition to the proposed plans.~~
- Gary Meloon residing at 6101 Matchett Road ~~spoke in opposition to the proposed plans.~~
- Holly Bobrowski residing at 2400 Hoffner Avenue ~~spoke in opposition to the proposed plans.~~
- Emily Wakley residing at 3019 Indian Drive ~~spoke in opposition to the proposed plans.~~
- Beth Lowell residing at 2416 Homewood Drive ~~said better communication between Orange County and the City would be beneficial."~~

Page 5 of 5 – Unfinished Business reads, "I. Bird Sanctuary – Second Reading of the Ordinance will be on the next agenda."

Should read, "I. Restricted Hunting Area Bird Sanctuary – Second Reading of the Ordinance will be on the next agenda."

**Comm Carugno requested the following changes to the minutes of August 7, 2018.**

**Page 4 of 4-Council Reports reads, "~~Comm Carugno – Shared concerns with the jet skiers on the water.~~**

**Should read, "Comm Carugno – Shared concerns with the dock damage and erosion of property due to the high water."**

**Gary Meloon residing at 6101 Matchett Road said he was in attendance at the August 17<sup>th</sup> meeting and for the record, he is very much opposed to the Orange Avenue project.**

**Comm Weinsier moved to approve the July 17<sup>th</sup> minutes as amended.**

**Comm Nielsen seconded the motion which passed unanimously 6:0.**

**Comm Weinsier moved to approve the August 7<sup>th</sup> minutes as amended.**

**Comm Nielsen seconded the motion which passed unanimously 6:0.**

## **CITIZEN COMMENTS**

Mayor Pisano opened for citizen comments.

- Gary Meloon residing at 6101 Matchett Road addressed the annexation project. He believes the City Council missed the mark in the August 17<sup>th</sup> meeting to include those non-Belle Isle residents who were in attendance. He spoke of the campaign that has been initiated within the community to stay with Orange County. To overlook those interested Orange County residents who could be the force to counter the campaign would be a mistake.

There being no further comments, Mayor Pisano closed citizen comments and opened for Council discussion.

## **UNFINISHED BUSINESS**

### Short Term Rental Discussion

City Manager Francis addressed some of the changes that have been made at the June 29<sup>th</sup> workshop to make the document a more "owner-occupied" ordinance. Mr. Francis provided a redlined copy for discussion and comment.

Comm Carugno said the City Attorney recommended against the revision. If the ordinance is not revised, a resident will have less of a chance in legally challenging the ordinance. He is in agreement with the Attorney's recommendation and of the opinion that the Ordinance should be left in its current state.

Attorney Ardaman recommended that the City will have a better legal position if the changes are taken in baby steps instead of changing the ordinance in its entirety because it may create a weakness for the City in defending the prohibition.

Commissioner Weinsier said, for clarification, the proposed ordinance does have a sunset provision. Attorney Ardaman said he would prefer that the sunset provision is removed from the pilot program. An owner-occupied business will be more inclined to challenge the revised ordinance after the year because it is not a full prohibition under the Statute, therefore, it does not apply.

Comm Carugno asked if the City would be able to grandfather-in existing short-term rentals. Attorney Ardaman said it can be achieved by providing a definition for a public purpose; however, it may be challenged. Comm Weinsier said the grandfather clause will not apply in this situation due to the nonconforming use.

Council discussed the proposed 364-pilot program and/or the ability to repeal by Resolution.

Comm Nielsen said the City may create an application with an acknowledgment that states the conforming use is good for only one year. Approval by the applicant of this acknowledgment will not give the applicant false expectations. After discussion, Council consensus was to require the owner to be accessible on the property should a situation arise.

Comm Partin asked what has been expended for this pursuit. Council needs to be aware of what is being spent on a handful of people.

**Comm Carugno moved to not move forward with the revision of Ordinance 17-30 which prohibits the short term of rentals; short-term rentals, i.e., rentals for a term of fewer than seven months, are prohibited.**

**Comm Partin seconded the motion.**

**The motion failed 2:4 with Comm Nielsen-nay, Comm Readey-nay, Comm Weinsier-nay and Comm Gold-nay.**

**Comm Nielsen motioned to read the short-term rental ordinance for First Reading at the September 24, 2018, Council meeting.**

**Comm Readey seconded the motion which passed 4:2 with Comm Carugno-nay and Comm Partin-nay.**

**Comm Gold discussed a few revisions to the draft ordinance as follows,**

Page 40 – Sec 7-89, Duties of Vacation Rental Owner, reads as follows,

Every Vacation Rental Owner shall:

- a. Be available by landline or mobile telephone answered by the Vacation Rental Owner at the listed phone number 24-hours a day, seven days a week to handle any problems arising from the Vacation Rental; and
- b. Be willing and able to be physically present at the Vacation Rental within a coordinated period of time ~~thirty (30) minutes~~ following notification from a Vacation Rental Occupant, law enforcement officer, emergency personnel, or the City of Belle Isle for issues related to the Vacation Rental, and shall actually be physically present at that location in that time frame when requested; and
- ~~c. The Vacation Rental Owner must reside on the property at all times that the Vacation Rental Property is occupied by the Vacation Rental Occupants (guests).~~

Page 34 - Sec. 7-58. - Permitted by HOA.

Prior to the application for a Vacation Rental License: If a residential property is within a homeowners association (HOA), the homeowner should check whether there are further limitations on the use of the property through their particular HOA's private Codes, Covenants, and Restrictions (CC&R's). ~~The city will be asking residents for HOA sign-off if you are part of a mandatory HOA.~~ –OR- if the building or neighborhood in which the Vacation Rental is proposed to be located is overseen by an HOA, the resident shall notify the HOA prior to applying for a license. The written notification to the HOA shall be included with the City application.

**Council consensus was to move forward with the revisions as discussed.**

## **NEW BUSINESS**

### Approval of the Interlocal Agreement with Orange County Fire Department

Mr. Francis said the current Interlocal Agreement with Orange County Fire was set to expire in September 2018. He met with the Fire Chief and the OC Attorney and negotiated a ten-year contract with the same fee we are currently paying. Orange County requested some revisions to the City's Code on the Fire Burn Ban to the contract which were forwarded to the Orange County Attorney for approval. Mr. Francis asked for approval contingent on the revisions being approved by all parties.

**Comm Nielsen moved to approve the Inter-local Agreement with Orange County Fire for providing emergency services to the City of Belle Isle contingent upon the City Attorney of Orange County approving the language.**

**Comm Gold seconded the motion.**

Attorney Ardaman said Orange County is requesting Belle Isle to modify our Code to be consistent with the Fire Burn Ban in the Orange County Code. The City cannot contractually motion to change the code. He recommends if all parties approve, the City will modify the code accordingly and will have the contract effective on the date the ordinance is approved with the requested revisions.

**After discussion, the recommendation stated by Attorney Ardaman passed unanimously 6:0.**

#### BING Grant

Mr. Francis presented a BING Grant for Windsor Place in the amount of \$6,487.90. The grant meets the criteria and the fund available; however, the policy calls for a 50% match which clearly exceeds. They are requesting a grant for the total balance. After discussion, Council consensus was to approve the Grant for the total amount of \$6,487.90 and agreed that beginning the next budget year Council will be consistent with the policy as written.

**Comm Nielsen moved to approve the BING Grant for Windsor Place for security cameras, lighting, and signage at the tennis courts in the requested amount of \$6,487.90.  
Comm Gold seconded the motion which passed unanimously 6:0.**

#### Social Media Policy

The Council directed that a Social Media Policy is developed to establish guidelines. The City Attorney made substantial changes to the Policy; therefore the Council must adopt the new policy.

Comm Nielsen asked if Council would like to add a provision that requires any post on social media be copied and sent to the City Clerk for archiving. Discussion ensued on proper procedure and methods to archiving social media posts, texts, emails, and correspondence.

**After discussion, Council consensus was to add some provided methods to archiving media and revisit the proposed social media policy at a later date.**

#### Council Procedures

Over the past year, Council has requested rules on the procedures for meetings decorum. He provided a sample document from Hood River for consideration.

Comm Nielsen asked of the City Manager can research policies in other Cities in Florida.

**After discussion, Council consensus was to revisit the proposed council procedures at a later date.**

#### Cancellation of the November 6<sup>th</sup> City Council meeting

Mr. Francis requested to reschedule the November 6<sup>th</sup> meeting due to the use of the facility for the Primary Election.

Comm Carugno motioned to cancel the November 6<sup>th</sup> meeting.

Comm Gold seconded the motion for discussion.

The motion passed 5:0 with Vice Mayor Readey-nay.

Comm Nielsen motioned to reschedule the November 6<sup>th</sup> to October 30<sup>th</sup>, 2018.

Comm Readey seconded the motion which passed unanimously.

#### **ATTORNEY REPORT**

Attorney Ardaman reported that he spoke with the City Attorney and Commissioner for the City of Edgewood with respect to the Cornerstone Charter School matters. He will continue to gather the necessary data and will hopefully have a full report shortly.

Mr. Francis said he spoke with Mayor Bagshaw with regards to the letter distributed by Joann Rice. Mr. Francis suggested a joint response to the letter and the misinformation that is listed.

#### **CITY MANAGER'S REPORT**

- The Issues Log will be updated and distributed at the next meeting.
- Mr. Francis reported that the Chief and Deputy Chief are attending the Police Chief Association Conference. Sgt. Millis was awarded the Lee McGee Police Office of the Year from the Florida Police Chief Association for a small agency and the Belle Isle Police Department was awarded the Rocky Palmer Award for Excellence in Policing. He congratulated Chief Houston and the Department for their outstanding recognition.

#### **MAYOR'S REPORT**

Mayor Pisano read, for the record, the letter distributed by Joann Rice, June Schulman, Jacqueline Davenport, William and Zara Chapin regarding the proposed Belle Isle Annexation. Mayor Pisano said she will try to print a legible copy for the record.

#### **COUNCIL REPORTS**

**No report.**

#### **ADJOURNMENT**

There being no further business Mayor Pisano called for a motion to adjourn, unanimously approved at 8:16 p.m.

Yolanda Quiceno, CMC, City Clerk

DRAFT

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"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 Clerk's Office (407-851-7730) at least 48 hours in advance of the meeting." -Page **7** of **48**



# **CITY OF BELLE ISLE, FLORIDA**

**Draft**

## **Proposed Budget at a Glance Fiscal Year 2018-2019**

(Revised 8/30/2018)



**CITY OF BELLE ISLE  
FISCAL YEAR 2018-2019  
BUDGET**

**ALL FUNDS CHANGE IN FUND BALANCE**

<b>FUND</b>	<b>GENERAL FUND (001)</b>	<b>TRANSPORTATION IMPACT FUND (102)</b>	<b>STORMWATER FUND (103)</b>	<b>LE EDUCATION FUND (104)</b>	<b>CHARTER SCHOOL DEBT SERVICE FUND (201)</b>	<b>CAPITAL EQUIPMENT REPLACEMENT FUND (301)</b>	<b>GRAND TOTAL</b>
<u>Projected</u> Beginning Fund							
Balance October 1, 2018	2,079,203	198,489	323,289	12,506	1,268,817	0	3,882,304
Appropriation TO (FROM)							
Fund Balance	(490,772)	1,000	(137,250)	(5,700)	(136,925)	27,000	(742,647)
<u>Projected</u> Ending Fund							
Balance September 30, 2019	<b>1,588,431</b>	<b>199,489</b>	<b>186,039</b>	<b>6,806</b>	<b>1,131,892</b>	<b>27,000</b>	<b>3,139,657</b>

