



city council agenda

Updated Agenda
October 01, 2019 * 6:30 PM
City Council Meeting
City Hall Chambers 1600 Nela Avenue

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

Welcome to the City of Belle Isle City Council meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's website at cityofbelleislefl.org.

1. Call to Order and Confirmation of Quorum
2. Invocation and Pledge to Flag - Commissioner Shuck, District 3
3. Consent Items
 - a. Proclamation: Nela Avenue Roundabout Fountain Dedication
 - b. Proclamation: Week of the Family November 2-9, 2019
 - c. RESOLUTION NO. 19-10 - RESOLUTION OF THE CITY OF BELLE ISLE DEDICATING THE FOUNTAIN AT THE NELA AVENUE ROUNDABOUT AS THE "HARVEY READEY FOUNTAIN"
 - d. RESOLUTION NO. 19-16 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE DEFINED CONTRIBUTION RETIREMENT PLAN FOR THE EMPLOYEES OF BELLE ISLE; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.
4. 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.
5. Unfinished Business - No report.
6. New Business
 - a. Appointment to the Solid Waste Advisory Committee (10 minutes)
 - b. Budget Advisory Committee Draft (10 minutes)
 - c. Policy on Council Benefits (15 minutes)
 - d. Policy on Conflict of Interest (15 minutes)
 - e. PRM, Inc - Designation of Board Member and Alternate
7. Attorney's Report
8. City Manager's Report
 - a. Issues Log (15 minutes)
 - b. Chief's Report (10 minutes)
9. Mayor's Report
 - a. Mayor appointment to the Community Action Board
10. Council Reports
 - a. Dates for Holiday and Boat Parade – Commissioner Carugno District 2 (10 minutes)
 - b. Donation to Ducktoberfest – Commissioner Shuck District 3 (10 minutes)
11. Adjournment

"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 31

Office of the Mayor

CITY OF BELLE ISLE



Proclamation

Vice Mayor, Commissioner Harv Readey

WHEREAS, Harvey Readey, a Belle Isle resident for most of his adult life, has contributed years of devoted service to the citizens of Belle Isle as a Citizens on Patrol volunteer, a member of the Planning & Zoning Board, and since 2006 as a City Commissioner; and

WHEREAS, Commissioner Harvey Readey has for many years worked persistently as a City Commissioner to have the Nela Avenue Roundabout beautified with a fountain; and

WHEREAS, Commissioner Readey has served the citizens of Belle Isle faithfully, courageously coming forward at critical junctures and in times of need, to share his experiences, vast knowledge, and relevant concerns with citizens and with fellow commissioners for the betterment of the city; and

WHEREAS, Commissioner Readey, a true public servant, is held in high esteem by the members of the City Council and has been elected by them to serve as Vice-Mayor of the city every year since 2016; and

WHEREAS, the BELLE ISLE CITY COUNCIL wishes to honor Commissioner Harvey Readey for his many years of generous, thoughtful, and committed service to the city; and

WHEREAS, the Belle Isle City Council has unanimously agreed to honor Commissioner Harvey Readey by dedicating the new fountain at the Nela Avenue Roundabout to show their appreciation for his service to our city; and

WHEREAS, Commissioner Harvey Readey has requested that the Fountain be dedicated to the Citizens of Belle Isle to celebrate "the terrific quality of life that we all enjoy in Belle Isle"; and has authored a dedication statement which will be placed at the fountain in his honor.



NOW, THEREFORE, I, Nicholas Fouraker, Mayor of the City of Belle Isle do hereby proclaim October 15, 2019 as "**Harv Readey Day**" in the City of Belle Isle, Florida in appreciation that the best way we can recognize volunteerism is by seeking to emulate his distinct service and selflessness for the betterment of our community.

Attest _____
Yolanda Quiceno, City Clerk

Mayor Nicholas Fouraker

"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 **3** of **31**

CITY OF BELLE ISLE



Proclamation

Declaring the Week of November 2nd through November 9th, 2019
“WEEK OF THE FAMILY – Practice Kindness”

- Whereas,* the City of Belle Isle is blessed with a multitude of families – an essential part of the cultural, social, and spiritual fabric of our community; and
- Whereas,* the City of Belle Isle recognizes that strong families are at the center of strong communities; that children live better lives when their families are strong; and that families are strong when they live in communities that connect them to economic opportunities, social networks, and services; and
- Whereas,* kindness is strengthened by seeing and hearing. The more our children see kindness the more it becomes contagious and something they want to be part of; and
- Whereas,* kind acts don’t have to cost a dime, take much time, or require any particular talent. In fact, the easier the task, the more willing kids are to practice kindness; and
- Whereas,* kids must have ample opportunities and encouragement to practice kindness. When kids continue doing simple, regular kind acts, other kids will want to do the same.
- Whereas,* during the week of November 2nd through November 9th, 2019, Belle Isle residents should take time to honor the importance of family and recommit to this year's theme “Family: Practice Kindness!”, Let us change the environment in which we live by enhancing and extending the special connections that support and strengthen them throughout the year; and
- Whereas,* during this week, we urge the residents of the City of Belle Isle to join other agencies and organizations throughout the county to honor and celebrate our families;



Now, therefore, I, Nicholas Fouraker, Mayor of the City of Belle Isle, do hereby proclaim the week of November 2nd through November 9th, 2019, as

“WEEK OF THE FAMILY – Practice Kindness”
in the City of Belle Isle, and encourage all citizens to share in this occasion.

Attest

Yolanda Quiceno, CMC-City Clerk

In Witness Whereof, I hereunto have set my hand and caused the Seal of the City of Belle Isle to be affixed this 1st day of October, 2019.

Mayor Nicholas Fouraker

RESOLUTION NO. 19-10

**RESOLUTION OF THE CITY OF BELLE ISLE DEDICATING THE FOUNTAIN AT
THE NELA AVENUE ROUNDABOUT AS THE "HARVEY READEY FOUNTAIN"**

WHEREAS, the City adopted Resolution 17-19 that establishes the criteria for naming a public facility after a person or persons; and

WHEREAS, Commissioner Harvey Readey has served on the City Council since April 2006, and continues to serve on the City Council with distinction and selflessness; and

WHEREAS, Commissioner Readey has been instrumental in getting the fountain built in the Neal Avenue Roundabout, replacing an old and dilapidated planter; and

WHEREAS, the fountain is, according to Commissioner Readey, "this fountain is for the residents of Belle Isle to celebrate the terrific quality of life they enjoy in Belle Isle"; and

WHEREAS, the City Council believes that the naming of the Nela Avenue Fountain for Commissioner Harvey Readey meets the criteria established in Resolution 17-19; and

WHEREAS, the City Council believes that Commissioner Readey's accomplishments as a City Commissioner are worthy of this recognition.

1 NOW, THEREFORE, BE IT RESOLVED by the Belle Isle City Council that:

2
3 The Nela Avenue Fountain shall be named the "Harvey Readey Fountain" and
4 Commissioner Readey's words "This fountain celebrates the terrific quality of
5 life enjoyed by the citizens of Belle Isle" be memorialized on this fountain.

6
7 Adopted by the City Council of the City of Belle Isle, FL this 1st day of
8 October 2019.

9 _____
10 Nicholas Fouraker, Mayor

11 Attest: _____
12 Yolanda Quiceno, City Clerk

13 _____
14 Approved as to form and legality
15 City Attorney

16 STATE OF FLORIDA
17 COUNTY OF ORANGE

18 I, YOLANDA QUICENO, CITY CLERK OF THE CITY OF BELLE ISLE, FLORIDA, do
19 hereby certify that the above and foregoing Resolution No. 19-10 was duly and
20 legally passed and adopted by the Belle Isle City Council in session
21 assembled, at which session a quorum of its members were present on the 1st
22 day of October, 2019.

23 _____
24 Yolanda Quiceno, City Clerk

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RESOLUTION NO. 19-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA;
AMENDING THE DEFINED CONTRIBUTION RETIREMENT PLAN FOR THE EMPLOYEES OF
BELLE ISLE; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN
EFFECTIVE DATE.

WHEREAS, the City Commission established a Retirement Plan and Trust
for the Employees of Belle Isle pursuant to Resolution 14-01 dated January 7,
2014; and

WHEREAS, the Retirement Plan and Trust agreement was executed on
January 7, 2014; and

WHEREAS, the plan was last amended on October 1, 2018 by Resolution 18-
17; and

WHEREAS, the Plan and Trust authorizes the City Council to amend the
Plan and Trust, in whole or in part, either retroactively or prospectively,
by delivering to the Trustee a written amendment in accordance with the
limitations set out in that section; and

WHEREAS, the City Council desires to amend the Plan and Trust in order
to change the employer contribution rate of the Plan set forth by the
adoption of the plan on January 7, 2014; and

WHEREAS, the effective date of this resolution shall be October 1,
2019, City non-elective employer contributions shall be 13% for civilian
general employees and 17% for law enforcement employees.

1 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA
2 **HEREBY RESOLVES:**

3 **SECTION 1.** The City Council of the City of Belle Isle, in its capacity
4 as the Trustee of the Retirement Plan and Trust for the employees of Belle
5 Isle hereby approves the changes as set out forth below, with additions to
6 the Plan and Trust indicated by underlining (underlining) and deletions by
7 strike through (~~stricken through~~).