**CITY OF BELLE ISLE  
FISCAL YEAR 2018-2019  
BUDGET**

**GENERAL FUND REVENUES AT-A-GLANCE**

ACCOUNT NO.	DESCRIPTION	ORIGINAL FY 17/18 BUDGET	REVISED FY 17/18 BUDGET	FY 18/19 BUDGET
<b>CARRYFORWARD FUND BALANCE</b>		<b>\$ 1,895,009</b>	<b>\$ 1,895,009</b>	<b>\$ 2,079,203</b>
		Based on Millage Rate of 4.4018	Based on Millage Rate of 4.4018	Based on Millage Rate of 4.4018
	<b>AD VALOREM TAXES</b>			
001-311-100	Ad Valorem Tax	2,861,666	2,861,666	3,058,392
		<b>\$ 2,861,666</b>	<b>\$ 2,861,666</b>	<b>\$ 3,058,392</b>
	<b>OTHER TAXES</b>			
001-312-410	Local Option Gas Tax	229,507	229,507	235,000
001-314-100	Utility Service Tax - Electricity	135,000	135,000	150,000
001-314-800	Utility Service Tax - Propane	0	0	4,000
001-315-000	Communications Services Taxes	0	0	212,777
001-316-000	Local Business Tax - Occupational Licenses	12,000	12,000	12,000
		<b>\$ 376,507</b>	<b>\$ 376,507</b>	<b>\$ 613,777</b>
	<b>LICENSES, PERMITS &amp; FEES</b>			
001-322-000	Building Permits <sup>1</sup>	100,000	100,000	90,000
001-323-200	Franchise Fees - Telecommunications	230,257	230,257	0
001-323-400	Franchise Fees - Gas	4,000	4,000	0
001-323-700	Franchise Fees - Solid Waste	16,000	16,000	25,000
001-329-000	Zoning Fees	15,000	15,000	25,000
001-329-100	Permits - Garage Sale	150	150	150
001-329-130	Boat Ramps - Decal and Reg	1,000	1,000	1,000
001-329-900	Tree Removal	2,500	2,500	2,500
001-362-000	Rental Licenses	10,000	10,000	18,000
		<b>\$ 378,907</b>	<b>\$ 378,907</b>	<b>\$ 161,650</b>
	<b>INTERGOVERNMENTAL</b>			
001-334-400	SRO Reimbursement - OCPS	10,020	10,020	42,500
001-335-120	State Shared Revenue	315,537	315,537	330,000
001-335-150	Alcoholic Beverage License Tax	1,000	1,000	1,000
001-335-180	Half-Cent Sales Tax	1,059,018	1,059,018	1,121,566
001-337-100	Marine Boat Contribution - NAV Board	23,000	23,000	0
001-337-200	SRO - Charter Contribution	41,000	41,000	63,750
		<b>\$ 1,449,575</b>	<b>\$ 1,449,575</b>	<b>\$ 1,558,816</b>
	<b>CHARGES FOR SERVICES</b>			
001-343-410	Solid Waste Fees - Residential	468,920	468,920	616,668
		<b>\$ 468,920</b>	<b>\$ 468,920</b>	<b>\$ 616,668</b>
	<b>FINES &amp; FORFEITURES</b>			
001-351-100	Judgements & Fines - Moving Violations	12,000	12,000	15,000
001-359-000	Judgements & Fines - Parking Violations	1,000	1,000	1,000
		<b>\$ 13,000</b>	<b>\$ 13,000</b>	<b>\$ 16,000</b>
	<b>MISCELLANEOUS</b>			
001-347-400	Special Events	0	0	500
001-361-100	Interest - General Fund	3,000	3,000	1,000
001-366-000	Contributions & Donations	0	0	0
001-369-900	Other Miscellaneous Revenue	1,000	1,000	3,000
001-369-905	Police Off-Duty Detail Reimbursements	0	0	0
001-369-906	Police Marine Patrol Reimbursements	10,800	10,800	16,800
		<b>\$ 14,800</b>	<b>\$ 14,800</b>	<b>\$ 21,300</b>
<b>TOTAL REVENUES</b>		<b>\$ 5,563,375</b>	<b>\$ 5,563,375</b>	<b>\$ 6,046,603</b>
<b>TOTAL ESTIMATED REVENUES &amp; BALANCES</b>		<b>\$ 7,458,384</b>	<b>\$ 7,458,384</b>	<b>\$ 8,125,806</b>

<sup>1</sup> 80% of Building Permit Revenue is remitted back to Universal Engineering under Building Permit Expenditures.

**CITY OF BELLE ISLE  
FISCAL YEAR 2018-2019  
BUDGET**

**GENERAL FUND EXPENDITURES AT-A-GLANCE**

<b>ACCOUNT NO.</b>	<b>DESCRIPTION</b>	<b>ORIGINAL FY 17/18 BUDGET</b>	<b>REVISED FY 17/18 BUDGET</b>	<b>FY 18/19 BUDGET</b>
<b>LEGISLATIVE DEPARTMENT</b>				
001-511-00-2311	Dental & Vision Ins - District 1	500	500	500
001-511-00-2312	Dental & Vision Ins - District 2	500	500	500
001-511-00-2313	Dental & Vision Ins - District 3	500	500	500
001-511-00-2314	Dental & Vision Ins - District 4	500	500	500
001-511-00-2315	Dental & Vision Ins - District 5	500	500	500
001-511-00-2316	Dental & Vision Ins - District 6	500	500	500
001-511-00-2317	Dental & Vision Ins - District 7	500	500	500
	<b>TOTAL PERSONAL SERVICES</b>	<b>\$ 3,500</b>	<b>\$ 3,500</b>	<b>\$ 3,500</b>
001-511-00-3150	Election Expense	12,000	12,000	12,000
001-511-00-3200	Auditing and Accounting	53,135	53,135	25,000
001-511-00-3400	Contractual Services	0	0	3,000
001-511-00-4001	Travel & Per Diem - Dist1	1,500	1,500	1,000
001-511-00-4002	Travel & Per Diem - Dist2	1,500	1,500	1,000
001-511-00-4003	Travel & Per Diem - Dist3	1,500	1,500	1,000
001-511-00-4004	Travel & Per Diem - Dist4	1,500	1,500	1,000
001-511-00-4005	Travel & Per Diem - Dist5	1,500	1,500	1,000
001-511-00-4006	Travel & Per Diem - Dist6	1,500	1,500	1,000
001-511-00-4007	Travel & Per Diem - Dist7	1,500	1,500	1,000
001-511-00-4100	Communications - Telephone	8,000	8,000	8,000
001-511-00-4710	Printing & Binding - Elections	900	900	0
001-511-00-4900	Other Current Charges	1,000	1,000	750
001-511-00-4910	Other Current Charges - Elections	300	300	0
001-511-00-5100	Office Supplies	100	100	100
001-511-00-5200	Operating Supplies	100	100	100
001-511-00-5401	Books, Subscriptions & Memberships - Dist 1	200	200	200
001-511-00-5402	Books, Subscriptions & Memberships - Dist 2	200	200	200
001-511-00-5403	Books, Subscriptions & Memberships - Dist 3	200	200	200
001-511-00-5404	Books, Subscriptions & Memberships - Dist 4	200	200	200
001-511-00-5405	Books, Subscriptions & Memberships - Dist 5	200	200	200
001-511-00-5406	Books, Subscriptions & Memberships - Dist 6	200	200	200
001-511-00-5407	Books, Subscriptions & Memberships - Dist 7	200	200	200
	<b>TOTAL OPERATING EXPENDITURES</b>	<b>\$ 87,435</b>	<b>\$ 87,435</b>	<b>\$ 57,350</b>
	<b>TOTAL LEGISLATIVE EXPENDITURES</b>	<b>\$ 90,935</b>	<b>\$ 90,935</b>	<b>\$ 60,850</b>
<b>EXECUTIVE MAYOR</b>				
001-512-00-2310	Dental & Vision Insurance	500	500	500
	<b>TOTAL PERSONAL SERVICES</b>	<b>\$ 500</b>	<b>\$ 500</b>	<b>\$ 500</b>
001-512-00-4000	Travel & Per Diem	1,500	1,500	1,000
001-512-00-4100	Communications - Telephone	1,200	1,200	1,200
001-512-00-4900	Other Current Charges	500	500	250
001-512-00-5400	Books, Publications & Memberships	600	600	500
	<b>TOTAL OPERATING EXPENDITURES</b>	<b>\$ 3,800</b>	<b>\$ 3,800</b>	<b>\$ 2,950</b>
	<b>TOTAL EXECUTIVE MAYOR EXPENDITURES</b>	<b>\$ 4,300</b>	<b>\$ 4,300</b>	<b>\$ 3,450</b>
<b>FINANCE AND ADMINISTRATION</b>				
001-513-00-1200	Regular Salaries & Wages	370,000	370,000	381,000
001-513-00-1220	Longevity Pay	1,700	1,700	1,825
001-513-00-1250	Vehicle Allowance - City Manager	8,400	8,400	8,400
001-513-00-2100	FICA/Medicare Taxes - 7.65%	29,078	29,078	29,929
001-513-00-2200	Retirement Contributions	35,948	35,948	42,834
001-513-00-2300	Health Insurance	65,000	65,000	75,000
001-513-00-2310	Dental & Vision Insurance	3,000	3,000	3,500
001-513-00-2320	Life Insurance	1,700	1,700	1,700
001-513-00-2330	Disability Insurance	5,400	5,400	5,500
	<b>TOTAL PERSONAL SERVICES</b>	<b>\$ 520,226</b>	<b>\$ 520,226</b>	<b>\$ 549,688</b>
001-513-00-3100	Professional Services	15,000	15,000	15,000

**CITY OF BELLE ISLE  
FISCAL YEAR 2018-2019  
BUDGET**

**GENERAL FUND EXPENDITURES AT-A-GLANCE**

ACCOUNT NO.	DESCRIPTION	ORIGINAL FY 17/18 BUDGET	REVISED FY 17/18 BUDGET	FY 18/19 BUDGET
001-513-00-4000	Travel & Per Diem	3,000	3,000	1,500
001-513-00-4600	Repairs & Maintenance - General	1,000	1,000	1,000
001-513-00-4610	Repairs & Maintenance - Vehicles	500	500	500
001-513-00-4700	Printing & Binding	500	500	500
001-513-00-4710	Codification Expenses	2,000	2,000	2,000
001-513-00-4900	Other Current Charges	2,000	2,000	2,000
001-513-00-4910	Legal Advertising	2,500	2,500	2,500
001-513-00-5200	Operating Supplies	500	500	500
001-513-00-5400	Books, Subscriptions & Memberships	3,000	3,000	3,000
<b>TOTAL OPERATING EXPENDITURES</b>		<b>\$ 30,000</b>	<b>\$ 30,000</b>	<b>\$ 28,500</b>
001-513-00-6417	CIP - Equipment - Vehicles	25,000	25,000	0
001-513-00-6425	Equipment - City Hall	7,500	7,500	7,500
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$ 32,500</b>	<b>\$ 32,500</b>	<b>\$ 7,500</b>
<b>TOTAL FINANCE/ADMIN EXPENDITURES</b>		<b>\$ 582,726</b>	<b>\$ 582,726</b>	<b>\$ 585,688</b>
<b>GENERAL GOVERNMENT</b>				
001-519-00-1530	Merit/Bonus Pay	10,000	10,000	10,000
001-519-00-2100	FICA/Medicare Taxes - 7.65%	765	765	765
<b>TOTAL PERSONAL SERVICES</b>		<b>\$ 10,765</b>	<b>\$ 10,765</b>	<b>\$ 10,765</b>
001-519-00-3110	Legal Services	100,000	100,000	100,000
001-519-00-3120	Engineering Fees	50,000	50,000	10,000
001-519-00-3130	Annexation Fees	5,000	5,000	10,000
001-519-00-3400	Contractual Services	80,000	80,000	64,000
001-519-00-3405	Building Permits	80,000	80,000	72,000
001-519-00-3410	Janitorial Services	2,500	2,500	2,500
001-519-00-3420	Landscaping Services	87,000	87,000	0
001-519-00-3440	Fire Protection	1,371,713	1,371,713	1,462,352
001-519-00-4100	Communications Services	13,000	13,000	15,000
001-519-00-4200	Freight & Postage	8,000	8,000	7,500
001-519-00-4300	Utility/Electric/Water	10,000	10,000	10,000
001-519-00-4310	Solid Waste Disposal/Yardwaste	465,792	465,792	616,668
001-519-00-4500	Insurance	115,000	115,000	120,000
001-519-00-4600	Repairs & Maintenance - General	5,000	5,000	10,000
001-519-00-4700	Printing & Binding	12,000	12,000	15,000
001-519-00-4800	Special Events	8,000	8,000	8,000
001-519-00-4900	Other Current Charges	5,000	5,000	2,700
001-519-00-4905	Non Ad Valorem Assessment Fee	3,000	3,000	3,000
001-519-00-4906	Geographic Information System Interlocal Fee	0	0	2,300
001-519-00-4910	Legal Advertising	3,000	3,000	3,000
001-519-00-5100	Office Supplies	8,000	8,000	7,500
001-519-00-5200	Operating Supplies	2,500	2,500	2,500
001-519-00-5230	Fuel Expense	1,000	1,000	1,000
001-519-00-5400	Books, Subscriptions & Memberships	1,000	1,000	1,000
001-519-00-6490	Urban Forestry	20,000	20,000	0
001-519-00-8300	Contributions & Donations	1,500	1,500	1,500
001-519-00-8310	Neighborhood Grant Program	49,000	49,000	49,000
<b>TOTAL OPERATING EXPENDITURES</b>		<b>\$ 2,507,005</b>	<b>\$ 2,507,005</b>	<b>\$ 2,596,520</b>
001-519-00-6340	CIP - Swann Beach Beautification	12,000	12,000	0
001-519-00-6491	CIP - City Hall Improvements	5,000	5,000	5,000
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$ 17,000</b>	<b>\$ 17,000</b>	<b>\$ 5,000</b>
<b>TOTAL GENERAL GOVERNMENT EXPENDITURES</b>		<b>\$ 2,534,770</b>	<b>\$ 2,534,770</b>	<b>\$ 2,612,285</b>
<b>POLICE DEPARTMENT</b>				
001-521-00-1200	Regular Salaries & Wages	907,000	907,000	1,039,000
001-521-00-1210	Regular Salaries & Wages - Crossing Guards	35,000	35,000	35,000
001-521-00-1211	Regular Salaries & Wages - Temporary SRO	0	0	30,000
001-521-00-1215	Holiday Pay	30,000	30,000	20,000
001-521-00-1220	Longevity Pay	5,000	5,000	5,000