8
9 **PARTICIPATING EMPLOYER CONTRIBUTIONS**

10 A Participating Employer may make Non-elective Contributions and/or Matching
11 Contributions as specified below. Non-elective Contributions and Matching
12 Contributions that are tied to Payroll Periods (as defined in this Adoption
13 Agreement) must be remitted to the Plan Administrator no later than 15
14 business days after the Payroll Period. Annual Contributions must be remitted
15 to the Plan Administrator no later than 15 business days after the end of the
16 Plan Year. A Participating Employer may establish different classes of
17 Employees for contribution purposes in this Adoption Agreement. The
18 Participating Employer hereby elects to make Contributions as follows (choose
19 one or both as applicable):

20 Non-elective Contributions - Participating Employer Non-elective
21 Contributions will be made on the following basis (must specify):

22 ~~11% employer contribution for civilian general employees~~

23 ~~15% employer contribution for law enforcement employees~~

24 13% employer contribution for civilian general employees

25 17% employer contribution for law enforcement employees

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, YOLANDA QUICENO, CITY CLERK OF THE CITY OF BELLE ISLE, FLORIDA, do
4 hereby certify that the above and foregoing Resolution No. 19-16 was duly and
5 legally passed and adopted by the Belle Isle City Council in session
6 assembled, at which session a quorum of its members were present on the
7 _____ day of October, 2019.

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10 Yolanda Quiceno, City Clerk

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

Meeting Date: October 1, 2019

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Solid Waste and Recycling Committee Appointees

Background: The Council passed Resolution 19-11 creating a Solid Waste and Recycling Advisory Committee. The City advertised for the at-large positions and the following citizens responded with interest: Richard Weinsier, Clay Van Camp, Greg Gent, Frank Noge, Kate Durni and Richard Baggs. The initial appointments to the City Solid Waste and Recycling Advisory Board are recommended:

- a. 3-Year Term – Richard Weinsier and Kate Durni
- b. 2-Year Term – Clay Van Camp and Frank Noge
- c. 1-Year Term – Greg Gent and Richard Baggs

There is still one vacancy for a 2-Year term.

Staff Recommendation: Appoint the persons named above to the Solid Waste and Recycling Advisory Committee.

Suggested Motion: I move we appoint the following individuals to the following terms:

Alternatives: None

Fiscal Impact: None as these are voluntary positions

Attachments: None



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

Meeting Date: October 1, 2019

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Budget Advisory Committee

Background: The City Council directed that a Budget Advisory Committee be formed in accordance with Section 2-54 of the Municipal Code. The purpose of the Budget Committee will be to review the City budget with objectivity, transparency, and make recommendations to City Council. Committee members will review information on fund structures, revenues, and expenses. For this committee, the staff is requesting the positions be filled by District Appointments.

Staff Recommendation: Create a Budget Advisory Committee.

Suggested Motion: I move we create a Budget Advisory Committee in accordance with the Section 2-54 of the Municipal Code and direct the staff to draft a resolution creating the Committee for the next City Council meeting.

Alternatives: Do not create the committee

Fiscal Impact: None as these are voluntary positions

Attachments: Draft Duties of the Committee

Purpose.

City Council created the Budget Committee to provide increased public accountability and elected official monitoring of the fiscal position of the City. The budget committee's primary function is to review the budget message and budget document as prepared by the budget officer.

Definitions.

The term "committee" as used in this chapter shall mean the city of Belle Isle Budget Committee

Organization of the Budget Committee.

The committee is made up of seven (7) citizen members appointed by the city council. Members are appointed by District.

Qualifications and terms of appointed members.

Appointments to the committee are made by the city council after an application is filed with the city clerk. Appointments are made by District. Appointed members:

- A. Must be a resident from each of the city's districts;
- B. May not be officers or employees of the city; and
- C. Must be qualified voters of the city.

All members are expected to attend all meetings and be active participants in committee deliberations in a public setting. All members are expected to read all of the materials related to their meetings, most of which can be very long and technical and should be willing to dedicate several hours of research, preparation and time for each scheduled meeting.

Term of appointed members.

Appointed members serve staggered three-year terms, such that approximately one-third of the terms of appointed members end each year. For the initial appointment, District 1, District 5 and District 7 will be appointed for a 1-year term; District 2 and District 4 will be appointed for 2-year terms; and District 3 and District 6 will be appointed for 3-year terms. Members may apply for reappointment.

No compensation.

Appointed members shall not receive compensation for serving in this capacity.

Election of officers.

At its first budget meeting of the calendar year, the committee shall nominate a chairman, vice-chairman, and secretary. Nominations of, and elections for, all Officers shall be by a majority vote of those present.

Duties of Officers**A. Chairman:**

1. The Chairman shall preside at all meetings of the Committee.
2. The Chairman shall schedule all meetings, assist in assembling the agenda for all regular and special meetings of the committee, and notify all members of said schedule.

B. Vice Chairman

1. In the absence of the Chairman, the Vice Chairman shall preside over and assume all duties and responsibilities of the Chairman in addressing the business of any regularly scheduled or special meeting.
2. Assist the Chairman in scheduling and coordinating all regularly scheduled and special meetings of the Committee.

C. Secretary

1. The Secretary shall take minutes of meetings and shall sign same as revised and approved.
2. In the absence of the Chairman and the Vice Chairman, the Secretary shall preside over and assume all duties and responsibilities of the Chairman in addressing the business of any regularly scheduled or special meeting.

Removal/vacancies of citizen members.

Citizen members serve at the pleasure of city council and may be removed by a majority vote of the city council. A member who is absent from three consecutive meetings without the permission of the presiding officer is presumed to be in nonperformance of duty, and the city council may declare the position vacant. All committee vacancies shall be filled by the council, for the unexpired term, for the remainder of the term within 45 days after the vacancy occurs

Meetings and notice.

The committee shall hold one or more meetings according to the budget officer's schedule to review and approve the budget document. The budget committee may also meet at other times during the year at its discretion. Budget committee meetings shall be open to the public and noticed as required under Florida law. A quorum shall consist of at least four members of the Budget Committee.

Authority and duties of the budget committee.

The Committee's authority shall be advisory only. The Committee shall have the following duties:

A. To review and make recommendations on the annual operating budget as proposed by the city manager;

B. To review and make recommendations on annual capital expenditures as proposed by the city manager;

C. To review and make recommendations on supplemental appropriations and expenditures and other budgetary action whenever proposed by the city manager;

D. To make such other recommendations on fiscal matters as it may from time to time deem advisable.

E. To review any audit reports submitted on behalf of any auditor for the City as such report(s) become available.

F. to review revenue and expenditure reports periodically as may be amended from time to time

G. Individual budget committee members have no special authority to request information or direct staff to provide reports. However, the budget committee as a whole may, by committee vote, direct the administration to provide additional reports, information, data or presentations to help the budget committee better understand the budget.

H. The budget committee plays a large role in providing communication with the community about the budget process and limitations within which the local government works. Committee members develop a good understanding of the City's fiscal constraints and the services funded and thereby are able to explain those to community members, providing an important communication conduit to the community regarding the City and its services.



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

Meeting Date: October 1, 2019

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Proposed Ordinance - Council Benefits

Background: The City Council has, for some time, received dental and vision insurance from the City. There is nothing in writing that authorizes the City to pay for benefits for the Elected Officials. Currently they receive dental and vision coverage at 100%. This is authorized under Florida Statute 112.08(2).

Chit Charter Section 3.09 states **The council may determine the annual salary of the commissioners and mayor by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of commissioners elected at the next regular city election, provided that such election follows the adoption of such ordinances by at least six (6) months. All city public officials shall receive their actual and necessary expenses incurred in the performance of their duties of office as provided by law.**

Salary is not the same as benefits provided; however since it is a benefit to Council .

Staff Recommendation: The City staff would like this benefit provided to the Council memorialized by Ordinance.

Suggested Motion: I move we approve the draft ordinance prepared by the staff and direct it be read for the first time at the next City Council meeting.

Alternatives: Do not create the ordinance or terminate the Council benefit.

Fiscal Impact: \$4,000 annually

Attachments: Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE BELLE ISLE CITY COUNCIL RELATING TO THE BENEFITS PAID TO THE MAYOR AND CITY COUNCILMEMBERS.

WHEREAS, Florida Statute 112.08(2) the City of Belle Isle is authorized to provide and pay out of its available funds for all or part of the premium for life, health, accident, hospitalization, legal expense, or annuity insurance, or all or any kinds of such insurance, for the officers and employees of the local governmental unit and for health, accident, hospitalization, and legal expense insurance for the dependents of such officers and employees upon a group insurance plan; and

WHEREAS, under Belle Isle Municipal Code Chapter 3.09 the council may determine the annual salary of the commissioners and mayor by ordinance; and

WHEREAS, the Mayor and City Council elected not receive an annual salary, but are eligible, individually, to participate in the City's dental and vision benefits package currently available to Belle Isle employees.

NOW, THEREFORE, BE IT ORDAINED 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 by this reference.

Section 2. Effective October 1, 2019, the Mayor and Councilmembers shall receive, and in lieu of an annual salary, dental and vision benefits coverage currently available to Belle Isle employees..