**CITY OF BELLE ISLE  
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BUDGET**

**GENERAL FUND EXPENDITURES AT-A-GLANCE**

<b>ACCOUNT NO.</b>	<b>DESCRIPTION</b>	<b>ORIGINAL FY 17/18 BUDGET</b>	<b>REVISED FY 17/18 BUDGET</b>	<b>FY 18/19 BUDGET</b>
001-521-00-1300	Reserve Officer Pay	1,000	1,000	0
001-521-00-1400	Overtime Pay	10,000	10,000	10,000
001-521-00-1500	Incentive Pay	10,000	10,000	11,000
001-521-00-1505	Police Off-Duty Detail Pay	0	0	0
001-521-00-1506	Police Lake Conway Marine Patrol Pay	9,600	9,600	12,900
001-521-00-1520	Special Assignment Pay	4,000	4,000	11,000
001-521-00-2100	FICA/Medicare Taxes - 7.65%	76,653	76,653	86,522
001-521-00-2200	Retirement Contributions	120,125	120,125	158,850
001-521-00-2300	Health Insurance	170,000	170,000	210,000
001-521-00-2310	Dental & Vision Insurance	7,100	7,100	7,850
001-521-00-2320	Life Insurance	4,500	4,500	5,100
001-521-00-2330	Disability Insurance	17,000	17,000	18,500
	<b>TOTAL PERSONAL SERVICES</b>	<b>\$ 1,406,978</b>	<b>\$ 1,406,978</b>	<b>\$ 1,660,722</b>
001-521-00-3100	Technology Support/Services	20,000	20,000	24,000
001-521-00-3110	Legal Services	500	500	1,500
001-521-00-3120	Pre-Employment Expense	1,000	1,000	2,000
001-521-00-3410	Janitorial Services	1,200	1,200	1,200
001-521-00-4000	Travel & Per Diem	6,000	6,000	5,000
001-521-00-4100	Communications Services	19,000	19,000	20,000
001-521-00-4110	Dispatch Service	73,000	73,000	72,126
001-521-00-4200	Postage & Freight	750	750	500
001-521-00-4300	Utility/Electric/Water	3,500	3,500	3,500
001-521-00-4600	Repairs & Maintenance - General	2,500	2,500	2,500
001-521-00-4610	Repairs & Maintenance - Vehicles	25,000	25,000	25,000
001-521-00-4620	Repairs & Maintenance - Radar Guns	2,000	2,000	1,500
001-521-00-4700	Printing & Binding	3,500	3,500	3,000
001-521-00-4900	Other Current Charges	1,500	1,500	2,000
001-521-00-4910	Legal Advertising	500	500	250
001-521-00-4920	Marine Expenses	5,000	5,000	7,500
001-521-00-5100	Office Supplies	2,500	2,500	2,500
001-521-00-5200	Operating Supplies	3,000	3,000	3,000
001-521-00-5205	Computer and Software	5,000	5,000	3,500
001-521-00-5210	Uniforms	10,000	10,000	10,000
001-521-00-5230	Fuel Expense	40,000	40,000	40,000
001-521-00-5400	Books, Subscriptions & Memberships	1,000	1,000	1,000
001-521-00-5500	Training - Police	5,000	5,000	5,000
001-521-00-8200	Community Promotions	2,000	2,000	2,000
	<b>TOTAL OPERATING EXPENDITURES</b>	<b>\$ 233,450</b>	<b>\$ 233,450</b>	<b>\$ 238,576</b>
001-521-00-6400	CIP - Equipment	0	0	19,000
001-521-00-6410	CIP - Equipment - Radios	30,000	30,000	0
001-521-00-6417	CIP - Equipment - Vehicles	68,180	68,180	64,000
001-521-00-6418	CIP - Equipment - Vessels	50,000	50,000	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>\$ 148,180</b>	<b>\$ 148,180</b>	<b>\$ 83,000</b>
	<b>TOTAL POLICE EXPENDITURES</b>	<b>\$ 1,788,608</b>	<b>\$ 1,788,608</b>	<b>\$ 1,982,298</b>
<b>PUBLIC WORKS</b>				
001-541-00-1200	Regular Salaries & Wages	105,000	105,000	107,000
001-541-00-1220	Longevity Pay	850	850	900
001-541-00-1400	Overtime Pay	1,500	1,500	1,500
001-541-00-2100	FICA/Medicare Taxes - 7.65%	8,212	8,212	8,369
001-541-00-2200	Retirement Contributions	10,118	10,118	11,935
001-541-00-2300	Health Insurance	23,000	23,000	23,500
001-541-00-2310	Dental & Vision Insurance	1,000	1,000	1,000
001-541-00-2320	Life Insurance	500	500	500
001-541-00-2330	Disability Insurance	2,000	2,000	2,100
	<b>TOTAL PERSONAL SERVICES</b>	<b>\$ 152,180</b>	<b>\$ 152,180</b>	<b>\$ 156,804</b>
001-541-00-3140	Temporary Labor	10,000	10,000	10,000
001-541-00-3400	Contractual Services	15,000	15,000	7,500
001-541-00-3420	Landscaping Services	0	0	95,000
001-541-00-4100	Communications	1,500	1,500	2,000

**CITY OF BELLE ISLE  
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**GENERAL FUND EXPENDITURES AT-A-GLANCE**

<b>ACCOUNT NO.</b>	<b>DESCRIPTION</b>	<b>ORIGINAL FY 17/18 BUDGET</b>	<b>REVISED FY 17/18 BUDGET</b>	<b>FY 18/19 BUDGET</b>
001-541-00-4300	Utility/Electric/Water	105,000	105,000	110,000
001-541-00-4600	Repairs & Maintenance - General	15,000	15,000	3,000
001-541-00-4610	Repairs & Maintenance - Vehicles & Equip	5,000	5,000	12,000
001-541-00-4670	Repairs & Maintenance - Parks	0	0	15,000
001-541-00-4675	Repairs & Maintenance - Boat Ramps	0	0	5,000
001-541-00-4680	Repairs & Maintenance - Roads	0	0	12,000
001-541-00-4690	Urban Forestry	0	0	20,000
001-541-00-5200	Operating Supplies	5,000	5,000	5,000
001-541-00-5210	Uniforms	1,500	1,500	1,500
001-541-00-5220	Protective Clothing	750	750	500
001-541-00-5230	Fuel Expense	5,000	5,000	5,000
001-541-00-5300	Road Operating Supplies	12,500	12,500	0
001-541-00-5400	Books, Subscriptions & Memberships	500	500	500
001-541-00-5500	Training	1,000	1,000	1,000
<b>TOTAL OPERATING EXPENDITURES</b>		<b>\$ 177,750</b>	<b>\$ 177,750</b>	<b>\$ 305,000</b>
001-541-00-6320	CIP - Resurfacing & Curbing	250,000	714,499	400,000
001-541-00-6330	CIP - Sidewalks	20,000	20,000	30,000
001-541-00-6360	CIP - LED Street Lighting Hoffner Ave	10,000	10,000	15,000
001-541-00-6385	CIP - Park Improvements	0	0	25,000
001-541-00-6417	CIP - Vehicles	35,000	35,000	0
001-541-00-6420	CIP - Traffic Calming	0	0	25,000
001-541-00-6430	CIP - Equipment	7,500	7,500	50,000
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$ 322,500</b>	<b>\$ 786,999</b>	<b>\$ 545,000</b>
<b>TOTAL PUBLIC WORKS EXPENDITURES</b>		<b>\$ 652,430</b>	<b>\$ 1,116,929</b>	<b>\$ 1,006,804</b>
<b>NON-DEPARTMENTAL</b>				
001-584-00-7100	Payment on Bond - Principal	85,000	85,000	85,000
001-584-00-7200	Bond Debt - Interest	27,000	27,000	24,000
<b>TOTAL OTHER EXPENDITURES</b>		<b>\$ 112,000</b>	<b>\$ 112,000</b>	<b>\$ 109,000</b>
001-581-00-9100	Transfer to Capital Equip Repl Fund 301	0	0	27,000
001-584-00-5810	Transfer to Charter Debt Serv Fund 201	0	0	150,000
<b>TOTAL TRANSFERS OUT</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ 177,000</b>
<b>TOTAL NON-DEPARTMENTAL EXPENDITURES</b>		<b>\$ 112,000</b>	<b>\$ 112,000</b>	<b>\$ 286,000</b>
<b>TOTAL EXPENDITURES</b>		<b>\$ 5,765,769</b>	<b>\$ 6,230,268</b>	<b>\$ 6,537,375</b>
<b>RESERVES</b>		<b>\$ 1,692,615</b>	<b>\$ 1,228,116</b>	<b>\$ 1,588,431</b>
<b>TOTAL APPROPRIATED EXPENDITURES &amp; RESERVES</b>		<b>\$ 7,458,384</b>	<b>\$ 7,458,384</b>	<b>\$ 8,125,806</b>

<b>FY 18/19 DEBT SERVICE REQUIREMENTS</b>				
<b>Maturity Date</b>		<b>Principal</b>	<b>Interest</b>	<b>Total</b>
<b>10/1/2026</b>	Revenue Bond Series 2016	85,000	24,000	109,000
		<b>\$ 85,000</b>	<b>\$ 24,000</b>	<b>\$ 109,000</b>