Section 3. Effective October 1, 2019, the Mayor and Councilmembers shall continue to be eligible to participate in the City's dental and vision benefits package currently available to Belle Isle employees. The City shall pay the entire premium for these benefits. The Mayor and Councilmembers choosing to participate in these benefits shall be eligible for "employee only" coverage.



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

Meeting Date: October 1, 2019

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Proposed Policy – Conflict of Interest

Background: One of the recommendations of the forensic auditor was for the City to adopt a conflict of interest policy due to findings they produced in the audit. The policy addresses both City Employees and Elected Officials.

Staff Recommendation: Review the proposed policy, make any recommendations necessary and then adopt the policy

Suggested Motion: I move we approve the conflict of interest policy. .

Alternatives: Do not adopt the policy

Fiscal Impact: None

Attachments: Draft Policy

CITY OF BELLE ISLE
CONFLICT OF INTEREST POLICY
FOR
ELECTED AND APPOINTED OFFICERS AND EMPLOYEES

Scope

This policy governs all elected and appointed public officers and employees of the City of Belle Isle, Florida. The applicability of certain provisions of this policy depend on whether a person is classified as an elected or appointed officer or an employee.

Purpose

Generally, a conflict of interest exists when a board member or other public officer or employee influences a decision of a board or otherwise participates in a matter that will (or has the potential to) affect the individual's financial interest or the financial interest of a family member, business associate, or principal. Questions involving conflicts of interest are each unique unto themselves, and each potential conflict must be considered individually in order for proper legal guidance to be given. Any Board or Commission member, public officer, or employee who has a question concerning a possible conflict of interest may contact the City Manager's office, the city attorney, or a private attorney, and should do so immediately.

This policy does not necessarily describe every requirement or prohibition governing public officers and employees under the public ethics statutes, Chapter 112, Fla. Stats. Every public officer and employee of the City is responsible for adhering to every applicable provision of the public ethics statutes, notwithstanding that such provision does not appear in this policy.

Definitions

“Breach of the public trust” - A violation of a provision of the State Constitution or Florida Statutes which establishes a standard of ethical conduct, a disclosure requirement, or a prohibition applicable to public officers or employees in order to avoid conflicts between public duties and private interests.

“Business Associate” – Any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, co-owner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

“Conflict” or “conflict of interest” - A situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

“Corruptly” - Done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties.

“Employee” – Any person employed by the City who is not a public officer. If you have questions as to whether you are an employee or an officer, you should contact the city manager's office or the city attorney.

“Material Interest” – A direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity. For the purposes of this act, indirect ownership does not include ownership by a spouse or minor child.

“Principal” or “Principal by Whom Retained” - an individual or entity, other than an agency as defined in Section 112.312(2), Fla. Stats., that for compensation, salary, pay, consideration, or similar thing of value, has permitted or directed another to act for the individual or entity, and includes, but is not limited to, one’s client, employer, or the parent, subsidiary, or sibling organization of one’s client or employer.

“Public Officer” – Any person elected or appointed to hold office with the City, including an advisory body.

“Relative” – Means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, or wife.

“Special Private Gain or Loss” - An economic benefit or harm that would inure to the officer, his or her relative, business associate, or principal, unless the measure affects a class that includes the officer, his or her relative, business associate, or principal, in which case, at least the following factors must be considered when determining whether a special private gain or loss exists:

1. The size of the class affected by the vote.
2. The nature of the interests involved.
3. The degree to which the interests of all members of the class are affected by the vote.
4. The degree to which the officer, his or her relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class.

The degree to which there is uncertainty at the time of the vote as to whether there would be any economic benefit or harm to the public officer, his or her relative, business associate, or principal and, if so, the nature or degree of the economic benefit or harm must also be considered.

Financial Disclosures (certain public officers and employees)

Section 112.3145, Florida Statutes requires that the following public officers and employees disclose certain financial interests they have by filing financial disclosure forms:

1. Every person who is elected to office in any political subdivision of the state, and every person who is appointed to fill a vacancy for an unexpired term in such an elective office.
2. Any appointed member of any of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision of the state:
 - a. The governing body of the political subdivision, if appointed;
 - b. A community college or junior college district board of trustees;

- c. A board having the power to enforce local code provisions;
 - d. A planning or zoning board, board of adjustment, board of appeals, community redevelopment agency board, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and such other groups who only have the power to make recommendations to planning or zoning boards;
 - e. A pension board or retirement board having the power to invest pension or retirement funds or the power to make a binding determination of one's entitlement to or amount of a pension or other retirement benefit; or
 - f. Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
3. Any person holding one or more of the following positions: mayor; county or city manager; chief administrative employee of a county, municipality, or other political subdivision; county or municipal attorney; finance director of a county, municipality, or other political subdivision; chief county or municipal building code inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator, with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; district school superintendent; community college president; district medical examiner; or purchasing agent having the authority to make any purchase exceeding the threshold amount provided for in [Florida Statute] s. 287.017 for CATEGORY TWO, on behalf of any political subdivision of the state or any entity thereof.