**CITY OF BELLE ISLE  
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BUDGET**

**TRANSPORTATION IMPACT FUND - 102**

<b>ACCOUNT NO.</b>	<b>DESCRIPTION</b>	<b>ORIGINAL FY 17/18 BUDGET</b>	<b>REVISED FY 17/18 BUDGET</b>	<b>FY 18/19 BUDGET</b>
<b>CARRYFORWARD FUND BALANCE</b>		\$ 142,226	\$ 142,226	\$ 198,489
<b>REVENUES</b>				
102-324-310	Impact Fees - Transportation	7,150	7,150	0
<b>TOTAL IMPACT FEES</b>		\$ 7,150	\$ 7,150	\$ -
102-361-100	Interest on Checking - Traffic Fund	3,000	3,000	1,000
<b>TOTAL MISCELLANEOUS REVENUE</b>		\$ 3,000	\$ 3,000	\$ 1,000
<b>TOTAL REVENUES</b>		\$ 10,150	\$ 10,150	\$ 1,000
<b>TOTAL ESTIMATED REVENUES &amp; BALANCES</b>		\$ 152,376	\$ 152,376	\$ 199,489
<b>EXPENDITURES</b>				
102-541-00-3120	Engineering Fees	50,000	50,000	0
<b>TOTAL OPERATING EXPENDITURES</b>		\$ 50,000	\$ 50,000	\$ -
102-541-00-6425	Roadway Improvements	0	0	0
<b>TOTAL CAPITAL OUTLAY</b>		\$ -	\$ -	\$ -
<b>TOTAL EXPENDITURES</b>		\$ 50,000	\$ 50,000	\$ -
<b>RESERVES</b>		\$ 102,376	\$ 102,376	\$ 199,489
<b>TOTAL APPROPRIATED EXPENDITURES &amp; RESERVES</b>		\$ 152,376	\$ 152,376	\$ 199,489

**CITY OF BELLE ISLE  
FISCAL YEAR 2018-2019  
BUDGET**

**STORMWATER FUND - 103**

<b>ACCOUNT NO.</b>	<b>DESCRIPTION</b>	<b>ORIGINAL FY 17/18 BUDGET</b>	<b>REVISED FY 17/18 BUDGET</b>	<b>FY 18/19 BUDGET</b>
<b>CARRYFORWARD FUND BALANCE</b>		<b>\$ 681,410</b>	<b>\$ 681,410</b>	<b>\$ 323,289</b>
<b>REVENUES</b>				
103-343-900	Service Charge - Stormwater	306,353	306,353	361,950
<b>TOTAL CHARGES FOR SERVICES</b>		<b>\$ 306,353</b>	<b>\$ 306,353</b>	<b>\$ 361,950</b>
103-337-110	NAV Board Contribution - Street Sweeper	75,000	75,000	0
103-337-115	NAV Board Contribution - Aquatic Weed Control	5,000	5,000	0
103-361-100	Interest on Checking - Stormwater Fund	3,000	3,000	1,000
<b>TOTAL MISCELLANEOUS REVENUE</b>		<b>\$ 83,000</b>	<b>\$ 83,000</b>	<b>\$ 1,000</b>
<b>TOTAL REVENUES</b>		<b>\$ 389,353</b>	<b>\$ 389,353</b>	<b>\$ 362,950</b>
<b>TOTAL ESTIMATED REVENUES &amp; BALANCES</b>		<b>\$ 1,070,763</b>	<b>\$ 1,070,763</b>	<b>\$ 686,239</b>
<b>EXPENDITURES</b>				
103-541-00-3120	Engineering Fees	40,000	40,000	75,000
103-541-00-3430	NPDES	15,000	15,000	15,000
103-541-00-3450	Lake Conservation	10,000	10,000	15,000
103-541-00-4600	Repairs & Maintenance - Stormwater	125,000	125,000	25,000
103-541-00-4900	Other Current Charges	200	200	200
<b>TOTAL OPERATING EXPENDITURES</b>		<b>\$ 190,200</b>	<b>\$ 190,200</b>	<b>\$ 130,200</b>
103-541-00-6300	CIP - Capital Improvements	355,550	355,550	370,000
103-541-00-6417	CIP - Equipment - Vehicles	175,000	175,000	0
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$ 530,550</b>	<b>\$ 530,550</b>	<b>\$ 370,000</b>
<b>TOTAL EXPENDITURES</b>		<b>\$ 720,750</b>	<b>\$ 720,750</b>	<b>\$ 500,200</b>
<b>RESERVES</b>		<b>\$ 350,013</b>	<b>\$ 350,013</b>	<b>\$ 186,039</b>
<b>TOTAL APPROPRIATED EXPENDITURES &amp; RESERVES</b>		<b>\$ 1,070,763</b>	<b>\$ 1,070,763</b>	<b>\$ 686,239</b>



**CITY OF BELLE ISLE  
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BUDGET**

**LAW ENFORCEMENT EDUCATION FUND - 104**

<b>ACCOUNT NO.</b>	<b>DESCRIPTION</b>	<b>ORIGINAL FY 17/18 BUDGET</b>	<b>REVISED FY 17/18 BUDGET</b>	<b>FY 18/19 BUDGET</b>
<b>CARRYFORWARD FUND BALANCE</b>		\$ 12,777	\$ 12,777	\$ 12,506
<b>REVENUES</b>				
104-351-200	Judgements & Fines - LE Education Fund	1,200	1,200	1,500
<b>TOTAL JUDGEMENTS &amp; FINES</b>		\$ 1,200	\$ 1,200	\$ 1,500
104-361-100	Interest on Checking - LE Education Fund	3,000	3,000	1,000
<b>TOTAL MISCELLANEOUS REVENUE</b>		\$ 3,000	\$ 3,000	\$ 1,000
<b>TOTAL REVENUES</b>		\$ 4,200	\$ 4,200	\$ 2,500
<b>TOTAL ESTIMATED REVENUES &amp; BALANCES</b>		\$ 16,977	\$ 16,977	\$ 15,006
<b>EXPENDITURES</b>				
104-521-00-5500	Training	6,000	6,000	8,000
104-521-00-4900	Other Current Charges	200	200	200
<b>TOTAL OPERATING EXPENDITURES</b>		\$ 6,200	\$ 6,200	\$ 8,200
<b>TOTAL EXPENDITURES</b>		\$ 6,200	\$ 6,200	\$ 8,200
<b>RESERVES</b>		\$ 10,777	\$ 10,777	\$ 6,806
<b>TOTAL APPROPRIATED EXPENDITURES &amp; RESERVES</b>		\$ 16,977	\$ 16,977	\$ 15,006

**CITY OF BELLE ISLE  
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BUDGET**

**CHARTER SCHOOL DEBT SERVICE FUND - 201**

<b>ACCOUNT NO.</b>	<b>DESCRIPTION</b>	<b>ORIGINAL FY 17/18 BUDGET</b>	<b>REVISED FY 17/18 BUDGET</b>	<b>FY 18/19 BUDGET</b>
<b>CARRYFORWARD FUND BALANCE</b>		\$ 1,693,108	\$ 1,693,108	\$ 1,268,817
<b>REVENUES</b>				
201-361-100	Interest - Charter Fund	0	0	1,000
201-362-000	Rent Revenue - Student Count: 1425	1,001,000	1,001,000	997,500
<b>TOTAL MISCELLANEOUS REVENUES</b>		<b>\$ 1,001,000</b>	<b>\$ 1,001,000</b>	<b>\$ 998,500</b>
<b>TOTAL REVENUES</b>		<b>\$ 1,001,000</b>	<b>\$ 1,001,000</b>	<b>\$ 998,500</b>
201-381-000	Transfers in from General Fund	0	0	150,000
<b>TOTAL TRANSFERS IN</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ 150,000</b>
<b>TOTAL ESTIMATED REVENUES, TRANSFERS &amp; BALANCES</b>		<b>\$ 2,694,108</b>	<b>\$ 2,694,108</b>	<b>\$ 2,417,317</b>
<b>EXPENDITURES</b>				
201-569-00-3100	Professional Services - Charter School	0	0	0
201-569-00-3110	Legal Services - Charter School	0	0	0
201-569-00-3120	Engineering Fees - Charter School	40,000	40,000	0
201-569-00-4600	Maintenance	75,000	75,000	25,000
<b>TOTAL OPERATING EXPENDITURES</b>		<b>\$ 115,000</b>	<b>\$ 115,000</b>	<b>\$ 25,000</b>
201-569-00-6210	CIP - Charter Roof Repair/Replacement	170,000	170,000	0
201-569-00-6320	HVAC Replacement	150,000	150,000	300,000
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$ 320,000</b>	<b>\$ 320,000</b>	<b>\$ 300,000</b>
201-569-00-7100	Principal	155,000	155,000	415,000
201-569-00-7200	Interest	540,425	540,425	545,425
<b>TOTAL DEBT SERVICE</b>		<b>\$ 695,425</b>	<b>\$ 695,425</b>	<b>\$ 960,425</b>
<b>TOTAL EXPENDITURES</b>		<b>\$ 1,130,425</b>	<b>\$ 1,130,425</b>	<b>\$ 1,285,425</b>
<b>RESERVES*</b>		<b>\$ 1,563,683</b>	<b>\$ 1,563,683</b>	<b>\$ 1,131,892</b>
<b>TOTAL APPROPRIATED EXPENDITURES &amp; RESERVES</b>		<b>\$ 2,694,108</b>	<b>\$ 2,694,108</b>	<b>\$ 2,417,317</b>

\*The majority of reserves is restricted by use of the trustee for bond related expenses.

**CITY OF BELLE ISLE  
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BUDGET**

**CAPITAL EQUIPMENT REPLACEMENT FUND - 301**

ACCOUNT NO.	DESCRIPTION	ORIGINAL FY 17/18 BUDGET	REVISED FY 17/18 BUDGET	FY 18/19 BUDGET
<b>CARRYFORWARD FUND BALANCE</b>		\$ -	\$ -	\$ -
<b>REVENUES</b>				
301-381-000	Transfer from General Fund 001	0	0	27,000
<b>TOTAL TRANSFERS</b>		\$ -	\$ -	\$ 27,000
<b>TOTAL ESTIMATED REVENUES &amp; BALANCES</b>		\$ -	\$ -	\$ 27,000
<b>EXPENDITURES</b>				
		0	0	0
<b>TOTAL CAPITAL OUTLAY</b>		\$ -	\$ -	\$ -
<b>RESERVES</b>		\$ -	\$ -	\$ 27,000
<b>TOTAL APPROPRIATED EXPENDITURES &amp; RESERVES</b>		\$ -	\$ -	\$ 27,000

<b>TRANSFERS IN</b>				
		<b>Annual Transfer</b>	<b>Years</b>	<b>Estimated Cost</b>
301-513-00-6417	CODE ENF VEHICLE REPLACEMENT	\$5,000	5	\$25,000
301-521-00-6410	POLICE COMMUNICATIONS EQUIPMENT	\$10,000	5	\$50,000
301-521-00-6418	POLICE VESSEL REPLACEMENT	\$12,000	5	\$60,000
		<u>\$27,000</u>		<u>\$135,000</u>

**CITY OF BELLE ISLE  
FISCAL YEAR 2018-2019  
BUDGET**

**FIVE YEAR CAPITAL IMPROVEMENT PLAN  
2018 - 2023**

	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23
<b>GENERAL FUND</b>					
<b>FINANCE AND ADMINISTRATION</b>					
Misc. Equipment	7,500	7,500	7,500	7,500	7,500
<b>Total Finance and Administration</b>	<b>7,500</b>	<b>7,500</b>	<b>7,500</b>	<b>7,500</b>	<b>7,500</b>
<b>GENERAL GOVERNMENT</b>					
City Hall Improvements	5,000	7,500	7,500	7,500	7,500
<b>Total General Government</b>	<b>5,000</b>	<b>7,500</b>	<b>7,500</b>	<b>7,500</b>	<b>7,500</b>
<b>POLICE DEPARTMENT</b>					
(4) Traffic Data Collectors	10,000	-	-	-	-
Traffic Trailer	9,000	-	-	-	-
Police Department Vehicles	64,000	64,000	64,000	64,000	64,000
<b>Total Police Department</b>	<b>83,000</b>	<b>64,000</b>	<b>64,000</b>	<b>64,000</b>	<b>64,000</b>
<b>PUBLIC WORKS</b>					
Street Resurfacing & Curbing	400,000	300,000	300,000	300,000	300,000
Sidewalk Repair	30,000	30,000	30,000	30,000	30,000
LED Street Lighting - Hoffner Ave	15,000	-	-	-	-
Park Improvements	25,000	-	-	-	-
Trentwood Chicane	25,000	-	-	-	-
Bobcat	50,000	-	-	-	-
Bobcat Accessories	-	15,000	-	-	-
<b>Total Public Works Department</b>	<b>545,000</b>	<b>345,000</b>	<b>330,000</b>	<b>330,000</b>	<b>330,000</b>
<b>Total General Fund</b>	<b>640,500</b>	<b>424,000</b>	<b>409,000</b>	<b>409,000</b>	<b>409,000</b>
<b>STORMWATER FUND</b>					
<b>STORMWATER</b>					
Nela Drainage Project	-	125,000	-	-	-
Wind Drift Drainage Project	150,000	-	-	-	-
Gene Polk Park Drainage Project	-	192,000	-	-	-
Saint Partins Stormwater Project	-	150,000	-	-	-
Seminole/Daetwyler Drainage	-	75,000	-	-	-
Lake Conway Shores	220,000	-	-	-	-
<b>Total Stormwater Fund</b>	<b>370,000</b>	<b>542,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>CHARTER SCHOOL DEBT SERVICE FUND</b>					
<b>CHARTER SCHOOL</b>					
Roof Repair/Replacement	-	150,000	150,000	200,000	200,000
HVAC Replacement	300,000	50,000	50,000	50,000	50,000
<b>Total Charter School Debt Service Fund</b>	<b>300,000</b>	<b>200,000</b>	<b>200,000</b>	<b>250,000</b>	<b>250,000</b>

	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23
<b>CAPITAL EQUIPMENT REPLACEMENT FUND</b>					
<b>GENERAL</b>					
Replace Code Enforcement Vehicle	-	-	-	-	25,000
Police Department Radios	-	10,000	10,000	10,000	10,000
Police Department Vessel	-	-	-	-	60,000
<b>STORMWATER</b>					
Dump Truck	-	-	-	-	75,000
<b>Total Capital Equip Replacement Fund</b>	-	10,000	10,000	10,000	170,000
<b>Total All Funds</b>	<b>\$ 1,310,500</b>	<b>\$ 1,176,000</b>	<b>\$ 619,000</b>	<b>\$ 669,000</b>	<b>\$ 829,000</b>



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

**Meeting Date:** September 4, 2018

**To:** Honorable Mayor and City Council Members

**From:** B. Francis, City Manager

**Subject:** Short Term Rentals (STR)

**Background:** After discussion and public comment at the August 18 Council Meeting, changes were made to the draft ordinance.

Items that were kept in the ordinance are:

- Limit the number of rental properties
- Transient rental occupancy license requirements
- Permits and posting of owner's contact information for complaints
- Fines and Penalties
- Define owner-occupied properties
- Parking restrictions
- Noise restrictions

**Staff Recommendation:** Read Ordinance 18-10 for the first time, by title only.

**Suggested Motion:** **I move that we read the Short Term Rental Ordinance for the first time by title only.**

**Alternatives:** Do not adopt

**Fiscal Impact:** TBD

**Attachments:** Ordinance 18-10

**ORDINANCE NO. 18-10**

**AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, REGARDING VACATION RENTALS; CREATING A NEW ARTICLE III, CHAPTER 7 OF THE CITY CODE REGULATING VACATION RENTALS; PROVIDING FOR DEFINITIONS, PENALTIES, ENFORCEMENT, RESPONSIBILITIES OF DEPARTMENTS, APPEALS, NOTICE, IMMUNITY FROM PROSECUTION, CONSTRUCTION OF ARTICLE; PROVIDING FOR LICENSE REQUIREMENTS AND PROVISIONS INCLUDING BUT NOT LIMITED TO PROCEDURES, APPLICATIONS, MODIFICATIONS, DURATION, RENEWALS, AND NONTRANSFERABILITY; PROVIDING FOR VESTED RIGHTS/WAIVER/ESTOPPEL; PROVIDING FOR DUTIES OF VACATION RENTAL OWNER; PROVIDING FOR INSPECTIONS; PROVIDING FOR STANDARDS AND REQUIREMENTS FOR VACATION RENTALS INCLUDING BUT NOT LIMITED TO MINIMUM SAFETY AND OPERATIONAL REQUIREMENTS, OCCUPANCY, PARKING, NOISE AND LIGHT STANDARDS VIOLATIONS OF THE LAW, ADVERTISING, STATE AND COUNTY REGISTRATION, PROHIBITION OF OCCUPANCY, VIOLATIONS AND PENALTIES; PROVIDING FOR A SUNSET; PROVIDING FOR THE CONTINUED VALIDITY OF SECTION 7-30, CITY CODE; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, Section 509.013, Florida Statutes, provides a distinction between "transient public lodging establishments," which are rented, or advertised or held out for rental to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less; and "nontransient public lodging establishments," which are rented, or advertised or held out for rental to guests for periods of at least 30 days or 1 calendar month, whichever is less; and

**WHEREAS**, Section 509.242(1) (c), Florida Statutes, further provides for a subset of transient public lodging establishments, called "Vacation Rental" which is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family or four-family house or dwelling unit that is also a transient public lodging establishment, but that is not a timeshare project; and

**WHEREAS**, Section 509.032(7)(b), Florida Statutes provides that, "A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011"; and

**WHEREAS**, the Florida Attorney General's Office has recognized that "local governments may regulate vacation rentals, provided those regulations do not prohibit vacation rentals or restrict the duration or frequency of vacation rentals," AGO 2014-09; and

**WHEREAS**, on March 4, 2008, the City adopted Ordinance No. 08-03 creating City Code Section 7-30 prohibiting “short-term rentals, i.e., rentals for a term of less than seven months,” which provision encompasses vacation rentals and is grandfathered in and constitutes a valid prohibition of vacation rentals under Section 509.032(7)(b), Florida Statutes; and

**WHEREAS**, the City wishes to explicitly preserve Ordinance No. 08-03 and Section 7-30 of the City Code while allowing a subset of vacation rentals within the City which are owner-occupied and which meet the requirements under this Ordinance; and

**WHEREAS**, the City finds that the regulations and requirements adopted by this Ordinance do not prohibit vacation rentals or restrict their duration or frequency; and

**WHEREAS**, the City finds that the regulations and requirements adopted by this Ordinance are in the interests of the public health, safety, and welfare, in light of the following concerns:

(1) Residents residing within their residential dwellings are inherently familiar with the local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from their residential dwellings, thereby minimizing potential risks to themselves and their families; and

(2) Visitors are typically not familiar with local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from the Vacation Rentals in which they are staying, thereby increasing potential risks to themselves and their families, and putting an additional burden on, and potentially putting at risk, emergency personnel in the event of an emergency situation; and

(3) Certain illegal Vacation Rentals are presently located within the Residential Zoning districts of the City of Belle Isle; and

(4) Vacation Rentals, left unregulated, can and do create negative impacts within residential neighborhoods due to excessive noise, parking and traffic problems, excessive use and impact on public services and public works, and extreme size and greater occupancy; and

(5) Vacation Rentals situated within residential neighborhoods can disturb the quiet nature and atmosphere of the residential neighborhoods, and the quiet enjoyment of its residents; and

(6) Vacation Rentals located within established residential neighborhoods can and do, when unregulated, create negative compatibility impacts relating to extreme noise levels, late night activities, on-street parking issues and traffic congestion; and

(7) A residential dwelling is typically the single largest investment a family will make with the residents of the residential dwelling desiring the tranquility and peaceful enjoyment of their neighborhood without excessive noise and increased parking issues and traffic congestion caused by transient occupants of Vacation Rentals; and



(8) The City of Belle Isle has suffered an increase in the illegal establishment of Vacation Rentals, with no notice to the City; and

(9) The City of Belle Isle has limited parking available and parking upon rights of way in residential neighborhoods is generally allowed for use of the residents. Therefore, it is vital for the City to keep on-street parking available for such use, and not allow such use to be reduced by off-site parking at Vacation Rentals.

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

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

**SECTION 2: CITY CODE AMENDMENT.** There is hereby created a new Article III, Chapter 7 of the City Code, as follows:

ARTICLE III. – VACATION RENTALS.

DIVISION 1. – IN GENERAL.

Sec. 7-50. – Definitions.

The following terms as used in this Article are defined as set forth hereinafter:

"Bedroom" means any room in a Vacation Rental that contains 70 square feet or more, and which has a bed or other place for sleeping and a closet, but shall not include a bathroom, a kitchen, and one main living area. No room shall be considered to be a bedroom unless it was so designated on the plans submitted to the City for the construction of the building.

"Continuing Violation" means a violation of this Article that is continuing in nature and for which there may be an opportunity to cure, such as, but not limited to, operation of a Vacation Rental without a currently valid Vacation Rental License, failing to acquire a modified Vacation Rental License when required, violations of minimum safety and operational requirements under this Article, and violations of the Florida Building Code, Florida Fire Code or Life Safety Code.

"Occupant" means any person who occupies, either during the day or overnight, a Vacation Rental.

"Owner-Occupied" means an activity whereby a homeowner hosts visitors in their home, for periods of 30 consecutive days or less, while at least one of the primary residents lives on-site throughout the visitor's stay. The guest enjoys the non-exclusive shared use of the unit with at least one of the persons who is domiciled at the location.

“Primary Residence” means where the homeowner usually lives and can provide evidence such as a driver’s license, income tax statement or property tax statement with a homeowner’s exemption.

"Transient public lodging establishments" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

"Transitory Violation" means a violation of this Article that is transitory, transient, or temporary in nature, such as, but not limited to, a violation of quiet hours or pool hours, maximum occupancy violations, parking in the right of way, failure to make Vacation Rental available for inspection as required herein, failure of Rental Agent to comply with the duties of a Vacation Rental Agent as set forth in this Article, and failure to have required postings at the Vacation Rental.

"Vacation Rental" is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family or four-family house or dwelling unit that is also a transient public lodging establishment, but that is not a timeshare project.

"Vacation Rental License" is a license granted pursuant this Article permitting the operation of a Vacation Rental.

“Vacation Rental Occupant” or “Occupant” is any individual who occupies a Vacation Rental for any length of time as the result of such Vacation Rental being rented to such individual or to the individual’s family member(s), friend(s), or companion(s).

"Vacation Rental Owner" is the owner of the Primary Residence and shall have the same meaning as property owner..

Sec. 7-51. – Penalties and Enforcement.

(a) *Transitory Violations.* For Transitory Violations as defined herein, the Vacation Rental Owner, the Vacation Rental Agent, and/or the offending Vacation Rental Occupant(s), as applicable and without limitation, may each be deemed to be a "violation" as that term is used in Article III of Chapter 7 of the Code of Ordinances of the City of Belle Isle, and may be punished as follows. Each individual Transitory Violation shall constitute a separate and distinct violation, and if the Transitory Violation continues for more than one day, each day that the violation continues will be considered a separate and distinct violation. Any Transitory Violation may be punished by citation, as provided in the Belle Isle City Code and/or Chapter 162 of the Florida Statutes , including but not limited to the requirements of a reasonable warning prior to issuance of a citation; provided, however, such violation shall be subject to a fine in the amount of \$250.00, for the first offense, \$500.00 for the second and subsequent offenses, plus a suspension of the Vacation Rental License as provided hereinafter, for the third offense.

(b) Continuing Violations. For Continuing Violations as defined herein, the Vacation Rental Owner, the Vacation Rental Agent, and/or the offending Vacation Rental Occupant(s), as applicable and without limitation, may each be deemed to be a "violation" as that term is used in Article III of Chapter 7 of the Code of Ordinances of the City of Belle Isle, and may be punished as follows. Each day a violation exists shall constitute a separate and distinct violation. Continuing Violations may be punished by citation, as provided in the Belle Isle City Code and/or Chapter 162 of the Florida Statutes, including but not limited to the requirements of a reasonable warning prior to issuance of a citation; or through the Code Enforcement Magistrate procedure as provided under the Belle Isle City Code; provided, however, such violations shall be subject to a fine in the amount of \$250.00, for the first offense, \$500.00 for the second and subsequent offenses, plus a suspension of the Vacation Rental License as provided hereinafter, for the third offense.

(c) Other enforcement methods and penalties. Notwithstanding anything otherwise provided herein, violations of this Article shall also be subject to all the enforcement methods and penalties that may be imposed or available for the violation of ordinances of the city as provided in Article III of Chapter 7 of the Code of Ordinances of the City of Belle Isle, any other applicable provision of the Code of Ordinances, or as provided by state statute. Nothing contained herein shall prevent the City of Belle Isle from seeking all other available remedies which may include, but not be limited to, injunctive relief, abatement of public nuisance, liens, fines, imprisonment, and other penalties as provided by law. A violation of this code of ordinances shall also mean and refer to any specified criminal offense as set forth in chapters 775 through 896, Florida Statutes.