Voting/Participation Conflicts of Interest (elected and appointed public officers)

- 1) No public officer of the City shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Such public officer shall, prior to the vote being taken, publicly state to the assembly the nature of the officer's interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the City Clerk, who shall incorporate the memorandum in the minutes.
- 2) No appointed public officer of the city shall participate in any matter which would inure to the officer's special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a

corporate principal by which he or she is retained; or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer, without first disclosing the nature of his or her interest in the matter.

Gifts, Compensation & Use of Position (all public officers and employees)

- 1) *Solicitation or Acceptance of Gifts.* No public officer or employee of the City shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer or employee would be influenced thereby.
- 2) *Unauthorized Compensation.* No public officer or employee of the City or his or her spouse or minor child shall, at any time, accept any compensation, payment, or thing of value when such public officer or employee knows, or, with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the officer or employee was expected to participate in his or her official capacity.
- 3) *Misuse of Public Position.* No public officer or employee of the City shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.

Business Relationships and Employment (all public officers and employees)

- 1) *Doing Business with the City.* No employee of the City acting in his or her official capacity as a purchasing agent, or public officer acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for the City from any business entity of which the officer or employee or the officer's or employee's spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or the officer's or employee's spouse or child, or any combination of them, has a material interest. Nor shall a public officer or employee of the City, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the City.
- 2) *Conflicting Employment or Contractual Relationship.* No public officer or employee of the City shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with the City, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the City; nor shall an officer or employee of the City have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

Disclosure or use of Certain Information (all public officers and employees)

A current or former public officer or employee of the City may not disclose or use information not available to members of the general public and gained by reason of his or her official position, except for information relating exclusively to governmental practices, for his or her personal gain or benefit or for

the personal gain or benefit of any other person or business entity. **Steps To Resolve a Voting/Participation Conflict of Interest**

When a person abstains from voting due to a conflict of interest, the individual must complete FORM 8B and submit it to the City Clerk’s Office within 15 days of the abstention. The form must become a part of the official minutes of the meeting. In addition, the person must publicly state to the assembly the nature of his or her interest in the matter on which he or she is abstaining.

WHO MUST FILE FORM 8B:

This form is for use by any person serving as a public officer of the City, including but not limited to serving on an appointed or elected city board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, if you are an appointed officer, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN (APPOINTED OFFICERS):

1. You must complete and file Form 8B (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
2. A copy of the form must be provided immediately to the other members.
3. The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING (APPOINTED OFFICERS):

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete Form 8B and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

A copy of the official form is attached as Exhibit A to this policy. You should consult the City Clerk for the most recent edition of the form. The Florida Ethics Committee may change the format and/or content without notice.

Violations and Penalties

Violation of any provision of this policy and/or Chapter 112, Fla. Stats. may result in imposition of a penalty by the Florida Commission of Ethics as provided in Section 112.317, Fla. Stats. Such violation

may also subject the person to termination, sanction, or other adverse employment action by the City, all in the discretion of the City Council or appropriate supervising personnel.

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SAMPLE LETTER

DESIGNATION OF BOARD MEMBERS

[on Entity's Letterhead]

(Date)

Bonnie Mims
Executive Director
Public Risk Management of Florida
3434 Hancock Bridge Pkwy, Suite 203
Fort Myers, FL 33903

Dear Ms. Mims:

At the regular City Commission meeting held on (Date) , the Commission designated (Individual's Name, Title) to serve as the City's Representative on the Public Risk Management of Florida Property/Casualty Board of Directors and (Individual's Name, Title) as the Alternate Board Member.

Sincerely,

Name, Title

**Belle Isle Issues Log
10/1/19**

a.