(d) No Occupant shall occupy a Vacation Rental, and no advertisement for the Vacation Rental shall occur during any period of suspension of a Vacation Rental's Vacation Rental License.

#### Sec. 7-52. – Responsibilities of Departments.

The ultimate responsibility for the administration of this Article is vested in the City Council. The City Manager or his or her authorized designee is responsible for granting, denying, revoking, renewing, suspending and canceling Vacation Rental Licenses for proposed and existing Vacation Rentals as set forth in this Article. Additionally, the City Manager or his or her authorized designee is responsible for inspecting any proposed or existing Vacation Rental in order to ascertain compliance with this Article, and all applicable building codes, fire and life safety codes, statutes, ordinances and regulations.

#### Sec. 7-53. – Appeals

Any decision of the City Manager or his or her authorized designee relating to the grant, denial, renewal, modification, or suspension of a Vacation Rental License under this Article shall be rendered in writing, and such written decision may be appealed to the City Council if a notice by the applicant is filed with the City Clerk within ten (10) days after the written decision is issued. The City Clerk shall place the matter on the agenda of an upcoming meeting of the City Council, at which the application and related materials will be reviewed, and a determination to uphold, overturn, or modify the written decision may be made. The review and decision of the

City Council is not a de novo review and should be based on the application and matters submitted, considered, and pursuant to which the challenged decision was made. The decision of the City Council shall be final and shall be rendered in writing in appealable form. Such final decision may be reviewed as permitted under Florida law.

Sec. 7-54. – Notice.

Any notice required under this Article shall be accomplished by sending a written notification by U.S. Mail, postage paid, to the mailing address of the property owner set forth on documents filed with the City of Belle Isle under this Article, which shall be considered for all purposes as the correct address for service, or by personal service or delivery to the property owner.

Sec. 7-55. – Immunity from prosecution.

The City of Belle Isle, the City Council, the Mayor, the City Commissioners, and any of the City's departments or agents, and any law enforcement officer shall be immune from prosecution, civil or criminal, for reasonable, good-faith trespass upon a Vacation Rental while acting within the scope of this Article.

Sec. 7-56. – Construction of Article.

(a) This Article shall be liberally construed to accomplish its purpose of regulating Vacation Rentals, protecting the residential character of Belle Isle, the health, safety, and general welfare of its residents and visitors, and the quiet enjoyment by Belle Isle's residents of their residential property.

(b) Neither this Article nor any provision contained herein shall be construed to override, repeal, waive, eliminate, suspend, or in any way invalidate or make ineffective the prohibition on short-term rentals provided for in Section 7-30 of the City Code, and such provision remains in full force and effect and shall continue to apply without interruption to the extent that a vacation rental or short-term rental is not allowed under this Article.

DIVISION II. – VACATION RENTAL LICENSE.

Sec. 7-57. - License required.

After the effective date of the passage of this Ordinance, an active Vacation Rental License shall be required to operate a Vacation Rental within the City of Belle Isle. After the effective date, only Vacation Rentals holding an active Vacation Rental License issued by the City of Belle Isle may operate within the City. The Vacation Rental License shall not be issued by the City of Belle Isle under this Article unless the building in which the Vacation Rental is or will be located is in full compliance with this Article. No person operating a Vacation Rental prior to the adoption of this Ordinance has any pre-existing rights under this Article or otherwise to continue operating such Vacation Rental without obtaining a Vacation Rental License under this Article.

Sec. 7-58. - Permitted by HOA.

Prior to the application for a Vacation Rental License: If a residential property is within a homeowners association (HOA), the homeowner should check whether there are further limitations on the use of the property through their particular HOA's private Codes, Covenants and Restrictions (CC&R's). The resident shall notify the HOA in writing of the property owner's intent to apply for a Vacation Rental License prior to applying for a license. The written notification to the HOA shall be included with the City application.

Sec. 7-59. Modification of Vacation Rental License.

An application for modification of a Vacation Rental License shall be required in the event that any of the following changes to the Vacation Rental are proposed:

- (1) An increase in the gross square footage of the Vacation Rental.
- (2) An increase in the number of bedrooms in the Vacation Rental.
- (3) An increase in the maximum occupancy of the Vacation Rental.
- (4) An increase in the number of parking spaces, or a change in the location of parking spaces for the Vacation Rental.
- (5) An increase in the number of bathrooms in the Vacation Rental.
- (6) Any other material modifications that would increase the intensity of use of the Vacation Rental.

Sec.7-60. - Duration of Vacation Rental License.

A Vacation Rental License shall be valid for two (2) years after the date of issuance.

Sec. 7-61. - Renewal of Vacation Rental License.

A Vacation Rental Owner must apply for a renewal of the Vacation Rental License no later than sixty (60) days prior to the expiration date of the previous Vacation Rental License. It is the responsibility of the Vacation Rental Owner to know when the renewal period is.

Sec. 7-62. - Initial and Periodic Compliance Inspections of Vacation Rentals.

(a) Inspection of a Vacation Rental to verify compliance with this Article and the Florida Fire and Life Safety Codes, shall be required prior to issuance of an initial Vacation Rental License. If instances of noncompliance with the standards and requirements set forth in this Article are found, all such instances of noncompliance shall be corrected and the Vacation Rental shall be re-inspected prior to the issuance of an initial Vacation Rental License.

(b) Once a Vacation Rental License is issued for a Vacation Rental, such Vacation Rental shall be properly maintained in accordance with the standards and requirements set forth in this Article. The City may establish a schedule to re-inspect such Vacation Rental as to ensure compliance with the standards and requirements set forth in this Article and the Belle Isle Code of Ordinances. All violations of this Article or the Belle Isle Code of Ordinances identified in such inspection shall be corrected and re-inspected within 30 calendar days after the issuance of a notice of violation, with the exception of life safety violations, which must be corrected within three (3) working days. Failure to correct such violations within the timeframes provided shall result in the suspension of the Vacation Rental License until such time that the violations are corrected, re-inspected, and found in compliance.

(c) The City may inspect a Vacation Rental at any time upon reasonable notice to the Vacation Rental Owner. If a City inspector has made an appointment with Vacation Rental Owner for an inspection, and the City inspector is unable to complete the inspection as a result of an action or inaction of the Vacation Rental Owner, the Vacation Rental shall be charged a "re-inspection" fee in an amount set by resolution of the City Council to cover the inspection expense incurred. The re-inspection fee shall be paid prior to scheduling the re-inspection.

(d) If, after two attempts, a City inspector is unable to complete an inspection of a Vacation Rental as a result of an action or inaction of the Vacation Rental Owner, the Vacation Rental License shall be suspended until such time that the Vacation Rental is inspected and found in compliance.

Sec. 7-63. - Vacation Rental License non-transferable, non-assignable.

Vacation Rental Licenses are non-transferable and non-assignable. If the ownership of any Vacation Rental is sold or otherwise transferred, any outstanding Vacation Rental License as to that Vacation Rental shall be null and void upon the sale or transfer.

Sec. 7-64. Vested Rights/Waiver/Estoppel

The issuance of a Vacation Rental License shall not be construed to establish any vested rights or entitle the license holder to any rights under the theory of estoppel. Issuance of a Vacation Rental License shall not be construed as a waiver of any other requirements contained within the City of Belle Isle City Code or Comprehensive Plan, and is not an approval of any other code requirement outside this Article. The receipt of a Vacation Rental License is not an approval of a use or activity that would otherwise be illegal under Florida law, the Florida Building Code, the Florida Fire Code or Life Safety Code, or in violation of the Belle Isle City Code or Comprehensive Plan.

DIVISION III. VACATION RENTAL OWNER.

Sec. 7-65. - Duties of Vacation Rental Owner.

Every Vacation Rental Owner shall:

(a) Be available by landline or mobile telephone answered by the Vacation Rental Owner at the listed phone number 24-hours a day, seven days a week to handle any problems arising from the Vacation Rental; and

(b) Be willing and able to be physically present at the Vacation Rental within thirty (30) minutes following notification from a Vacation Rental Occupant, law enforcement officer, emergency personnel, or the City of Belle Isle for issues related to the Vacation Rental, and shall actually be physically present at that location in that time frame when requested; and

DIVISION 4. STANDARDS AND REQUIREMENTS FOR VACATION RENTALS

Sec. 7-66. - Generally

The standards and requirements set forth in the Article shall apply to the rental, use, and occupancy of Vacation Rentals in the City of Belle Isle.

Sec. 7-67. - Owner-Occupied.

All Vacation Rentals in the City of Belle Isle shall be owner-occupied, as such term is defined under Section 7-50 of this Article. A Vacation Rental shall not be considered owner-occupied if not occupied by one of the primary residents for a period longer than twenty-four hours while rented to a Vacation Rental Occupant.

Sec. 7-68. - Minimum safety and operational requirements.

Vacation Rentals in the City of Belle Isle shall meet the following minimum safety and operational requirements, and the applicable standards under the Belle Isle Municipal Code and the Florida Fire Code and Life Safety Code.

(a) *Swimming pool, spa and hot tub safety.* A swimming pool, spa or hot tub offered or made available as an amenity at a Vacation Rental shall comply with the current standards of the Residential Swimming Pool Safety Act, Chapter 515, Florida Statutes.

(b) *Bedrooms.* All bedrooms within a Vacation Rental shall meet the applicable requirements of the Florida Fire Code and Life Safety Code.

(c) Smoke and carbon monoxide (CO) detection and notification system. An interconnected, hard-wired smoke alarm and carbon monoxide (CO) alarm system shall be installed within the Vacation Rental and maintained on a continuing basis consistent with the requirements of Section R314, Smoke Alarms, and Section R315, Carbon Monoxide Alarms, of the Florida Building Code - Residential.

(d) Legible Address: The address of the Vacation Rental shall be large enough to see from the street and be made of a reflective material or lighted so it can be read from the street at night.

Sec. 7-69. - Maximum occupancy based on site capacity limitations.

The maximum occupancy of a Vacation Rental shall be limited to the lesser of:

(1) Two persons per bedroom within the Vacation Rental (counting only those rooms that satisfy the definition of bedroom under this Article). There will be a maximum of two bedrooms per Vacation Rental.

(2) A total of eight occupants per Vacation Rental, inclusive of day guests.

(3) In the event there is more than one building or dwelling on one lot, the maximum occupancy shall be capped at the lesser of six occupants per lot, or two persons per bedroom, regardless of the building in which such bedroom(s) are located.

Sec. 7-70. Parking standards.

In all Vacation Rentals located in a residential zoning district, the following parking standards shall apply. There shall be one off-street parking space for each bedroom in a Vacation Rental. One such required parking space for each Vacation Rental shall be in a garage or carport. Recreational vehicles and accessory trailers shall only be permitted in driveways, or other parking areas specifically designated for such use by the City. No recreational vehicle or any other motor vehicle parked on the premises of a Vacation Rental shall be used for sleeping. Parking spaces shall not be tandem. Neither on- street parking nor parking within the right-of-way shall be permitted for use by Vacation Rentals or Occupants.

Sec. 7-71. Noise and Light

Noise and light for Vacation Rentals shall be regulated by Section 10-61 to 10-69 of the Belle Isle Municipal Code. No excessive or boisterous noise, amplified sound, or bright light extending beyond the lot or parcel line is permitted.

Sec. 7-72. Violations of other legal provisions.

No person shall allow the occupancy or use any portion of a structure as a Vacation Rental if the structure or its use is in violation of or inconsistent with any applicable zoning, comprehensive planning, building, housing, density, life safety, utility, public health, sanitary or fire code.



ordinance, plan, statute, regulation, or rule. Such a violation shall also be considered a violation of this Article.

Sec. 7-73. Vacation Rental advertising.

Advertising of a Vacation Rental shall be consistent with the information contained within the Vacation Rental's Vacation Rental License. Such advertising shall conspicuously disclose the maximum occupancy of the Vacation Rental under this Chapter.

Vacation Rental Owners should consider only advertising on the commercial booking websites that advertise Vacation Rentals, such as AirBNB, vacationRentals.com, VRBO, misterBNB, etc. When advertising, the Vacation Rental Owner must display the City of Belle Isle permit number plainly on the site.

Sec. 7-74. Licensure as transient public lodging establishment.

A Vacation Rental shall at all times maintain a current and active license as a transient public lodging establishment with the Florida Department of Business and Professional Regulation, if required.

Sec. 7-75. Florida Department of Revenue certificate; Orange County Tax Collector account.

A Vacation Rental shall at all times maintain a current and active certificate of registration with the Florida Department of Revenue for the purposes of collecting and remitting sales surtaxes, transient rental taxes, and any other taxes required by law to be remitted to the Florida Department of Revenue if required. A Vacation Rental shall at all times maintain a current and active account with the Orange County Tax Collector for the purposes of collecting and remitting tourist development taxes and any other taxes required by law to be remitted to the Orange County Tax Collector, if required.

Sec. 7-76. Prohibition of occupancy.

The Vacation Rental Owner shall have the affirmative duty to vet each Occupant of a Vacation Rental

Sec. 7-77. Violation and Penalties.

(a) A person renting a property without a valid rental permit shall be in violation of the Belle Isle Municipal Code and shall be subject to a fine of up to two hundred fifty dollars (\$250) for the first offense; five hundred dollars (\$500) for each day after the first offense that the dwelling has been rented without a permit.

(b) Revocation of Registration. A short-term rental registration issued under the provisions of this Section may be revoked by the City Manager after notice and hearing as provided for in this Section, for any of the following reasons:

(1) Fraud, misrepresentation, or false statements contained in the application;

(2) Fraud, misrepresentation, or false statements made in the course of carrying on a short-term rental as regulated by this Section;

(3) Any violation of any provision of this Section or of any provision of this code;

(4) Any violation of any provision of federal, state or local laws.

(c) Revocation Hearing. Before revoking a short-term rental registration, the City Manager shall give the responsible host notice in writing of the proposed revocation and of the grounds thereunder, and also of the time and place at which the host will be given a reasonable opportunity to show cause why the registration should not be revoked. The notice may be served personally upon the host or may be mailed to the host at the last known address or at any address shown upon the application at least 10 days prior to the date of the hearing. Upon conclusion of the hearing the City Manager may, for the grounds set forth herein, revoke the registration.

(d) Appeal from Denial or Revocation of Registration. Any host whose application has been denied or registration has been revoked shall have the right to an administrative appeal before the City Council. An appeal shall be filed in writing on a form provided by the City stating the grounds therefor within 10 days of the decision. The City Council shall hold a hearing thereon within a reasonable time and the decision shall be final.

(e) Waiting Period. Any host whose registration has been denied or revoked shall be ineligible from applying for a new registration for a 24-month period.

(g) Penalties. For violations of this Article, the penalties outlined in Section 7-51 will be imposed.

Sec. 7-78. Sunset.

(a) This ordinance shall sunset 364 days after enactment unless it is extended by an ordinance adopted by the City Council prior to the sunset period.

(b) The City Staff will present a report to the City Council three (3) months prior to the expiration date of this ordinance. The report will provide data on the affects that this ordinance has on the City.

(c) After the presentation of the report, the City Council will adopt a permanent ordinance or allow this ordinance to sunset. If the ordinance is allowed to sunset, vacation rentals will be prohibited in the City of Belle Isle.

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

**SECTION 4. CONFLICTS.** In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

**SECTION 5. PRESERVATION OF CODE SECTION 7-30.** This Ordinance and the City Code amendments effected hereby shall not be construed to override, repeal, waive, eliminate, suspend, recede from, or in any way invalidate or make ineffective the prohibition on short-term rentals provided for in Ordinance No. 08-03 creating Section 7-30 of the City Code, and such provision remains in full force and effect and shall continue to apply without interruption to the extent that a vacation rental or short-term rental is not allowed under the new Article III, Chapter 7 of the City Code created by this Ordinance.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon adoption by the City Council of the City of Belle Isle, Florida.

**FIRST READING:** \_\_\_\_\_, 2018

**SECOND READING:** \_\_\_\_\_, 2018

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2018, by the City Council of the City of Belle Isle, Florida.

CITY OF BELLE ISLE

\_\_\_\_\_  
Lydia Pisano, Mayor

ATTEST:

\_\_\_\_\_  
Yolanda Quiceno, City Clerk

\_\_\_\_\_  
Date



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

**Meeting Date:** September 4, 2018

**To:** Honorable Mayor and City Council Members

**From:** B. Francis, City Manager

**Subject:** Proposal to Resolve the Appeal of the P&Z decision on 6820 Seminole Dr. variance denial

**Background:** On July 24, 2018, the Planning and Zoning Board denied a variance at 6820 Seminole to divide the property in to two substandard lots. The owner is appealing this decision to the City Council which is scheduled to be on the September 18, 2018 Council agenda. The last few times the City denied an appeal, it ended up in an appeal and subsequent Request for Relief such as the PD on Daetwyler, which cost the City approximately \$30,000. In an effort to stop this process and prevent another Request for Relief, both parties met last week to come up with a possible resolution.

There are two projects that the same owner is ready to start: a PD consisting of 30 condominiums at 7710 Daetwyler and a proposed lot split at 6820 Seminole. After discussing both projects, with the owner, we arrived at a possible resolution which I believe is in the best interest of the City.

During the public hearing for the PD many residents spoke in opposition of the PD and wanted the City Council to maintain the R-2 zoning on this property, stating that the owner can achieve his goals without a rezone and leaving the property as R-2. Residents, who testified before Council, also stated that single family residences will be better suited for this location.

In speaking with the owner, the property will revert back to R-2 zoning and he will build 10-11 single family homes on the parcel. For building single family homes here and not condos, the owner is requesting the Council approve the lot split at 6820 Seminole. This resolution then gives the citizens what they requested on Daetwyler and the owner will get the lot split on Seminole. The owner requested the lot split to be for three substandard lots (two lots that front Seminole; one lot that fronts the lake with a 10-foot driveway off Seminole for access to the lake side property). Under this configuration, only one dock can be approved for the lake-side lot. If the Council will not approve this configuration, then the original lot split can be approved.

The staff reviewed preliminary plans for both properties and it appears they both meet BIMC.

**Staff Recommendation:** Approve the proposal the proposal presented to allow the lot split at 6820 Seminole and allow that owner to build 10-11 single family homes on the Daetwyler property.

**Suggested Motion:** I move that we approve the proposal presented to allow the (3-lot split) or (2-lot split) at 6820 Seminole and require that owner to build 10-11 single family homes on the Daetwyler property.

**Alternatives:** Do not approve

**Fiscal Impact:** TBD but it would save attorney and mediator fees spent on the Request for Relief and other remedies available to the property owner.

**Attachments:** Sketch of the lot split.



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

**Meeting Date:** September 4, 2018

**To:** Honorable Mayor and City Council Members

**From:** B. Francis, City Manager

**Subject:** Social Media Policy

**Background:** The Council directed that changes be made to the Social Media Policy that Council reviewed on August 21, 2018 to make the individual responsible for abiding by the public records retention laws. In researching the State Attorney General's website on public records and postings made to social media, the AG has opined that when public officials of a public agency create a public document by posting comments about official agency business, the individual is responsible for ensuring that the information is maintained in accordance with the Public Records Law and the policies and retention schedule adopted by the agency. An individual elected official that is public posting comments relating to city business is responsible for ensuring that the information is maintained in accordance with the city's retention policy and the Public Records Law.

The City Attorney made changes to the Social Media Policy in Section 5.

**Staff Recommendation:** Review the policy and adopt the policy

**Suggested Motion:** I move we adopt the Social Media Policy and require all Officers and Employees to adhere to the policy.

**Alternatives:** Do not adopt the policy but provide further direction to the staff.

**Fiscal Impact:** If followed, there should be no fiscal impact to the City.

**Attachments:** Revised Social Media Policy



## **CITY OF BELLE ISLE SOCIAL MEDIA POLICY AND PROCEDURES**

### **1. Purpose**

The City of Belle Isle (“City”) Social Media Policy and Procedures (“Policy”) functions to notify all City employees, elected and appointed officials, and third parties perpetuating business with the City or otherwise utilizing City social media sites and applications of the inherent risks—personally and for the City—of utilizing social media and other technologies for announcements and other tasks that relate to or perpetuate City business. This policy is narrowly tailored in recognition of the City’s compelling and significant interests, including but not limited to, ensuring compliance with federal, state, and local laws and regulations, Florida’s public records law and the Florida Sunshine Law, to promote and maintain an efficient workplace and work environment for the conducting of City business, utilization of the appropriate delegated discretion so as not to discredit or unreasonably expose the City to potential liability, and the City’s interests of providing information and services that benefit the public health, safety, and welfare. Adequate and ample alternative channels to convey various City-related, commercial, or personal messages exists that are not limited or affected by this Policy, including but not limited to, speaking during public comment portions of City meetings, posting or creating content on websites and applications that are not City social media sites as defined herein, or using alternative means of communication that do not involve City social media sites. Such alternative methods are reasonable for the affected speaker to communicate his or her intended audience.

This Policy is also intended to function as a clear and efficient communication to all City users as defined herein and elected and appointed City officials of the operational realities and best lawful practices in using City social media sites when used for purposes relating to or perpetuating City business as well as the risks associated with same. The City’s utilization of City social media sites shall not be construed as nor shall it be intended in any way to create an open, designated, or traditional public forum for expressive activities. Instead, utilization of City social media sites is intended to operate to the maximum extent permitted as the speech and communications of the City consistent with the government speech doctrine and will be utilized to: 1) inform and educate the public; 2) disseminate information from the City about the City’s mission, activities, meetings, and current City-related issues; 3) to efficiently and timely perform City-related tasks; and 4) to otherwise provide an alternative avenue for the City itself to directly communicate to the public.

### **2. Definitions**

“Authorized City Users” means employees, agents, and volunteers of the City.

“Social media sites” means content created by individuals or entities, using accessible, expandable, and upgradable publishing technologies, through and on the internet. Examples of social media sites and applications include but are not limited to Facebook, MySpace, Google and Yahoo Groups, Wikipedia, YouTube, Flickr, Twitter, LinkedIn, and news media comment-sharing/blogging.

“City social media sites” means social media sites and applications which the City establishes and maintains, and over which it has control over postings to the maximum extent practical and permissible under the relevant user guidelines, terms and conditions, or policies and procedures of such sites and applications as may be amended. City social media sites may be utilized as a supplement to, but shall not replace, the City’s required notices and standard methods of communication.

“Posts” or “postings” mean information, articles, pictures, videos or any other form of communication posted on a City social media site by Authorized City Users. In recognition that some social media sites and applications do not or cannot allow posts, comments, “likes,” or similar communications from other members of the public to be disabled or removed, any and all posts or postings on City social media sites made by Authorized City Users are intended to and shall remain the governmental speech of the City entitled to all protections and privileges afforded under the government speech doctrine despite the placement or occurrence of “likes,” comments, posts, or other communications of any kind made by any person or entity other than Authorized City Users.

### **3. General Policy**

3.1. The City’s official website at [www.cityofbelleislefl.org](http://www.cityofbelleislefl.org) (or any domain owned by the City) will remain the City’s primary means of internet communication.

3.2. The establishment of City social media sites is subject to approval by the City Manager or his/her designee. Upon approval, City social media sites shall bear the name and/or official logo of the City. Additionally, to the extent practical, City social media sites shall contain the following statement, in the same or substantially similar form, predominantly displayed, tacked, pinned, linked, or otherwise made available on City social media sites:

Any post, communication, or submission to this webpage, website, account, or posting that violates local, state, or federal law may be removed by the City of Belle Isle (“City”), and the City reserves the right to revoke participation or content posting rights hereon at any time and without notice. The City operates same as the governmental speech of the City, and does not intend that anyone other than an Authorized City User as defined in the City of Belle Isle Social



Media Policy and Procedures may speak for the City. A copy of the City's Social Media Policy and Procedures is available for inspection at City Hall. Additionally, pursuant to Florida law, any post, submission, or communication may constitute a public record under chapter 119, Florida Statutes, which may require the City to archive and otherwise make such post, submission, or communication available for public inspection. This webpage, website, account, and any postings or communications thereon are not monitored for public records requests, questions, notices, or any other requests from the public, and all participants should not expect any response from the City regarding same. Should you have any questions regarding this notice, you are asked to contact the City Manager. Should you desire to make a public records request, please direct such request to the City Clerk.