<u>Issue</u>	<u>Description</u>	<u>Start Date</u>	<u>POC</u>	<u>Expected Completion Date</u>	<u>Completed Action</u>	<u>Next steps</u>
Gene Polk Park (Delia Beach)	Drainage issue at Gene Polk Park caused erosion problems and makes the park unattractive. At least 3 plans have been developed for the drainage and Council allocated \$180,000 to correct the problem.	4/3/2017	CM/CE	9/30/2019	FEMA is reviewing the project damages with the City to determine what the final payment may be and if this project will be funded under a FEMA mitigation program. FEMA mitigation reviewing project.	All Funding is in place for Park Construction. Project to be budgeted for next fiscal year.
Street Paving	Council approved project for paving several streets in the City. Middlesex Paving is the contractor	8/12/2017	PW/CM	9/30/2017 Completed for 2017	Paving to start mid-April. Area: City parking lot; Overlook, Lake Dr. (Nela - Swann), Nela to Bridge; Nela (Matchett - Gondola) Gondola (Nela - Perkins) Conway Cir, Jetport. Paving to start April 14; new door hangers out for residents in the area; E-Alert and FB Posts made.	Paving complete. Speed tables complete.
Storm Drainage	Several individual projects are being looked at to complete. St. Partens, Nela , Wind Drift, and Seminole/Daetwyler.	4/3/2017	PW/ENG	8/31/2018	Wind Drift Contract signed. Pre-construction meeting scheduled for next week. Look for project completion near end of September (weather permitting). Design for Nela Avenue 80% complete.	Wind Drift is complete. Planning stage for St. Partin problem.
Traffic Studies	Council allocated funds for traffic study at Trentwood/Daetwyler Rd. Council directed city-wide traffic study to improve traffic flow.	4/3/2017	CM/Eng.	12/31/2018	Trentwood issues completed except for repair of chicane. Met with WaWa Rep regarding redesign of entrance. Plan Adopted. Hoffner Crosswalks and Hoffner construction at Conway tentatively to be funded in FY2019.	Trentwood chicane replacement to start. City to start to get permit for Hoffner Avenue project at Conway. City applied for permit for Hoffner
Fountain at Nela/Overlook	Council approved funding to convert the planter at Nela/Overlook to a fountain.	4/3/2017	CM	8/31/2018	G'Werks to do fountain. Centerpiece is here. Should see demo of roundabout soon after Perkins Ramp is complete. Fountain is complete. Discuss dedication with Special Events Committee.	Issue Closed.

**Belle Isle Issues Log
10/1/19**

a.

Wallace Field	City purchased large area at Wallace/Matchett for open space. Issues with Wallace Street Plat in this area with people trespassing on private property. District 2 Comm. And CM met with residents to discuss solutions. Council met on June 14 and issues was discussed. Council directed that a fence would be erected around property. Dist. 2 Comm. and CM to meet with residents to discuss options for Wallace Street plat. Area is still zoned R-2.	6/14/2017	Dist.2 Comm and CM	9/30/2018	Fence installed. Zoning changed to OS. Agreement for CCA use of the field being reviewed by school. Trees planted as part of Arbor Day Celebration. Workshop held on development. CCA and City to review CCA draft plan. All changes sent to CCA Board for review. Possibility to be on their June 26 agenda. CA rejected change in Use Agreement regarding by-laws and rejected by-law changes suggested by the City.	Use Agreement changed by removing by-law language and sent to CCA for approval.
City acquisition of Property	Council discussed possibility of acquiring parcels within the City and directed City staff look at	3/20/2018	CM	8/31/2018	Cross lake purchase is on hold until County reschedules PH. Mayor/CM to meet with Commissioner Uribe and Adjacent property owner on Cross Lake on March 4. CM/Comm. Gold met with Oak Island HOA for property off Kissam Court.	CM spoke to Cross Lake property owner's title company regarding ingress/egress and informed the County that the "litigation" issue may be resolved so CM requested County convene the public hearing. Council approved escrow amount for BOA
Charter School (CCA)	There has been infrastructure issues at Cornerstone for some time. The City owns the property and leases it to CCA. The City is responsible for replacing major systems at CCA according to the lease.	4/3/2017	CM	Ongoing	Capital Facility Plan complete. CCA considering purchase of property. Roofs are being patched, not replaced at this time. Letter was sent to CCA Board asking for joint meeting and other Board issues.	City issued RFP for Financial Advisor to assist in reviewing and providing advice on CCA options
Strategic Plan	The City currently has no Strategic Plan. Strategic planning is the process to develop a vision of what the City would like in 10, 15, or 20 years, based on forecasted needs and conditions. It defines goals and objectives to achieve those goals. It is not the same as the Comp Plan	4/3/2017	Council/C M	Ongoing	Council to decide if it wants a Strategic Plan and then to set up a process for developing the plan. If Council moves forward, an outside consultant should be hired to contact the meetings, gather the information, conduct the surveys and develop the draft plan.	Received Facilitator's Report. Staff to put together action plan.
Municipal Code Update	The City Council contracted with a planner to update the municipal code. This process was not completed and needs to be completed. There have been significant code changes in the past few years that need to be in the code.	4/3/2017	CM/CC	Ongoing	Meet with consultant to determine what was done and what is left to do.	P&Z Board looking at possible changes to fence/wall requirements. Discussion of sidewalk maintenance

**Belle Isle Issues Log
10/1/19**

a.

Comp Plan Updates	The comp plan is reviewed every 7 years to see if it needs to be updated. The City Council contracted with a planner to update the comprehensive plan.	3/1/2017	Council Planner CM	Ongoing	Meet with consultant to determine what was done and what is left to do.	City Manager and Planner to review 2009 Comp Plan for errors discovered in Zoning Map.
Annexation	Council discussed the desire to annex contiguous property in order to build the tax base and possibly provide more commercial development in Belle Isle.	4/3/2017	Council CM	12/31/2017	Council determined the priority to annex.	CM to set up a series of community meetings to discuss annexations with residents.
Sustainability	Council discussed sustainability and energy initiatives.	4/3/2017	CM	12/31/2107	Look at LED lighting and Solar power for city facilities. Look at Community Garden (possibly at Wallace/Matchett)	No update, but will now be an item for next fiscal year budget
Forensic Audit	Council directed a forensic audit be conducted	17-Oct	CM/FD	9/30/2018	Auditor has list of questions for staff to answer. Conducted interviews. Delay in getting information from old system.	Staff drafted policies recommended by Auditor. Attorney reviewing policies. Agenda Item
Parking	Council directed review and possible changes to parking ordinance. Focus on parking on grass and in front yards	6/19/2018	CM Code Enf Police	9/30/2018	Staff to review parking ordinances and BIMC.	Flyer and posting on FB done. Code Enforcementr and Police to start enforcement of new changes. Issue Closed.



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

Meeting Date: October 1, 2019

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Sponsorship of Ducktoberfest

Background: Ducktoberfest will occur on October 26, 2019 from 11 AM to 4 PM. This is one of CCA's big fundraising events and should be supported by the City. The City provides logistical support for the event with police and street closures and the city should consider monetary sponsorship also.

Staff Recommendation: Approve at least \$500 to be a Gold sponsor. .

Suggested Motion: I move that we approve \$500 (or \$750) for a sponsorship for Ducktoberfest.

Alternatives: Do not approve.

Fiscal Impact: \$500 or \$750

Attachments: Informational Flyer and Donation Form



CORNERSTONE CHARTER ACADEMY

5903 Randolph Avenue

Belle Isle, FL 32809

Ph 407-608-7171

Fax 407-608-7172

www.cornerstonecharter.com



b.

On Saturday, October 26, 2019, Cornerstone Charter is hosting a fall festival called Ducktoberfest. Proceeds from the event will benefit the students and faculty of Cornerstone Charter Academy (CCA), a K-12 public charter school located just south of Downtown Orlando with over 1,500 students.

The students and families of Cornerstone Charter Academy need your help! Will you please consider sponsoring this amazing event?

Your business will also benefit from this event as donations are tax deductible [CCA's PTSA is a 501(c)(3); #59-0637851]. Additionally, you'll benefit from exposure of your company's name, products & services to those who attend the event. Donors will be displayed throughout the event, depending on your level of sponsorship.

If you are able to help us with this worthy community fundraiser, please fill out the enclosed sponsorship form and return it to Katie Hohman by email to katie@heno.com or mail it to the address listed above. We will gladly pick up your donation, just contact us to make arrangements.

The sponsorship form and payment must be completed and sent by October 1st, 2019, in order to receive the invaluable exposure from listing your business at the event.

Thank you in advance for considering our request and for supporting the students and families of Cornerstone Charter Academy!

Sincerely,

Katie Hohman
Ducktoberfest Sponsorship Chairperson

Go Ducks





October 26th, 2019 11am-4pm

b.

DUCKTOBERFEST FALL FESTIVAL

Sponsorship Application

Deadline for this application is October 1st

Business Name: _____ Phone: _____

Contact Person: _____ Phone: _____

Business Address: _____

Email Address: _____

Please Circle Sponsorship Level:

PLATINUM* \$750

Name and logo on all volunteer t-shirts, Company name on large sign street front on Hansel Ave, name on all Ducktoberfest marketing materials, name on sponsor banner at festival entrance, listed on Facebook w/link to your website and listed on the home page of the school's website, 10 entrance wristbands

GOLD* \$500

Name on all Ducktoberfest marketing materials, included on sponsor banner at festival entrance, listed on Facebook w/link to your website, 8 entrance wristbands.

SILVER* \$250

Listed on Facebook w/link to your website, 4 entrance wristbands

BRONZE* \$100

Listed on Facebook page, 2 entrance wristbands

OTHER DONATION \$ _____

Listed on Facebook page

Make check payable to: CCA PTSA
Cornerstone Charter Academy PTSA at 5903 Randolph Ave. Belle Isle, FL 32809