3.3. All content on City social media sites shall be reviewed, approved, and administered by the City Manager or his/her designee.

3.4. City social media sites shall clearly state that such sites are maintained by the City and that the sites comply with the City's Social Media Policy.

3.5. City social media sites shall, to the maximum extent possible or practical, link back to the City's official website for forms, documents, online services and other information necessary to conduct business with the City.

3.6. The City Manager or his/her designee shall monitor content on City social media sites to ensure adherence to both the City's Social Media Policy and the interest and goals of the City. The City Manager or his/her designee shall be responsible for authorizing, establishing, and maintaining content posted on behalf of the City and shall develop and implement measures to prevent inappropriate, confidential, offensive, or damaging information from being shared or disseminated. Such information shall additionally include any communications constituting unprotected speech under the federal or Florida constitutions.

3.7. City social media sites shall be managed consistent with the Open Meetings Act. Members of the City Council, Commissions and/or Boards shall not comment on any published postings, or use City owned sites or City social media sites to respond to, blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body or that may foreseeably come before the relevant body. Additionally, elected and appointed officials should be aware that posting to a private social media site when discussing any City business or topic regarding the City is a public record according to the Public Records Act and could also violate the Florida Sunshine Laws (See Section 5 of this policy).

3.8. The City reserves the right to terminate or modify any City social media site at any time without notice.

3.9. City social media sites shall comply with usage rules and regulations required by the site provider, including privacy policies.

3.10. The City's Social Media Policy shall be displayed to users or made available by hyperlink if possible and practical. Hard copies of the City's Social Media Policy shall be kept and maintained at City Hall.

3.11. All City social media sites shall adhere to applicable federal, state and local laws, regulations and policies.

3.12. City social media sites are subject to the Florida Public Records Act. Any content maintained on a City social media site that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be considered a public record and subject to public disclosure. All postings on City social media sites shall be sent to an official City email account and maintained consistent with the Public Records Act and relevant retention schedules.

3.13. City employees and Authorized City Users shall conduct themselves at all times as professional representatives of the City in every manner relating to City social media sites and in accordance with all City policies. Additionally, City employees and Authorized City Users may only post content or communications on City social media sites that represents the government speech of the City as approved by the City Manager or his/her designee.

3.14. All City social media sites shall utilize authorized City contact information for account set-up, monitoring and access. The use of personal email accounts or phone numbers by any City employee is not allowed for the purpose of setting-up, monitoring, or accessing a City social media site.

3.15. Due to the inherent nature of social media sites and applications, including specific terms and conditions, user guidelines, user policies, and similar, City social media sites may contain content, including but not limited to, advertisements or hyperlinks that the City may not turn off, remove, disable, or otherwise exert editorial control.. The City does not endorse any hyperlink or advertisement placed on City social media sites by the social media site's owners, vendors, or partners. Additionally, consistent with the government speech doctrine, the presence of additional content unaffiliated with the City or with the speech of the City shall not cause or be considered as a waiver of any protections or privileges afforded under the government speech doctrine given the operational realities of social media, web applications, and the internet generally.

3.16. The City Manager or his/her designee shall regularly monitor City social media sites used by the City and take corrective action if an issue arises that places, or has the potential to place, the City at risk.

3.17. The City expressly reserves the right to change, modify, or amend all or part of this policy at any time.

#### **4. Content Guidelines**

4.1. The content of City social media sites shall only pertain to City-sponsored or City-endorsed programs, services, and events. Content includes, but is not limited to, information, photographs, videos, and hyperlinks.

4.2. Content posted to the City's social media sites must contain hyperlinks directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct business with the City of Belle Isle, whenever possible.

4.3. The City shall have full permission or rights to any content posted by the City, including photographs and videos, to the maximum extent permissible under law.

4.4. Postings shall be made during normal business hours. After-hours or weekend postings shall only be made with approval of the City Manager or his/her designee.

4.5. Any employee authorized to post items on any of the City's social media sites shall review, be familiar with, and comply with this policy and the social media site's use policies and terms and conditions.

4.6. Any employee authorized to post items on any of the City's social media sites shall not express his or her own personal views or concerns through such postings. Instead, postings on any of the City's social media sites by an authorized City employee shall only reflect the views and speech of the City.

4.7. Postings must contain information that is freely available to the public and not be confidential as defined by any City policy or state or federal law.

4.8. Postings may NOT contain any personal information, except for the names of employees whose job duties include being available for contact by the public.

4.9. Postings to City social media sites shall NOT contain any of the following:

4.9.1. Comments that are not topically related to the particular posting being commented upon;

4.9.2. Comments in support of, or opposition to, political campaigns, candidates or ballot measures;

4.9.3. Profane or offensive language or content;

4.9.4. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, as well as any other category protected by federal, state, or local laws;

4.9.5. Sexual content or links to sexual content, obscenity, or pornography;

4.9.6. Solicitations of commerce except as may be authorized by the City Manager or his/her designee;

4.9.7. Conduct or encouragement of illegal activity;

4.9.8. Information that may tend to compromise the safety or security of the public or public systems;

4.9.9. Speech that is unprotected under the federal or Florida constitutions; or

4.9.10. Content that violates a legal ownership interest of any other party.

4.10. These guidelines shall be made available by hyperlink on all City social media sites or at City Hall. Any content removed based on these guidelines, to the fullest extent possible, must be retained, including the time, date and identity of the poster.

4.11. The City reserves the right to implement or remove any functionality of its social media site, when deemed appropriate by the City Manager or his/her designee. This includes, but is not limited to, information, articles, pictures, videos or any other form of communication that is posted on a City social media site or in recognition of hosting, application, or site amendments or modifications to their permissions, guidelines, options, features, or policies and procedures.

4.12. Except as expressly provided in this Policy, any person accessing any social media site shall comply with all applicable City policies pertaining to communications and the use of the internet by employees, including email content.

4.13. All of the content on City social media sites must be provided to the City Manager or his/her designee for review, approval and subsequent posting to the social media site. Such editorial review and discretion shall remain at all times with the City Manager or his/her designee and shall function to ensure the full protections of the government speech doctrine, compliance with this Policy, and that all communications are and remain the speech and message of the City.

4.14. Employees found in violation of this policy, in compliance with fundamental fairness and due process as guaranteed by law, may be subject to disciplinary action, up to and including termination of employment in compliance with the City's personnel policy.

## **5. Use of Social Media and Internet Sites by Individual Officers and Employees**

5.1. City officials and employees that individually wish to utilize City social media sites or to create or utilize their own or other websites, applications, or social networking internet websites, which pertain to or allow for communications relating to City matters, should be aware of the risks and requirements as set forth in Florida law, including but not limited to Florida Attorney General Opinions, the Sunshine Law, and the Public Records Law, prior to the establishment of such a site or activities thereon. Extreme caution and care should be exercised by such officials and employees and anyone acting on their behalf in posting or uploading any content to a website, application, or social networking internet website in order to: avoid the appearance of impropriety; unnecessarily expose themselves or the City to liabilities; prevent complaints or allegations of bias or favoritism; avoid violations of the Sunshine Law or the Public Records law, including retention or spoliation issues; violations of Florida's ethics rules; and/or violations of Florida's Election Code. City officials and employees are encouraged to contact the City Attorney regarding questions relating to this Policy.

5.2 In the context of websites, blogs, and other internet sites and publications, the Florida attorney general has opined that when public officials and employees of a public agency post comments about official agency business, such posts constitute public records, and the individual is responsible for ensuring that all such records are maintained in accordance with the Public Records Laws and the policies and retention schedules adopted by the agency and by state regulation. An official or employee that posts comments or other communication relating to city business online is responsible for ensuring that the information is maintained in accordance with the city's retention policy and the Public Records Law.

5.3 Unless otherwise addressed in a specific social media standards document, any online posting or communication that is related to City business by a City official or employee shall be preserved by such official or employee and maintained pursuant to a relevant records retention schedule. The official or employee shall send copies of all online postings and communications to an official City email account, or otherwise provide copies to the City Clerk, to be maintained consistent with the Public Records Act.

## **6. Severability; Conflicts**

6.1. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this Policy is declared unconstitutional or unenforceable by a valid final judgment or decree of any court of competent jurisdiction, then the declaration of same shall not affect any other part of this Policy. Should this Policy conflict with the City Charter or City ordinances or parts thereof, then the City Charter or City ordinance provisions shall apply but only to the extent of such direct conflict.

## **7. Disclaimer; Non-Waiver**

7.1. The City disclaims all liability and shall not be responsible for any effect, injury, damage, claim, action, or demand to the fullest extent permissible under law relating to or arising from a post, submission, or communication to a social media site, application, or other external web service by any member of the public, the City's removal of or failure to remove a post or submission, the City's failure or election not to follow or enforce this policy in every circumstance, or any other matter relating in any way to this Policy. The City further disclaims all liability and shall not be responsible for content or expression posted by City employees or any other persons or entities not acting within the course and scope of their City duties and with authorization as outlined in this Policy. Failure to comply with this Policy or any portion thereof by the City shall not create any expectation, right, or interest in a private, public, or other right of action against the City, its elected or appointed officials, officers, employees, personnel, or agents.

By posting information, content, or any expressions of any kind to any City social media sites, the City does not waive any legal right, protection, privilege, or immunity, including but not limited to, copyright, trademark, and/or sovereign immunity, including but not limited to the protections afforded pursuant to section 768.28, Florida Statutes, and the City shall at all times retain all rights to such information, content, or any expressions to the fullest extent permissible under federal and Florida law.

#### **8. Effective Date.**

Effective August 21, 2018, the City shall implement this Policy, violation of which may result in disciplinary actions or sanctions as provided herein or as set forth in the City Charter, Code of Ordinances, or otherwise available under law.

**Addendum A: Acknowledgement/Understanding of City Social Media Policy and Procedures**

By signing this Policy, I hereby affirm and acknowledge, that I understand this Policy and have been provided a reasonable time to secure counsel or clarification regarding this Policy, and I agree that should I have any other or further questions regarding this Policy, I shall provide such questions in writing to the City Manager or his/her designee within fifteen (15) days of receiving this Policy for review. Additionally, I understand and have been provided notice of the risks associated with conduct or expressions which relate to this Policy as detailed herein.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title or Position)

Date: \_\_\_\_\_

**Saturday, October 20, 2018 -Teach a Kid to Fish Day**

		<b>TYPE OF RESOURCES</b>	<b>IN-KIND</b>	<b>GENERAL FUND</b>	<b>Actual</b>
		Description	Revenues	Expenses	
Project Scope	Responses				
1 Name of Project	Teach a kid to fish				
2 Purpose of Project	To teach kids to fish	Set Up - 5 Volunteers at 8.00 hr@ 3 hrs	\$ 120.00	\$ 120.00	
3 Specific project information	There are donated fishing rods, hooks and plastic lures. Each Child will receive all of the above. There will be multiple stations set up by volunteers for fishing instruction for the kids. Each child will have a turn to set up their rod and learn how to casts.	Venue: City Park	\$ 100.00	\$ 100.00	
4 Estimated timeline: Start Date and Completion Date at the park	October 20, 2018 - 10am-12noon - Check in at 9:30am-10:00am. Danish and sandwiches will be provided by sponsors.				
5 Preliminary sketch of project - before/after	N/A				
6 Photos of project site	N/A				
7 Cost estimates for materials and labor	0 (donated by Teach a Kid to Fish and Fish on Fire)				
8 Estimate of number of volunteers needed (detailed)	15				
9 Source of funding for project	Grants and Sponsorships				
10 Estimate of continued maintenance costs (yearly or monthly) and funding sources	N/A				
		<b>Sub-Total</b>	\$ 220.00	\$ 220.00	